

**FALKIRK COUNCIL**

**Subject:** DEMOLITION OF EXISTING GARAGE AND ERECTION OF 2 STOREY SIDE EXTENSION WITH BALCONY AT ARNOT VIEW, 28 CAMELON ROAD, FALKIRK FK1 5SH FOR MR GRAHAM SCOTT - P/12/0226/FUL

**Meeting:** PLANNING COMMITTEE

**Date:** 22 August 2012

**Author:** DIRECTOR OF DEVELOPMENT SERVICES

**Local Members:** Ward - Falkirk North  
Provost Pat Reid  
Councillor David Alexander  
Councillor Dr C R Martin  
Councillor Cecil Meiklejohn

**Community Council:** No Community Council

**Case Officer:** Katherine Chorley (Assistant Planning Officer), Ext. 4704

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

- 1.1 The application site consists of a flatted dwelling located in a residential area. The property is constructed of stone with a slate roof and has been extended in the past with a part single, part two storey side extension. This extension provides a garage and stairwell access to the first floor flat and has a flat roof which is at odds with the traditional pitched roof on the original dwelling.
- 1.2 The applicant seeks planning permission to demolish the existing garage extension and erect a two storey side extension to link it with the existing stairwell. This would provide additional living accommodation at first floor level with a balcony on the rear elevation and a replacement garage at ground floor level.
- 1.3 The application site is located within the Arnothill and Dollar Park Conservation Area which is also covered by a Tree Preservation Order.

**2. REASON FOR COMMITTEE CONSIDERATION**

- 2.1 The application has been referred to Committee at the request of Councillor Gow.

**3. SITE HISTORY**

- 3.1 None.

#### **4. CONSULTATIONS**

- 4.1 The Roads Development Unit have no objections.
- 4.2 The Environmental Protection Unit have requested a noise informative and contaminated land condition.

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

- 5.1 No Community Council active at present.

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

- 6.1 In the course of the application one contributor submitted a letter to the Council. The salient issues are summarised below:
- No objection in principle to a two storey side extension in this location.
  - Concerns over loss of privacy and associated impact on amenity.
  - Request that plans be amended to remove balcony and picture window.

#### **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 EQ12 – ‘Conservation Areas’ states:

*“The Council will protect the historic character and visual amenity of each Conservation Area. Accordingly:*

- (1) The Council will prepare Character Appraisals of individual Conservation Areas and, on the basis of these, will review existing boundaries and Article 4 Directions, prepare detailed design guidance as appropriate, and draw up enhancement schemes as resources permit;*

- (2) *New development in Conservation Areas, or affecting their setting, including extensions and alterations to existing buildings, will only be permitted where it preserves or enhances the character of the area with particular reference to the historic pattern and density of development; its setting; the architectural style, massing and materials of buildings; landscape treatments; and boundary features;*
- (3) *Demolition of buildings within Conservation Areas will not be permitted unless they make no material contribution to the character and appearance of the area. Where demolition is proposed, the considerations set out in the relevant Historic Scotland guidance note should be adhered to; and*
- (4) *Replacement windows, doors, roofs, rainwater goods, boundary treatments and other features on unlisted buildings in Conservation Areas should preserve or enhance the character of the Conservation Area in terms of appearance, detailing and materials."*

7a.3 The application site is located within the Arnothill and Dollar Park Conservation Area. Policy EQ12 of the Local Plan requires that new development in a Conservation Area should only be permitted where it preserves or enhances the character of the area. This is with particular reference to the historic pattern and density of development, its setting, architectural style, massing and materials, landscape treatment and boundary features.

7a.4 The site is adjacent to a large hotel. The main hotel building is set well back from the proposed extension at Arnot View and the extension would not have an impact on the density or historic pattern of the area. The application property has an attractive setting and the existing extension, although subservient to the original house, does not enhance the appearance of the building. The materials and detailing are considered unsympathetic to the character of the original building. The proposed extension seeks to extend the property but also ensure that the existing extension is more sympathetically integrated in to the original house. The addition of a pitched roof which matches the original building is an appropriate enhancement as it would ensure the extension blends into the property.

7a.5 The proposed materials include slate, render, lead and sheeting. While this is a mix of modern and more traditional materials it is considered that the new materials provide a sympathetic contrast, particularly as the design picks up elements of the original building.

7a.6 The frontage detailing appears somewhat complicated. However, as the new window would generally match those of the original building and the proposed materials would be complementary to each other within the extension, the proposal is considered acceptable. The rear elevation is simple in its detailing and is not visible to the general public. Given the above comments, it is considered that the design would be in keeping with the original dwelling and would enhance the appearance of the property, particularly given the nature of the existing extension.

7a.7 Policy EQ26 - 'Trees, Woodland And Hedgerows' states:

*"The Council recognises the ecological, landscape, economic and recreational importance of trees, woodland and hedgerows. Accordingly:*

- (1) *Felling detrimental to landscape, amenity, nature conservation or recreational interests will be discouraged. In particular ancient, long-established and semi-natural woodlands will be protected as a habitat resource of irreplaceable value;*

- (2) *In an area covered by a Tree Preservation Order (TPO) or a Conservation Area, development will not be permitted unless it can be proven that the proposal will not adversely affect the longevity, stability or appearance of the trees. Where necessary, endangered trees and woodlands will be protected through the designation of further TPOs;*
- (3) *Where development is permitted which will involve the loss of trees or hedgerows of amenity value, the Council will normally require replacement planting appropriate in terms of number, size, species and position;*
- (4) *The enhancement and management of existing woodland and hedgerows will be encouraged. Where the retention of a woodland area is integral to a development proposal, developers will normally be required to prepare a plan and make provision for its future management; and*
- (5) *There will be a preference for the use of appropriate local native species in new and replacement planting schemes, or non-native species which are integral to the historic landscape character."*

7a.8 The application site is covered by a Tree Preservation Order (TPO) and also benefits from protection by being within the Arnothill and Dollar Park Conservation Area. The plans have been amended to show the trees accurately plotted and the crown spreads are shown to scale. The footprint of the extension is similar to the existing garage. As a result, the tree roots would only minimally be within the area of the foundations of the extension. It is considered that the proposed works to the trees would be considered acceptable under Policy EQ26 and can be agreed as part of this planning application if approved. A number of conditions are proposed to ensure that the trees are protected during construction works.

7a.9 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.10 The development is considered against Policy SC9 in the Falkirk Council Local Plan. This policy has associated Supplementary Planning Guidance Notes on House Extensions and Alterations (SPG) which is considered in more detail below.

7a.11 In relation to parking, the proposal would result in a dwelling with at least 2 bedrooms and would retain adequate off-street parking for a dwelling of this size with a dropped kerb access. As such the proposal is acceptable in parking and access terms.

7a.12 Accordingly, the proposal accords with the Development Plan.

## **7b Material Considerations**

7b.1 The material considerations to be assessed are the Falkirk Council Supplementary Guidance and assessment of public representations.

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

### **Amenity Space**

- 7b.2 The proposed development would not significantly impact on the level of usable amenity space available at the property and therefore complies with the SPG in this regard.

### **Impact on Neighbours**

- 7b.3 The SPG advises that the privacy of the house is of more importance than that of the garden. The minimum distance between windows to 'habitable' rooms directly facing each other should be 18 metres. The proposed extension would be located more than 30 metres from the rear boundary and more than 60 metres from the rear of the dwelling opposite (2 Arnothill Lane). As such it is considered that the proposal complies with the SPG and Policy SC9 in this regard and would not increase overlooking of the property. The set back location and orientation means the extension would not increase overlooking of the ground floor flat.

### **Assessment of Public Representations**

- 7b.4 The concerns over loss of privacy and associated impact on amenity have been covered in the considerations above. It was not considered necessary to request that the plans be amended to remove the balcony and associated door/window as the proposal complies with the requirements of the Local Plan.

### **7c Conclusion**

- 7c.1 The proposed development is a sympathetic extension to the main dwellinghouse and would enhance the appearance of the Conservation Area and therefore accords with the requirements of Policy EQ12. The works required to the trees protected by the TPO are acceptable and conform with Policy EQ26. In addition to this, it would not significantly affect the degree of amenity, daylight or privacy enjoyed by neighbouring properties and is considered acceptable in this regard and in the context of Policy SC9. There are no other material planning considerations which would warrant refusal of planning permission.

## **8. RECOMMENDATION**

- 8.1 It is therefore recommended that Committee grant planning permission subject to the following condition(s):
- (1) The development to which this permission relates must be begun within three years of the date of this permission.
  - (2) Samples of the external materials to be used in the development shall be submitted for the consideration of the Planning Authority and no work shall begin until written approval of the Planning Authority has been given.
  - (3) The approved tree limbing/surgery shown on plan 02B (your reference PP-02 Rev B) shall be undertaken in such a way so as to ensure that a balanced crown remains.

- (4) Temporary protective fencing shall be placed around the nearest tree on the southern side of the extension at a distance not less than 1 metre from the stem and not less than 2 metres from the stems of the other nearest trees on the north and south side of the approved extension, prior to the commencement of development and the fencing shall remain in place until the construction works are complete.
- (5) During construction, no material storage, mixing of concrete, run off from mixed concrete or chemicals resulting from construction level changes, trenching or access shall be permitted within the areas fenced off by condition 4.
- (6) In the event that unexpected contamination is encountered following the commencement of development all work on the affected part of the site shall cease. The developer shall notify the Planning Authority immediately, carry out a contaminated land assessment and undertake any necessary remediation works. Development shall not recommence without the prior written approval of the Planning Authority.

**Reason(s):**

- (1) To accord with the provision of Section 58 of the Town and Country Planning (Scotland) Act 1997.
- (2) To enable the Planning Authority to consider this/these aspect(s) in detail and preserve the appearance of the Arnohill and Dollar Park Conservation Area.
- (3) To ensure that the existing trees protected by a Tree Preservation Area are protected in accordance with Policy EQ26 of the Falkirk Council Local Plan.
- (4) To ensure that the existing trees protected by a Tree Preservation Area are retained and protected during construction work and prevent physical damage to the trees and their root system in accordance with Policy EQ26 of the Falkirk Council Local Plan.
- (5) To ensure that the existing trees protected by a Tree Preservation Area are retained and protected during construction work in accordance with Policy EQ26 of the Falkirk Council Local Plan.
- (6) To ensure the ground is suitable for the proposed development.

**Informative(s):**

- (1) For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our on line reference number(s) 01B and 02B.

- (2) The builder shall ensure that noisy work which is audible at the site boundary shall **ONLY** be conducted between the following hours:

Monday to Friday	08.00 - 18.00 hours
Saturday	09.00 - 17.00 hours
Sunday/Bank Holidays	10.00 - 16.00 hours

**Pp**

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**Director of Development Services**

**Date:** 14 August 2012

### **LIST OF BACKGROUND PAPERS**

1. Falkirk Council Structure Plan.
2. Falkirk Council Local Plan.
3. Supplementary Planning Guidance Notes on House Extensions and Alterations.
4. Letter of representation from David Holmes, Arnotdene, 2 Arnothill Lane, Falkirk, FK1 5SL on 21 May 2012.

Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504704 and ask for Katherine Chorley, Assistant Planning Officer.

# Planning Committee

## Planning Application Location Plan

**P/12/0226/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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