

STATEMENT OF OBSERVATIONS

Planning Application No. P/19/0316

Erection of two storey side extension with associated alterations

15 Reay Avenue, East Kilbride, G74 1QT

1.0 Planning Background

- 1.1 A planning application was submitted by Mr Derek Haughey to South Lanarkshire Council on 27 February 2019 seeking permission for the erection of a two storey extension to the side of the existing semi-detached dwellinghouse at 15 Reay Avenue, East Kilbride. Following receipt of the relevant fee, the application was validated on 11 March 2019. After due consideration of the application in terms of the Local Development Plan and all other material planning considerations, the planning application was refused by the Council under delegated powers on 08 July 2019. The report of handling dated 08 July 2019 explains the decision and the reasons for refusal are listed in the decision notice. These documents are available elsewhere in the papers.
- 1.2 It should also be noted that an earlier application was submitted for a similar two storey side extension at this property in November 2018 (Reference P/18/1662). This application was never validated or progressed formally, as concerns were raised by the Planning Service with the appointed agent with regards to the scale and design of the proposal. As part of the informal pre-application discussions with the agent, this Service suggested that a single storey extension would be more acceptable in this location and advised upon the relevant policies and guidance applicable to side extensions.

2.0 Assessment against the development plan and other relevant policies

- 2.1 Section 25 of the Town and Country Planning (Scotland) Act 1997, as amended requires that an application for planning permission is determined in accordance with the development plan unless material considerations indicate otherwise.

- 2.2 The development plan in this instance comprises the South Lanarkshire Local Development Plan (adopted 2015) and its associated Supplementary Guidance documents. The site is identified as being located within an established residential area where Policy 6 – General urban areas/settlements applies. This policy covers most residential areas and it states that developments will not be permitted if they are detrimental to the amenity of residents. Each proposal will be judged on its own merits with particular consideration given to the impact on the overall amenity of the area and parking arrangements, as appropriate.
- 2.3 Policy 4 - Development Management and Placemaking is relevant to the assessment of this proposal, as it is to all planning applications. This states that all proposals will require to take account of and be integrated with the local context and built form and that development proposals should have no significant adverse impact on the local community.
- 2.4 The policies contained within the Development Management, Placemaking and Design Supplementary Guidance (2015) provide further details on the Council's policies with regards to householder development, including house extensions. Policy DM1 – Design states that the design and layout of new development will be assessed in relation to relevant design criteria including, with householder extensions, the criteria set out in Policy DM2.
- 2.5 Policy DM2 – House extensions and alterations provides detailed guidance on the type, design and scale of house extensions that are generally considered to be acceptable. This states that house extensions will be considered favourably where it can be demonstrated that the proposal complies with a set criteria. The siting, form, scale, design and materials used should respect the character of the existing dwelling and wider area, and the proposed extension should not dominate or overwhelm the existing dwelling, neighbouring properties of the street scene. The extension should also not significantly affect adjacent properties in terms of overlooking or a loss of light, and adequate car parking, useable garden ground and bin storage should be retained. With regards to two storey side extensions, there is also specific detailed guidance associated with this policy. This includes the provision that the extension should be set back 1 metre from the front elevation and from side boundaries by a minimum of 1 metre. The design should also be such

that it would not, if repeated on other properties, result in the formation of a continuous terrace and the ridge line should be set below the existing ridge, with the eaves line carried through from the existing adjoining property.

- 2.6 On 29th May 2018 the Planning Committee approved the proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2) and Supporting Planning Guidance on Renewable Energy. The new plan builds on the policies and proposals contained in the currently adopted South Lanarkshire Local Development Plan. For the purposes of determining planning applications the proposed South Lanarkshire Local Development Plan 2 is now a material consideration. In this instance Policies 3 – General Urban Areas and Settlements, 5 – Development Management and Placemaking, DM1 – New Development Design and DM2 – House Extensions and Alterations are relevant to the assessment of this application. It is noted that these specific policies are broadly consistent with the current adopted South Lanarkshire Local Development Plan.
- 2.7 The proposal fails to comply with Policies 4, 6, DM1 and DM2 of the adopted Local Development Plan, and with Policies 3, 5, DM1 and DM2 of the proposed Local Development Plan 2, for the reasons set out in the report of handling associated with the application. In summary, the proposed extension would have a significant adverse impact upon adjacent dwellings and the streetscape in terms of its size, scale and proximity to the side boundary. It fails to comply with the Council's guidance that such large extensions should be set back at least one metre from the side boundary, to avoid a terracing effect if repeated on neighbouring properties, and it is not set back sufficiently from the existing front building line. Overall the proposal is considered to be overdevelopment of the site and its size would be out of character with other properties in the street, with the proposal also having an adverse impact upon the streetscape of the area. In addition, no details of appropriate bin storage had been provided at the time the application was refused (given that there would no longer be a side access to the back garden) and there is insufficient space to practically provide three off-street parking spaces (minimum 5m by 2.5m spaces) which would be the minimum required for a house of this size.
- 2.8 The agent, on behalf of the appellant, has submitted a number of drawings with the review that it should be noted are slightly different to those which were refused by this Service. The amendments are relatively minor in scale and appear to have

been included to help respond to matters raised in the Officer Report. They relate primarily to the potential inclusion of a bin store to the front of the enlarged property, which was not shown on the original proposals, and to the change in description of some of the rooms. The site plan has also been slightly amended which suggests that there may be more space to the front of the property than was shown on the drawings on which this application was refused. However, there is still insufficient space to the front of the property to practically provide the three off-street parking spaces (minimum 5m by 2.5m spaces) that this size of dwelling would require.

3.0 Observations on applicants Notice of Review

3.1 Through their agent, the applicants have submitted a statement to support their review. This was submitted partly to respond to the matters raised in the Officer Report. The grounds are summarised below:

(a) The agent has requested a review of the refusal of permission as the original plans have been modified in accordance with the delegated report dated 08 July 2019 to address the concerns raised.

Response: The amendments to the drawings are relatively minor and do not resolve the fundamental issues of the overdevelopment of the site. Notwithstanding this, a local review requires the application to be considered based on the proposal that has been determined. If the applicant/agent intended to significantly alter the proposal, there is the option to submit an amended planning application to the Planning Service for consideration.

(b) The plans have been revised and the proposed extension is set back 1.75m from the front elevation. The roof ridge on the extension has also been reduced by 0.14m from that of the existing house, reducing the perception of a “continuous terraced effect”.

Response: The plans were revised from the drawing submitted for the original application which was not progressed (P/18/1662), however the refusal was already based on these amended drawings. Whilst the extension is set back from the front building line (the projecting single storey front porch), it is set less than a metre back from the main front elevation (living room wall and window). In addition, it is not set significantly below the

ridge line or back from the side boundary. For these reasons, it is considered that it does not comply with the Council's specific guidance on two storey side extensions and that, if repeated on the neighbouring property, a continuous terrace effect may be created.

- (c) **The neighbouring property (No. 17) is located 1.4m from the side boundary, whilst this property is over 2.8m from the side boundary. It is considered to be unrealistic that the property at No. 17 would also extend their property to the side as the potential internal space created would be less than 1 metre in width.**

Response: It is noted that there is relatively little space between the existing side elevation of No. 17 and the side boundary, however it is not impossible that this space would be used in the future as part of a wider extension or alteration to the property. In addition, whilst each application is assessed on its own merits, the Planning Service seeks to act in compliance with the established policies and guidance to ensure that all applicants are treated in a fair and consistent manner.

- (d) **The position of No. 17 is set back from the position of the applicant's property and the two properties are not coplanar. In addition, the applicant and neighbours properties (No. 17) do not share a common roof shape with the profiles at 90 degrees. This reduces the perception of a "continuous terraced effect".**

Response: Whilst it is noted that the two properties do not share a common building line, with No. 17 being set back slightly in relation to the applicant property, the erection of a two storey side extension to the boundary would still infill the majority of the space between the two properties and could lead to a terracing effect in the future. In addition, whilst the two do not share a common roof shape, the scale of a two storey extension could form a terrace effect in itself. The very fact that the applicant's property sits forward within the site also creates further issues, in that there is insufficient space to the front of the property to provide the required three parking spaces.

- (e) **The proposals are intended to enhance the accommodation of the 4 people currently living at the property, not to create additional sleeping**

accommodation. As such, the plans have been amended to accommodate 2 parking spaces. This provision is not uncommon throughout East Kilbride and the hard standing area provides a low-maintenance amenity space for the occupiers.

Response: Whilst the current occupiers of this property may not intend to form additional bedrooms, the extension would be a permanent extension to the property and there is no practical control on how the house could be used by future occupiers. The proposal would effectively increase the number of bedrooms within the property from three to five. The minimum parking provision for this size of property is three spaces (minimum 2.5m by 5m spaces), to avoid significant on-street parking that would impact upon the amenity of the area. This cannot be provided at the property. Whilst many older areas of East Kilbride were built without this level of parking provision, and have consequently seen on-street parking becoming more of an issue, this street is modern and has been built to these standards. In addition, covering the whole front garden with hardstanding may be low-maintenance, but its appearance would be out of character in the street.

- (f) The document submitted in support of the application highlighted a property in Malcolm Gardens, where a two storey extension was erected to the side of the original property and there was only sufficient off-street parking for two cars.**

Response: The specific property mentioned is a mid-terrace dwellinghouse. However, having checked our records of two storey extensions in this street that have been approved under the same guidance that was used to assess this proposal, I would advise that sufficient space remains available to provide three off-street parking spaces where required at each property. This would not be the case with the applicant's house. In addition, these extensions were made to properties where there was no prospect of a terracing effect being created due to the layout of the street.

- (g) The revised drawings show that the bin storage area will be recessed back from the original property building line and will be screened to minimise the aesthetic impact to the front of the dwelling.**

Response: It is noted that a bin store or screen is shown on a number of the drawings submitted for this review. These were not present on the final drawings that this refusal was based on. A suitable bin store would be required to accommodate the 4 wheelie bins since there would no longer be a side access to the rear garden and, if the proposal had otherwise been considered acceptable, these matters may have been included as a condition on any planning consent.

- (h) **The proposal is intended to enhance the living accommodation of the family that have resided at this property since it was first built. The family are active in the community and do not wish to have to relocate elsewhere to gain the living space they need.**

Response: It is noted that the family have lived at this property for some time and that they may be active in the community, however these matters are not material planning considerations and the planning assessment is based on whether or not the proposal complies with the relevant policies and guidance. Unfortunately in this instance, the proposal represents an overdevelopment of the site.

4.0 Conclusions

- 4.1 In summary, the proposed development does not accord with the provisions of the adopted Local Development Plan and the relevant associated supplementary guidance, or with the provisions of the proposed Local Development Plan 2 relating to householder extensions. In addition, there are no material considerations which outweigh the provisions of the development plan. It is therefore respectfully requested that the Review Body refuse planning permission for the proposed development.