

# Report

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>21 June 2022</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Application no.	P/22/0108
Planning proposal:	Erection of first-floor extension to detached garage.

## 1 Summary application information

Application type:	Householder
Applicant:	Mr William Hyslop
Location:	7 Manse Avenue Bothwell G71 8PQ

## 2 Recommendation(s)

### 2.1 The Committee is asked to approve the following recommendation(s):-

- (1) Grant detailed planning permission (subject to conditions) based on conditions attached.

### 2.2 Other actions/notes

- (1) The Planning Committee has delegated powers to determine this application.

## 3 Other information

- ◆ Applicant's Agent:
- ◆ Council Area/Ward: 16 Bothwell and Uddingston
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan (adopted 2015)**
  - Policy 2 Climate change
  - Policy 3 General Urban Areas
  - Policy 5 Development Management and Placemaking
  - Policy DM2 House Extensions and Alterations
  - Policy 14 Natural and Historic Environment
  - Policy NHE6 Conservation Areas

◆ **Representation(s):**

▶ 6  
▶ 0  
▶ 0

Objection Letters  
Support Letters  
Comment Letters

◆ **Consultation(s):**

None

## **Planning Application Report**

### **1 Application Site**

- 1.1 The application relates to the detached garage of 7 Manse Avenue, Bothwell which is a first floor flat within a building that has the appearance of a large and traditional stone dwellinghouse. The site is within the Conservation Area where the immediate surroundings are characterised by large traditional dwellinghouse with spacious garden grounds.
- 1.2 The site constitutes the first floor flat, the detached garage, and surrounding garden ground. The site is approached via a private access from Manse Avenue serving nos. 5 and 7 which is formed off a driveway with spacious turning circle. The lower flat, no. 5, and the garage of no. 7 are accessed directly off the driveway while the flatted dwelling of no. 7 is accessed from gated garden ground behind the garage. There are mature trees across the site including one directly to the rear of the garage. The site is bounded by multiple other residential properties.
- 1.3 The existing garage has: a 55m<sup>2</sup> rectangular footprint; a hip roof finished in slate with a ridge height of 4.6m; external walls finished in white textured blockwork with an eaves height of 2.4m; and a garage door to the front, a single side door, and window to the rear.

### **2 Proposal(s)**

- 2.1 The proposed development relates to the erection of a first-floor extension to the detached garage with no increase in footprint.
- 2.2 The proposed extension will increase the height to the eaves by 1900mm and the ridge height by 1350mm and have: a gable roof finished in natural slate; external walls finished in off-white render with stone cornering like that of the existing extension of no.7; and a single window to the rear and a Juliet balcony to the front to match the style of existing windows.
- 2.3 The extension is proposed for personal use as a home office and gym.

### **3 Background**

#### **3.1 Local Plan Status**

- 3.1.1 With regard to the South Lanarkshire Local Development Plan 2: all applications are assessed against Policy 2 – Climate Change and Policy 5 – Development Management and Placemaking; the site falls within the general urban area where Policy 3 – General Urban Areas applies; and the application is for the extension of an ancillary building of a flatted dwelling therefore Policy DM2 – House Extensions and Alterations also applies. The site is within the Bothwell Conservation Area therefore consideration must also be given to Policy 14 – Natural and Historic Environment and Policy NHE6 – Conservation Areas.
- 3.1.2 Policy 2 – Climate Change identifies that all development should seek to minimise and mitigate the effects of climate change, however, the extension of existing ancillary residential buildings is not considered to have a significant impact on the climate.
- 3.1.3 Policy 3 – General Urban Areas and Settlements states that proposals that are ancillary to residential areas will be assessed on their individual merits regarding their effect on the amenity and character of the area.

- 3.1.4 Policy 5 – Development Management and Placemaking states that the Council should ensure that the proposal will not result in any significant adverse impact on nearby buildings or the streetscape by way of layout, scale, massing, design, or external materials. Development should also have no unacceptable adverse impacts by way of overshadowing, overlooking or any other loss of residential amenity.
- 3.1.5 Policy DM2 – House Extensions and Alterations states that house extensions and alterations will be considered favourably where it can be demonstrated that the proposal complies with several criteria. The siting, scale and design of the proposal should respect the character of the existing dwelling and the wider area and should not dominate or overwhelm the existing dwellinghouse and streetscape. Furthermore, it should not significantly adversely affect adjacent properties in terms of overlooking or loss of privacy and daylight, and sufficient off-street parking and useable garden ground should remain.
- 3.1.6 Policies 14 – Natural and Historic Environment and NHE6 – Conservation Areas identify that the Council will seek to protect historic sites and features and that development within a Conservation Area or affecting its setting should preserve and enhance its character. Trees which are considered by the Council to have amenity value and contribute the character of the Conservation Area should be preserved.

### 3.2 Relevant Government Advice/Policy

- 3.2.1 Given the nature and scale of the proposed extension there is no specific government guidance relative to the determination of this application.

### 3.3 Planning Background

- 3.3.1 There are no records of any previous planning applications submitted for the garage, however, within the last decade, 7 Manse Avenue has received approvals (Ref. HM/13/0147) for external alterations to windows and the erection of a 2-storey entrance hall which has been completed.

## 4 Consultation(s)

- 4.1 None.

## 5 Representation(s)

- 5.1 Statutory neighbour notification was undertaken, and six letters of objection were received from six neighbouring proprietors. The grounds of the objections are summarised as follows:-

a) **The proposed extension is not in-keeping with the character of the Conservation Area in terms of scale, design, and materiality.**

**Response:** It is recognised that the proposal as received was not sympathetic to the character of the Conservation Area in terms of materiality, particularly due to the proposed uPVC cladding. However, amended plans received on 9 May 2022 show external finishes more in-keeping with the Conservation Area. It should be noted that the material of the external walls of the garage is unique and cannot be easily reproduced, however, white render will be sympathetic to the original material while creating a clear distinction between old and new. The change from a hip roof to a gable can be considered acceptable as gables are a traditional roof form found throughout the Conservation Area and allows the provision of a useable first floor with minimal height gain. The resultant garage building will not be taller than surrounding buildings and is not a prominent feature of the Conservation Area due to 7 Manse Avenue being set back from the public road. The garage would also be finished with a slate roof.

- b) **The proposal will overlook neighbouring properties and result in a loss of privacy.**

**Response:** The amended plans received on 9 May 2022 show a Juliet balcony front window approximately 1/3 the width of the garage which is a far more appropriate scale than a glazed frontage as originally interpreted. Some windows of 5 Manse Avenue and the rearmost of the garden ground of 10 Uddingston Road are within 20m of the proposed front window, however, the angle between the buildings and adjoining garden is such that overlooking would not be considered to be unacceptable.

- c) **The proposed development is large and will result in overshadowing to neighbouring properties.**

**Response:** The extension will occupy the existing footprint and result in an overall height increase of 1350mm which is not considered excessive. However, in recognition of the proximity of the downstairs flat a sun path analysis comparing the existing and resultant garage was undertaken. The results show no additional shadow cast on neighbouring windows in the summer and a minor additional shadow over one neighbouring window from approx. 14:00-16:00 at the Spring/Autumn equinoxes. Some minor additional shadowing would also be observed over the rearmost of the garden ground of 12 and 12A Uddingston Road, however, it will clear at around 11:00. Specific reference was made to a bedroom window of 5 Manse Avenue, however, the analysis shows the existing garage already casts shadow over this window in the afternoons during the spring/autumn. Consequently, the shadows of the proposed building are not considered significant enough to justify refusal of planning permission.

- d) **The tree to the rear of the garage could be damaged by the development and the required trimming would leave an unnatural canopy.**

**Response:** The trimming of one branch of the tree to the rear of the garage is proposed in order to accommodate the increased roof height. The tree is significantly taller than the garage or any surrounding building and its branches are generally high in the canopy. Consequently, the removal of one branch is not considered to affect amenity value or the character of the tree within the Conservation Area. As with any tree works, there is risk of damage from lopping, however, this is not justification for the refusal of planning permission. A condition would be applied to prevent any other tree works without the prior approval of the Planning Authority.

- e) **The proposed use could cause noise disturbance.**

**Response:** The proposed use is ancillary to the site's existing residential use and no commercial activity can take place in the garage which would be secured by condition. While the garage is close to neighbouring boundaries, it is far from any buildings other than Nos. 5 and 7 Manse Avenue due to the large gardens of neighbours, and a level of ambient noise from surroundings is to be expected in residential neighbourhoods. Should excessive noise arise from the garage or any domestic property then a noise complaint can be made to the Council's Environmental Service.

- f) **The construction works could cause noise disturbance**

**Response:** Noise arising from construction is not a material planning consideration and all works carried out on site must be carried out in accordance with BS 5228 Parts 1-4 1997, 'Noise control on construction and open sites'. Audible construction activities should be limited to Monday to Friday 8.00am to 7.00pm, Saturday 8.00am to 1.00pm, and no audible activity on

Sunday. If construction noise is audible outwith these hours, then a noise complaint can be made to the Council's Environmental Service.

5.2 These letters are available for inspection on the planning portal.

## **6 Assessment and Conclusions**

6.1 The determining issues in the consideration of this application are its compliance with the adopted South Lanarkshire Local Development Plan 2 (LDP2) and its impact on the amenity of the adjacent properties and the character and setting of the Conservation Area.

6.2 It is considered that the proposed development raises no unacceptable issues from a development management perspective. In relation to Policies 2, 3, 5, DM2, 14, and NHE6 of the South Lanarkshire Local Development Plan 2. It is noted that:-

- ◆ As the application is for an extension to an existing residential garage, the development will not result in a significant material impact on the climate.
- ◆ It is considered that in terms of scale, design, and materiality that the proposed extension will be sympathetic to the character and setting of the existing garage and its surroundings. The proposal does not result in any increase in the footprint and only increases the height by 1350mm. While the roof will be changed from hip to gable, this is a style of roof suited to traditional settings and is common in the locale, and the slate finish will be preserved. The existing external finish of the garage walls is unique and difficult to replicate, however, the proposed white render will be sympathetic the existing material. Consequently, it is considered that the proposal will not have significant material impact on the character of the house or its surroundings.
- ◆ The application site and neighbouring properties are within an established residential area where a degree of mutual overlooking already occurs, and the garage will remain an ancillary building and not a main living space. In any case, the distances and angles from neighbouring buildings and adjoining gardens is such that overlooking would not be considered a serious concern. The extension is over the existing footprint of the garage, however, in recognition of the height increase a shadow path analysis was undertaken which found that the resultant garage will cast no noticeable additional shadows in summer and some minor additional shadows in the spring/autumn which will not cause a substantial enough detriment to amenity to justify refusal. Therefore, it is not considered that the development will result in a significantly adverse impact on neighbouring properties in terms of privacy, overlooking, or overshadowing. The imposition of planning conditions, should consent be granted, will ensure that no windows can be installed on side elevations overlooking neighbours without further planning consent and that the use of the garage will be incidental to the enjoyment of the flatted dwelling.
- ◆ The application site is within the Bothwell Conservation Area, however, the garage is only readily visible from the property itself and the rear of a few properties of Uddingston Road, and not from within the wider Conservation Area. However, the application as originally presented was not considered compatible with the Conservation Area due to proposed plastic cladding, bare blockwork walls, and an apparent fully glazed front elevation. Amendments were sought in the interests of preserving both the character of the Conservation Area and the original building which were received on 8 May 2022. The now proposed external finishes and windows are considered

sympathetic to the original materials and proportions. A two-storey garage is certainly an unusual feature for the locale, however, the finishes are compatible with, and the garage is not a prominent feature in, the Conservation Area. The trimming of one branch of the tree to the rear of the garage is proposed in order to accommodate the increased roof height. The tree is significantly taller than the garage or any surrounding building and its branches are generally high in the canopy. Consequently, the removal of one branch is not considered to affect amenity value or the character of the tree within the Conservation Area. Therefore, it is not considered that the development will result in a significantly adverse impact on the character of the Conservation Area or its setting. The imposition of planning conditions, should consent be granted, will ensure that the slate roof is maintained, that the style and materiality of window will match existing, and that no tree works other than previously indicated lopping will be undertaken without prior approval

- 6.3 Overall, the design, scale, position, and relationship of the proposed extension with neighbouring properties is considered to be acceptable since it will not have an unacceptable impact on the character of or the amenity of the surrounding residential area or the Conservation Area. Consequently, the proposal accords with the considerations of Policies 2, 3, 5, DM2, 14, and NHE6 of the South Lanarkshire Local Development Plan 2.

## **7 Reasons for Decision**

- 7.1 The proposal will not result in a significant adverse impact on either the character of the Conservation Area or residential amenity and complies with the provisions of Policies 2, 3, 5, DM2, 14, and NHE6 of the adopted Local Development Plan 2. There are no other material considerations which would justify the refusal of planning permission.

**David Booth**

**Executive Director (Community and Enterprise Resources)**

Date: 10 June 2022

### **Previous references**

- ◆ HM/13/0147
- ◆ HM/16/0219
- ◆ P/21/0726

### **List of background papers**

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2 (adopted 2021)
- ▶ Neighbour notification letter dated 9 February 2022

- ▶ Consultations:

None

- ▶ Representations:

Martin Morris  
10 Uddingston Road, Bothwell, G71 8PH

Dated:

01.03.2022

Ronald Buchan 5 Manse Avenue, Bothwell, G71 8PQ	03.03.2022
Mr John Caldwell Flat 4 Kirkfield, 12a Uddingston Road, Bothwell, G71 8PH	24.03.2022
Ross Lorimer Received Via Email	01.03.2022
Dr Sarabjit Bawa 8 Uddingston Road, Bothwell, G71 8PH	20.02.2022
Anne Marie Brandon Received Via Email	17.03.2022

**Contact for further information**

If you would like to inspect the background papers or want further information, please contact:

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Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB

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Email: [mark.ripley@southlanarkshire.gov.uk](mailto:mark.ripley@southlanarkshire.gov.uk)



## Detailed Planning Application

Paper apart – Application number: P/22/0108

### Conditions and reasons

01. That the roof of the garage shall be clad externally in natural slate.

Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

02. The external walls of the extended garage hereby approved shall be finished in a colour, material and design to match the existing garage walls.

Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

03. The new windows shall match the originals, including those of the flatted dwelling, in all aspects of their materiality and design and in their main method of opening to the satisfaction of the Council as Planning Authority.

Reason: In the interests of visual amenity and to safeguard the character and appearance of the existing building and surrounding area.

04. That notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(Scotland) Order 1992, (or any such order revoking or re-enacting that order), no window openings shall be inserted above ground floor level on the side elevations of the garage extension hereby approved.

Reason: To safeguard the amenity and privacy of nearby occupants.

05. That the use of the garage hereby permitted shall be restricted to private use incidental to the enjoyment of the flatted dwelling on the site and no commercial activity shall be carried out in or from the garage.

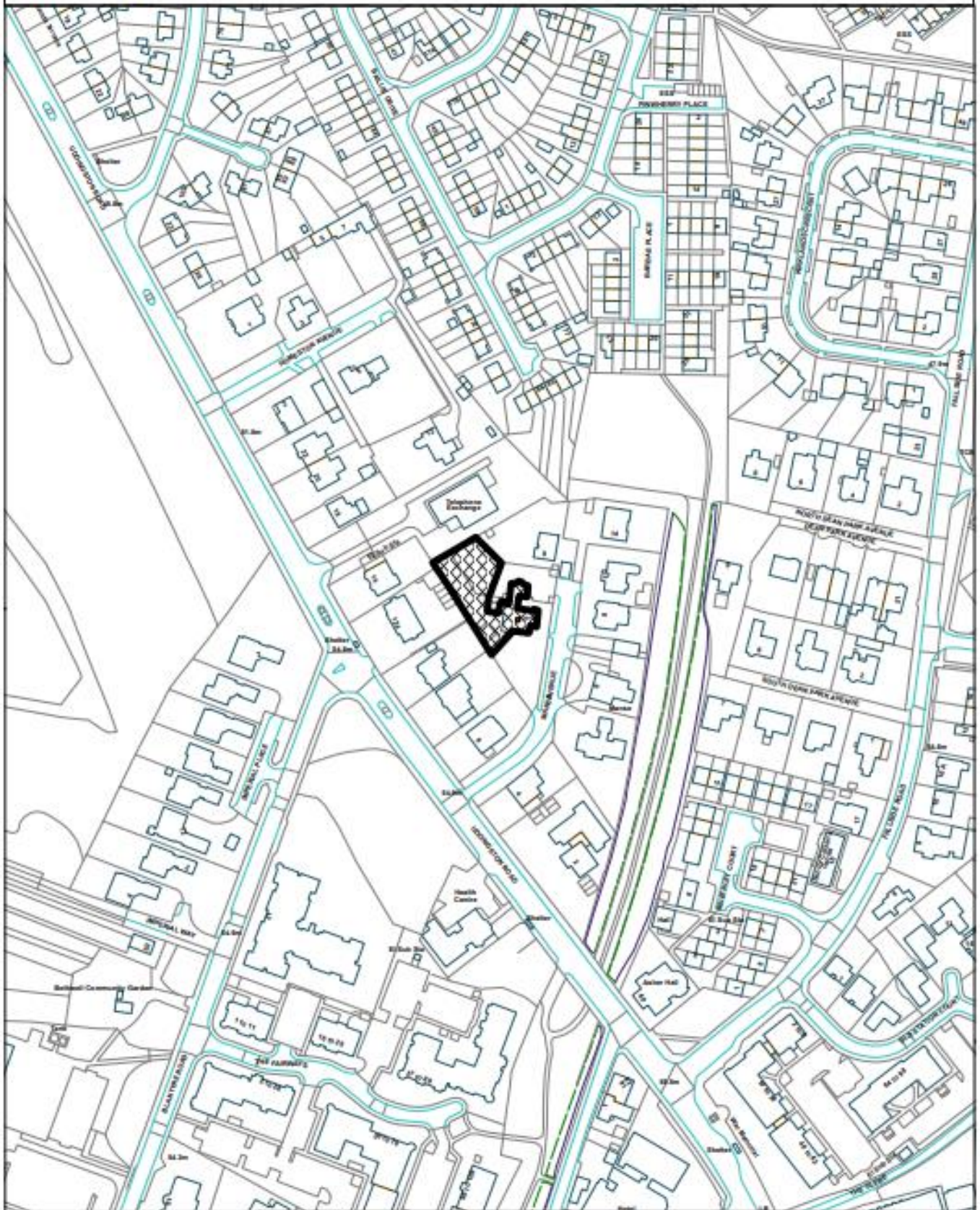
Reason: To safeguard the residential amenity of the area.

06. That other than the lopping indicated in the supporting information hereby approved no trees within the application site shall be lopped, topped, pollarded or felled, or otherwise affected, without the prior written consent of the Council as Planning Authority.

Reason: In the interests of amenity and to ensure the protection and maintenance of the existing trees within the site.

P/22/0108

7 Manse Avenue, Bothwell



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Scale:  
1:2,500  
Date:  
27/05/2022



**South Lanarkshire Council**  
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