

**FALKIRK COUNCIL**

**Subject:** EXTENSION TO DWELLINGHOUSE (SECOND STOREY TO REAR) AT CAMPDEN, 47 MAIN STREET, BRIGHTONS, FALKIRK FK2 0JS FOR MR CHRIS MCPHEE - P/11/0019/FUL  
**Meeting:** PLANNING COMMITTEE  
**Date:** 20 April 2011  
**Author:** DIRECTOR OF DEVELOPMENT SERVICES

**Local Members:** Ward - Upper Braes  
Councillor Gordon Hughes  
Councillor Stephen Fry  
Councillor John McLuckie

**Community Council:** Brightons

**Case Officer:** Kirsty Hope (Assistant Planning Officer), Ext. 4705

**1. DESCRIPTION OF PROPOSAL / SITE LOCATION**

- 1.1 This application seeks full planning permission for an extension above the existing single storey element of the existing dwellinghouse. This would be created by a large dormer over the existing property to create (flat roofed) accommodation on an upper level. Additionally, there is high level decking proposed at the rear of the extension leading onto the rear garden.
- 1.2 The property is a semi-detached, one and a half storey dwelling that is located within an existing residential area.

**2. REASON FOR COMMITTEE CONSIDERATION**

- 2.1 The application has been called to Committee by Councillor Malcolm Nicol.

**3. SITE HISTORY**

- 3.1 P/09/0787/FUL – detailed planning permission to extend the dwelling in a similar scale and design to this current application was refused permission on 22nd January 2010.
- 3.2 Pre-application advice was given to the agent with regard to possible options, but not all the recommended changes have been implemented.

#### **4. CONSULTATIONS**

- 4.1 The Environmental Protection Unit has raised no objection to the proposal.
- 4.2 The Roads Development Unit has raised no objection to the proposal.

#### **5. COMMUNITY COUNCIL**

- 5.1 The Brightons Community Council has not commented on the application.

#### **6. PUBLIC REPRESENTATION**

- 6.1 During the consideration of the application, three letters were received from two contributors. Two letters from one contributor were in support of the application. The other letter highlighted comments, which can be summarised as follows:-

- No concern with extension, as long as hedge is not removed or damaged whilst work is being carried out.
- Privacy is maintained, unsure of height of the decking and the surrounding timber barrier.
- Unsure about light deprivation onto neighbouring property.
- When will access be required during construction works?

#### **7. DETAILED APPRAISAL**

Under section 25 of the Town and Country Planning (Scotland) Act 1997, as amended, the determination of planning applications for local and major developments shall be made in accordance with the Development Plan unless material considerations indicate otherwise.

Accordingly,

##### **7a The Development Plan**

###### ***Falkirk Council Structure Plan***

- 7a.1 There are no relevant policies within the Falkirk Council Structure Plan.

###### ***Falkirk Council Local Plan***

- 7a.2 Policy SC9 - 'Extensions And Alterations To Residential Properties' states:

*"Extensions and alterations to residential properties will be permitted where:*

- (1) the scale, design and materials are sympathetic to the existing building;*
- (2) the location and scale of the extension or alterations will not significantly affect the degree of amenity, daylight or privacy enjoyed by neighbouring properties; and*

- (3) *it will not result in overdevelopment of the plot, thereby giving rise to adverse impacts on the functioning of garden ground, or the unacceptable loss of off-street parking."*

7a.3 The proposed extension and, in particular, the two storey flat roof element of the development is considered to be unacceptable in terms of scale and character and its relationship with the existing dwelling house. It is considered that the proposed extension is unsympathetic to the scale and character of the existing property and therefore would have an adverse impact on the amenity and character of the area. It is considered that this extension would result in an overdevelopment of the existing dwelling. There are no concerns in relation to on-street parking and the rear garden ground would remain unaltered.

7a.4 Accordingly, the proposal is contrary to the Development Plan.

## **7b Material Considerations**

7b.1 The material considerations relating to this application are the Falkirk Council Supplementary Guidance, consultation responses and the public representations.

### ***Falkirk Council Supplementary Guidance – House Extensions and Alterations***

7b.2 Paragraph 2.7 of the approved Supplementary Guidance states that generally, dormer extensions should appear mainly glazed, be vertically proportioned above existing openings, be no greater in proportion than 3 metres wide by 2 metres high and is positioned well within the roof plane. It is considered that the box dormer element over the existing outbuilding would be out of proportion to the original dwelling and would not comply with the guidance. The proposed over dominant design and scale of the extension is not considered to be sympathetic to the existing building and consequently would have an adverse effect on the amenity of the existing property and surrounding area.

7b.3 The proposed development therefore does not accord with the guidance as set out in the Supplementary Guidance.

### ***Consultation Responses***

7b.4 The Environmental Protection Unit has raised no objection to the proposal but has recommended that if planning permission is granted informatives be attached with regards to ground conditions and hours of construction work noise.

7b.5 The Roads Development Unit has advised that there is adequate off-street parking provision.

### ***Assessment of Public Representations***

7b.6 The existing hedge cannot be controlled by this planning application, any damage is a private legal matter.

7b.7 The lower level balcony is 1 metre in height, whilst the higher level is 2.4 metres high. The contributor has been advised accordingly.

7b.8 No details of the proposed screening have been provided.

7b.9 The immediate garden to the rear of the neighbouring property would have a degree of overshadowing at the later point in the day but given that the rear of the property is north facing, there will be a degree of overshadowing at present.

7b.10 Construction access is a civil matter.

## **7c Conclusion**

7c.1 It is considered that the proposal is an unacceptable form of development and is contrary to the terms of the Falkirk Council Local Plan and the Supplementary Planning Guidance Note on House Extensions and Alterations. There are no other material planning considerations that would warrant an approval of planning permission in these circumstances.

## **8. RECOMMENDATION**

**8.1 It is therefore recommended that planning permission be refused for the following reason(s):-**

- (1) The proposal by reason of its scale and design would not be sympathetic to the existing building and consequently would have an adverse effect on the amenity of the property and the residential area. As a result the proposed extension is contrary to the Falkirk Council Local Plan Policy SC9 and Falkirk Council's Supplementary Planning Guidance, related to 'House Extensions and Alterations'.**

**Informative(s):-**

- (1) For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our reference number(s) 01 - 04 inclusive.**

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**pp Director of Development Services**

**Date:** 12 April 2011

## **LIST OF BACKGROUND PAPERS**

1. Falkirk Council Structure Plan.

2. Falkirk Council Local Plan.
3. Falkirk Council Supplementary Guidance Note on House Extension and Alterations.
4. Letter of representation from Mrs Kareen Ainslie, 45 Main Street, Brightons, Falkirk FK2 0JS on 28 January 2011
5. Letter of representation from Iain McColl, Moranside, 49 Main Street, Brightons, Falkirk on 8 February 2011
6. Letter of representation from Mrs Karen Ainslie, 45 Main Street, Brightons, Falkirk FK2 0JS on 8 February 2011.

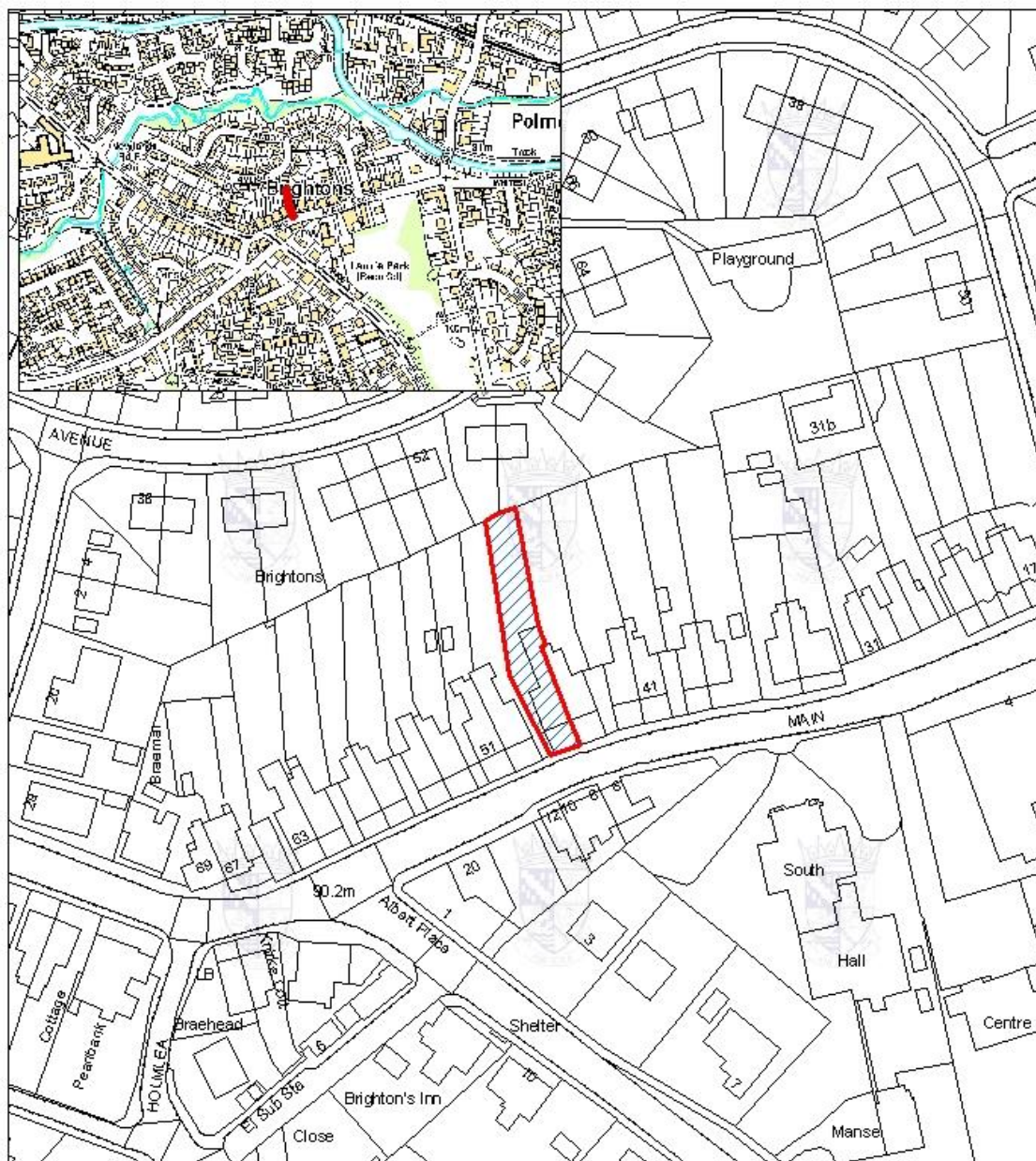
Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504705 and ask for Kirsty Hope, Assistant Planning Officer.

# Planning Committee

## Planning Application Location Plan

**P/11/0019/FUL**

This plan is for location purposes only. It should not be interpreted as an exact representation of the application site.



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