

FALKIRK COUNCIL

Subject: EXTENSION TO DWELLINGHOUSE AND ERECTION OF GARAGE AT 567 MAIN STREET, STENHOUSEMUIR, LARBERT, FK5 4QD FOR MR WILLIAM CLARKSON - P/14/0342/FUL

Meeting: PLANNING COMMITTEE

Date: 20 August 2014

Author: DIRECTOR OF DEVELOPMENT SERVICES

Local Members: Ward - Carse, Kinnaird and Tryst

Councillor Stephen Bird
Councillor Steven Carleschi
Councillor Charles MacDonald
Councillor Craig Martin

Community Council: Larbert, Stenhousemuir and Torwood

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

1. DESCRIPTION OF PROPOSAL / SITE LOCATION

- 1.1 The application site consists of a relatively small semi-detached single storey property located in a well established residential area. It forms part of a group of properties which have a shared design character. The property is pebbledash rendered with rosemary roofing tiles. There is a freestanding garage and greenhouse and a relatively long and open garden to the rear.
- 1.2 The applicant seeks full planning permission for a rear extension to provide two floors of additional living accommodation in the form of a dressing room, bathroom and bedroom at first floor level and a new kitchen, dining area and utility room at ground floor level. The applicant also proposes a new garden building to be used as a workshop. The proposed drawings are included at the end of the document.
- 1.3 The agent attempted to submit additional information as part of the planning application, however this information could not be accepted as it was submitted after the recommendation was made.
- 1.4 Following the calling in of the application the agent again contacted the case officer with additional information. This additional information is considered under the material considerations section of the report.

2. REASON FOR COMMITTEE CONSIDERATION

- 2.1 The application has been called in by Councillor Carleschi.

3. SITE HISTORY

- 3.1 P/14/0159/FUL - Planning permission was refused on 23rd May 2014 for an 'Extension to Dwellinghouse (Rear of Property) and Extension to Workshop / Garage'.

4. CONSULTATIONS

- 4.1 The Environmental Protection Unit have recommended informatives on contaminated land and working hours during construction should the application be approved.

5. COMMUNITY COUNCIL

- 5.1 No representations have been received.

6. PUBLIC REPRESENTATION

- 6.1 In the course of the application, 4 contributors submitted letters to the Council. The salient issues are summarised below:

Comments in support of the application

- Alterations are to the rear of the property and will not therefore impact on contributors;
- Other properties in the street have roof windows on frontage;

Neutral Comments

- Request that working hours are limited to Monday to Friday, 8 am - 5 pm;

Objections to the application

- Out of keeping with streetscape and existing bungalows and alters building style;
- Out of character;
- Roof slope angle does not match;
- Increase in floor area is disproportionately large;
- Poor attempt to maximise volume;
- Roof ridge is longer than existing ridge;
- Extension would dominate gardens either side;
- Overdevelopment;
- Overshadowing;
- Overlooking and loss of privacy;
- Impact on amenity;
- Concern regarding ability to match materials;
- Garage would be a visual intrusion;
- Undesirable precedent.

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 Local Plan

7a.1 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.2 The development is considered against policy SC9 in the Falkirk Council Local Plan. This policy has an associated Supplementary Planning Guidance Note on House Extensions and Alterations (SPG) which is considered in more detail below.

7a.3 Policy SC9 of the Local Plan requires that extensions will only be permitted where the scale, design and materials are sympathetic to the existing building. In addition to this, extensions should not significantly affect the degree of amenity, daylight or privacy enjoyed by neighbouring properties and should not result in an overdevelopment of the plot. It is considered that the proposal would not be acceptable in design terms and would have a detrimental impact on neighbouring properties by reason of its overbearing nature.

7a.4 The proposed extension and workshop building would reduce the level of garden space at the property. However the rear garden is relatively large and could therefore accommodate the proposed development while retaining an adequate area of outdoor space.

7a.5 Sufficient off-street parking can be provided at the property and there would be no impact on road safety.

7a.6 Accordingly, the proposal does not accord with the Development Plan.

7b Material Considerations

7b.1 The material considerations to be assessed are the Supplementary Planning Guidance Note on House Extensions and Alterations, the Falkirk Council Local Development Plan (Proposed Plan), the Coal Mining Legacy, comments submitted during consideration of the application and a letter submitted by the agent.

Falkirk Council Supplementary Guidance

- 7b.2 The proposed extension has a large area of roof which creates a bulky addition to the property, a consequence of trying to provide living space at first floor level in a single storey dwelling. It would be significant in height, finishing in line with the ridge on the existing house. It would also be significant in depth measuring 6m deep and 6.74m wide. This would result in an extension which dominates the appearance of the dwelling and would have a detrimental impact on the character of the original house and surrounding area.
- 7b.3 The SPG advises that additional accommodation should not be greater than 50% of the existing ground floor area. The proposed extension would increase the floor area by nearly 100% over the existing ground floor area. This would be a significant increase. The SPG adds that the extension should be lower, appear the same or be of a smaller scale than the main house. It is not considered that the extension complies with this guidance. The SPG does advise that extensions should be set in from any side of the building. The extension is set in from the sides, however this does not overcome the other design concerns.
- 7b.4 The SPG advises that extensions should not project from the rear building line beyond either a 45-degree line from the mid point of the nearest ground floor window of the adjoining house, or a maximum of 3.5m from the rear building line of the house, whichever allows the greatest development. The proposed extension would measure 6m deep and there are windows and a door at the adjoining dwellinghouse, 565 Main Street, which would be in close proximity to the development. The extension would fail the above tests in the case of all three openings. Given the orientation and height of the building, the development would result in a loss of morning sunlight reaching number 565. The proposal would have an unacceptably detrimental impact on the occupants of this property in terms of loss of daylight. It is not considered that the existing conservatory at 565 limits the level of light reaching the windows at this property given its predominantly glazed appearance.
- 7b.5 The extension would be set more than 5m away from habitable room windows at 569 Main Street and as a result of this the development would not have a significantly detrimental impact on this property in terms of loss of light or development of an overbearing nature.
- 7b.6 The rear gardens of the neighbouring properties generally have low level boundary treatments which allows for significant overlooking. As a result of this, the additional windows at ground and roof level would not considerably increase overlooking. The extension would be more than 20m from the rear boundary and would not therefore increase overlooking to properties on Tipperary Place. The window on the side elevation of the existing house would not require planning permission.
- 7b.7 The proposed garden building would measure 7.3m long by 3.5m wide with a maximum height of 3.36m. It would be constructed of materials to match the existing building. The design is standard for a garden building with a pitched roof and is similar in size to the existing building and neighbouring garages. Its distance from neighbouring windows and low overall height mean it would not have a detrimental impact on these properties.

Falkirk Council Local Development Plan - Proposed Plan

7b.8 Policy HSG07 – ‘House Extensions and Alterations’ states:

“Extensions and alterations to houses 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, unacceptable loss of off-street parking, or road safety issues.*

Proposals should comply with the detailed guidance on these criteria set out in the Supplementary Guidance SG03 ‘House Extensions and Alterations’.”

7b.9 The Proposed Falkirk Local Development Plan (FLDP) was approved by the Council for consultation in March 2013, with the period for representations running from April to June 2013. It is expected to be adopted in early 2015, at which point it will replace the current Structure Plan and Local Plan. It provides the most up to date indication of Falkirk Council’s views in relation to Development Plan policy and constitutes a material consideration in the determination of planning applications.

7b.10 Policy HSG07 relates to ‘House Extensions and Alterations’ and is worded in a similar way to policy SC9 in the existing Local Plan. The proposal does not comply with policy SC9 and given the matching wording, also does not comply with policy HSG07.

7b.11 Accordingly, the proposal does not accord with the Development Plan.

Consideration of the Site in relation to Coal Mining Legacy

7b.12 The application site falls within or is partially within the Development High Risk Area as defined by the Coal Authority. It is recognised that flexibility and discretion are necessary parts of the planning system and as such there may be exemptions to the requirement for a desk based Coal Mining Risk Assessment within the Development High Risk Area.

7b.13 Exemption can be on the grounds of the type of application or the nature of development. Only one of these needs to be met to exempt the need for a desk based Coal Mining Risk Assessment and also the consequential need for the Council to consult the Coal Authority. This proposal is considered to fall into both of these exempt groups.

Assessment of Public Representations

7b.14 Further clarification was sought in regard to the comment relating to limited working hours. It was established that the neighbour requested that building work did not take place outside the suggested hours.

- 7b.15 Any complaints regarding noise or disturbance during construction work would be dealt with by the Environmental Health Unit. A condition could be added to any planning permission requiring that the materials used in the new development match those used in the original house. There is no such thing as precedent in the planning process and each application is assessed on its own merits. All other issues raised have been addressed in the main body of the report.

Assessment of letter submitted by agent following call-in to committee

- 7b.16 The agent has referred to two historic applications. The first of these is P/07/1232/FUL at 456 Main Street. The agent states that the property is directly opposite the application site and is an identical bungalow and the rear design is virtually identical except the approved extension is 1m wider and built 1m from the boundary of the adjoining neighbour, exceeding overshadowing angles.
- 7b.17 The application was granted planning permission in 2008 and was for a single storey extension to the rear of the property. The extension measured 5m deep and did not include accommodation in the roof space, allowing for a reduced impact on the neighbours and a ridge which sits below the ridge height of the house. The approved drawings also show it set further away from the boundary than the agent suggests, measuring 2m from the boundary with the neighbouring property. The house is also on the opposite side of the road to 567 Main Street meaning the rear gardens are south facing. The properties adjacent to 567 Main Street have north east facing gardens, as such the impact on light is more significant to these properties. For the above reasons it is not considered that these are comparable extensions.
- 7b.17 The second application referred to was at 56 Balfour Crescent which the agent advises is three streets away from the application site. The agent feels the property is a bungalow with a rear extension design virtually identical, except the approved extension is 1m wider and built 0.5m from the boundary of the adjoining neighbour, exceeding overshadowing angles.
- 7b.18 This application was granted in 2010, planning reference number P/10/0555/FUL. 56 Balfour Crescent is approximately 1000 metres from the application site. This particular extension measured 5.1m deep, again smaller than the extension proposed at 567 Main Street and did not include any accommodation in the roof space, allowing for a lower ridge height than that proposed at 567 Main Street. The orientation of number 56 and its neighbouring properties is also different from that at 567 Main Street thus reducing the impact of the extension. The extension was also designed to finish below the ridge height of the main house and therefore sits more comfortably with the original house.
- 7b.19 The agent has also provided an additional drawing with angles marked on. These angles do not reflect the guidance set out in the SPG on the 45-degree angle and assessing the impact on neighbouring properties. The agent has incorrectly assessed the impact and both the applicant and agent have been advised of this. The agent has also referred to the impact an existing tree has on light reaching the neighbouring property. The tree is a small deciduous tree and the impact of the tree is not considered to justify a large extension in close proximity to the boundary.
- 7b.20 The agent has argued that the extension is required at this size to allow for accommodation in the roof space and reducing the size of the extension would result in the ground floor accommodation looking awkward and cramped.

7b.21 All other issues raised in the agent's correspondence have been addressed in the main body of the report and would not outweigh the recommendation to refuse planning permission.

7c Conclusion

7c.1 The proposed extension would not be sympathetic to the existing building, or surrounding area, by reason of its design, character and scale, and consequently would have an unacceptable adverse impact on the building and surrounding area. Owing to its proximity to the adjoining dwellinghouse at 565 Main Street combined with its depth and height it would have an unacceptable overbearing impact on this property. The proposed extension is therefore contrary to policy SC9 'Extensions and Alterations to Residential Properties' of the Falkirk Council Local Plan, Falkirk Council's Supplementary Planning Guidance 'House Extensions and Alterations' and policy HSG07 of the emerging Falkirk Local Development Plan, Proposed Plan April 2013. There are no material considerations which would warrant a grant of planning permission in this case.

8. RECOMMENDATION

8.1 It is therefore recommended that the Committee refuse planning permission for the following reasons:-

- (1) The proposed extension to the existing single storey semi-detached property would not be sympathetic to the existing building, or surrounding area, by reason of its design, character and scale, and consequently would have an unacceptable adverse impact on the building and surrounding area. The proposed extension is therefore contrary to Policy SC9 'Extensions and Alterations to Residential Properties' of the Falkirk Council Local Plan, Falkirk Council's Supplementary Planning Guidance 'House Extensions and Alterations' and policy HSG07 of the emerging Falkirk Local Development Plan, Proposed Plan April 2013.
- (2) The proposed extension due to its proximity to the adjoining dwellinghouse at 565 Main Street combined with its depth and height would have an unacceptable overbearing impact on the property. The proposed extension is therefore contrary to policy SC9 'Extensions and Alterations to Residential Properties' of the Falkirk Council Local Plan, Falkirk Council's Supplementary Planning Guidance 'House Extensions and Alterations' and policy HSG07 of the emerging Falkirk Local Development Plan, Proposed Plan April 2013.

Informative(s):-

- (1) For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01, 02, 03, 04, 05, 06, 07, 08 and 09.

Pp

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Director of Development Services

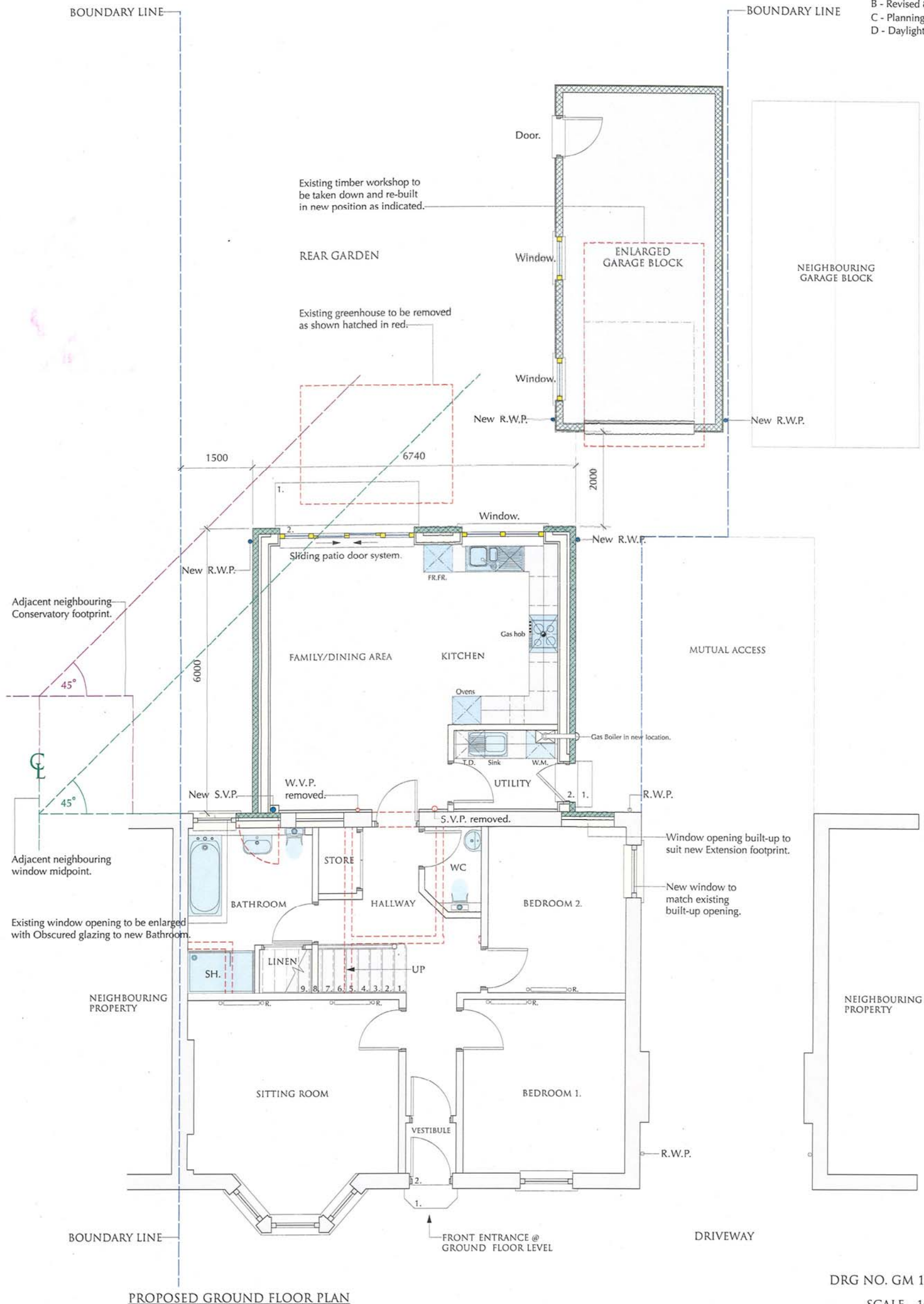
Date: 11 August 2014

LIST OF BACKGROUND PAPERS

1. Falkirk Council Local Plan
2. Falkirk Council Local Development Plan - Proposed Plan
3. Letter of representation received from Mr Alan Learmonth, 571 Main Street Stenhousemuir FK54QD on 19 June 2014
4. Letter of support received from Mrs Audrey Hunter, 569 Main Street Stenhousemuir FK5 4QD ON 14 June 2014.
5. Letter of objection received from John & Susan Kirk, 563 Main Street, Stenhousemuir, Larbert FK5 4QD on 1 July 2014
6. Letter of representation received from Mr Grant Barr 2 Tipperary Place, Larbert, Falkirk FK5 4SX ON 15 June 2014

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

A - Revised 21/3/2014
 B - Revised 8/6/2014
 C - Planning 10/6/2014
 D - Daylight angles 10/6/2014



PROPOSED FLOOR PLAN -
 567 MAIN STREET, STENHOUSEMUIR, FALKIRK (AREA)

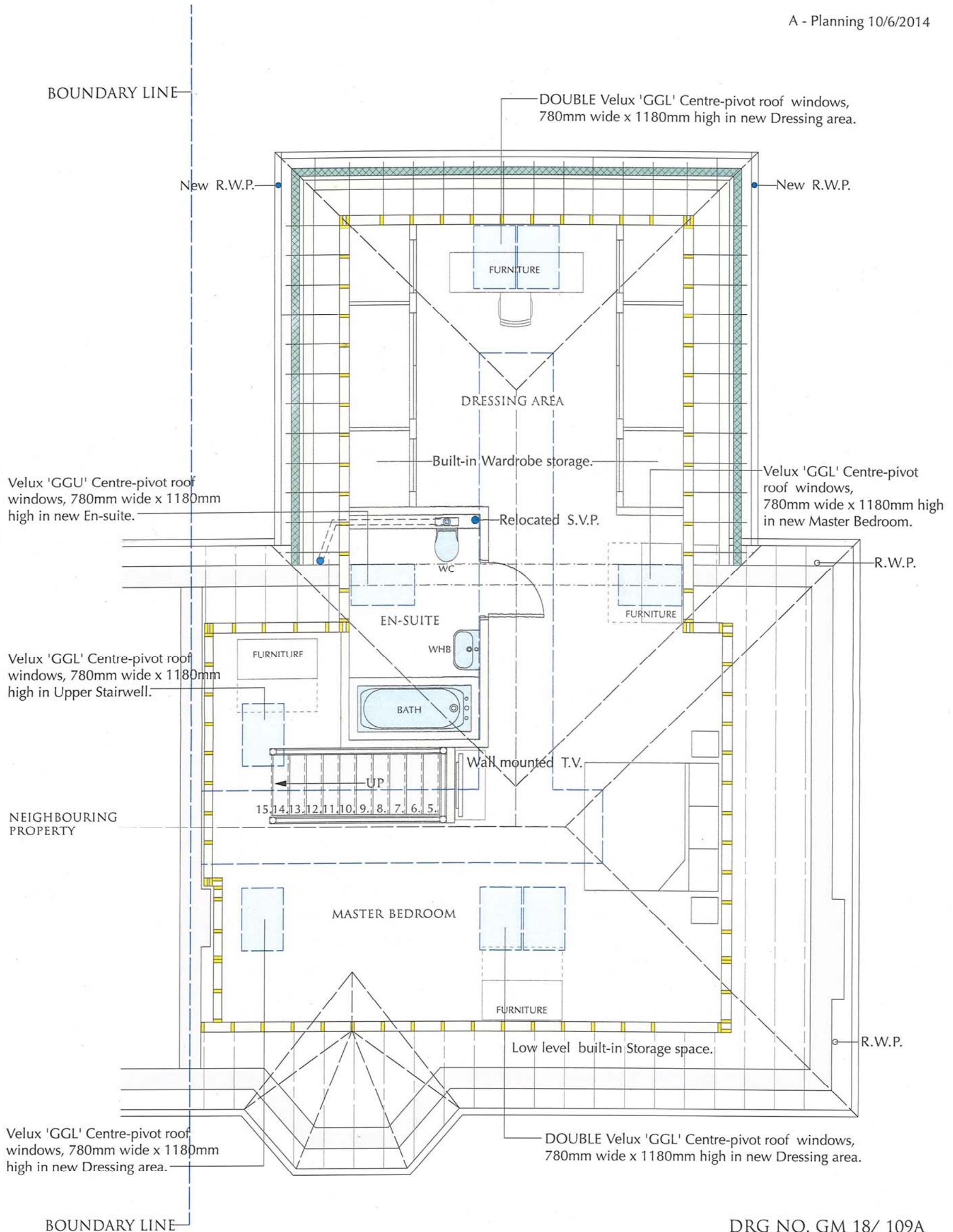
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SCALE - 1:50 @ A2

DATE: . MAR. 2014.

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PROPOSED FIRST FLOOR PLAN -
567 MAIN STREET, STENHOUSEMUIR, FALKIRK (AREA)

DRG NO. GM 18/ 109A

SCALE - 1:50 @ A3

DATE: . JUNE. 2014.

gsmarchitecture

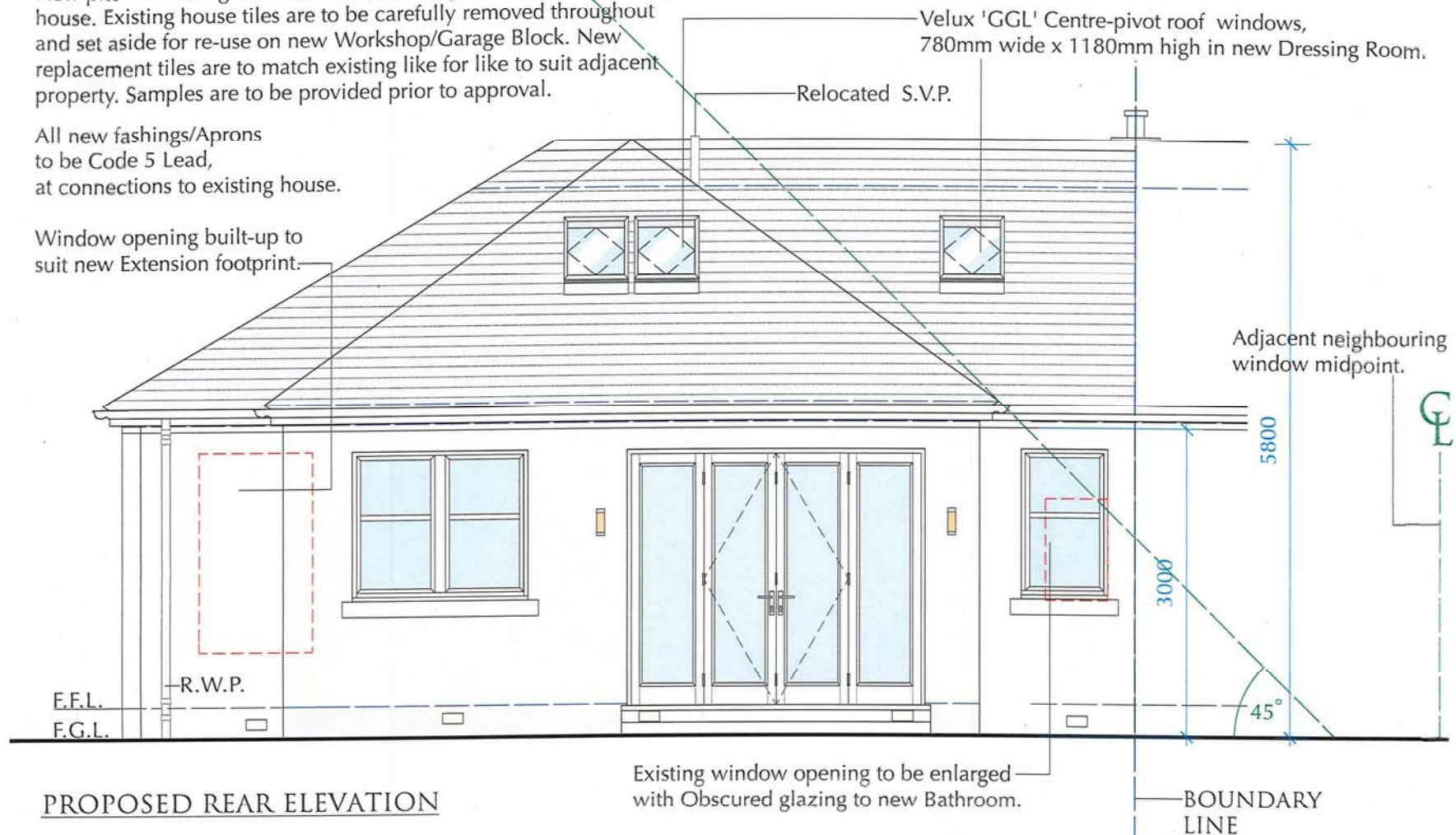
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NEW PITCHED ROOFING SECTIONS -

New pitched roofing finish to be natural Clay tiles to match existing house. Existing house tiles are to be carefully removed throughout and set aside for re-use on new Workshop/Garage Block. New replacement tiles are to match existing like for like to suit adjacent property. Samples are to be provided prior to approval.

All new flashings/Aprons to be Code 5 Lead, at connections to existing house.

Window opening built-up to suit new Extension footprint.



PROPOSED REAR ELEVATION

EXTERNAL WALL FINISH -

New Extension, external walls are to be roughcast through render system to match existing house.

WINDOWS -

New windows are to be PVC-u double glazed units, Argon filled with Low emissivity 'K' glass, 4mm Optifloat, 8mm cavity units. WHITE. Glazing type 'Duragreen'-providing band 'A' Energy Rating (WER).

Velux 'GGL' Centre-pivot roof windows, 780mm wide x 1180mm high in new Dressing Room.

DOUBLE Velux 'GGL' Centre-pivot roof windows, 780mm wide x 1180mm high in new Dressing Room.



PROPOSED FRONT ELEVATION

All dimensions are in millimetres unless otherwise stated.

PROPOSED FRONT & REAR ELEVATIONS -
567 MAIN STREET, STENHOUSEMUIR, FALKIRK (AREA)

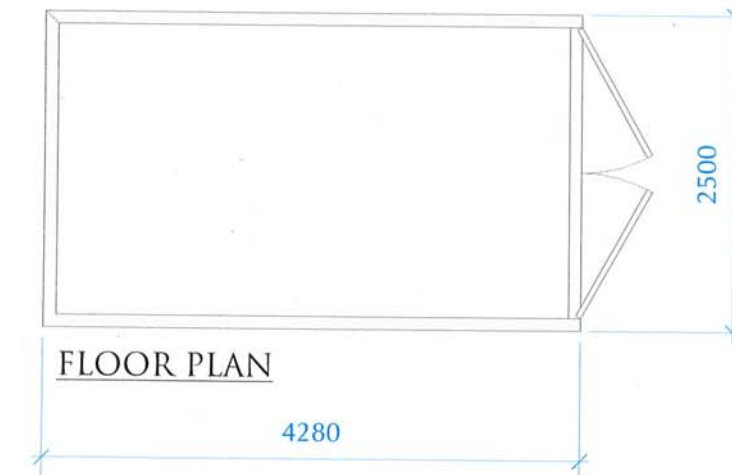
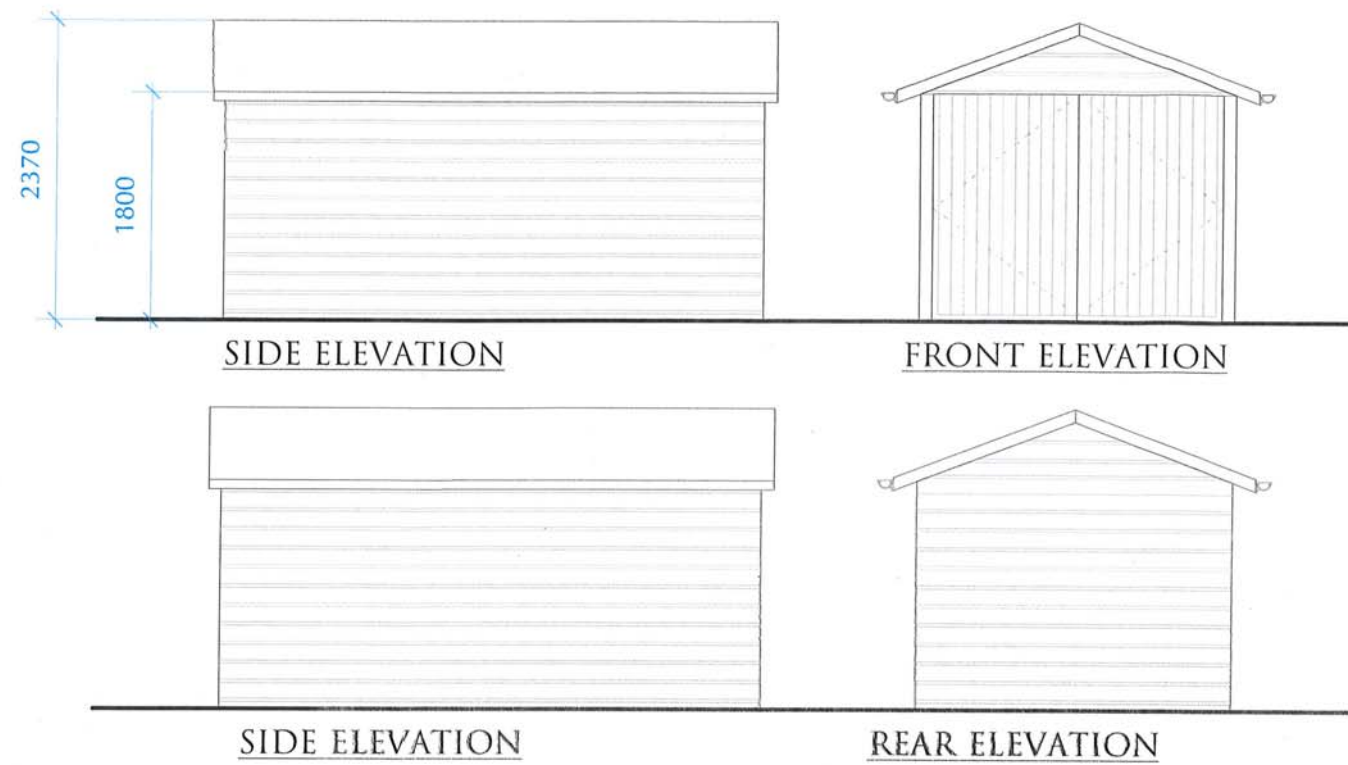
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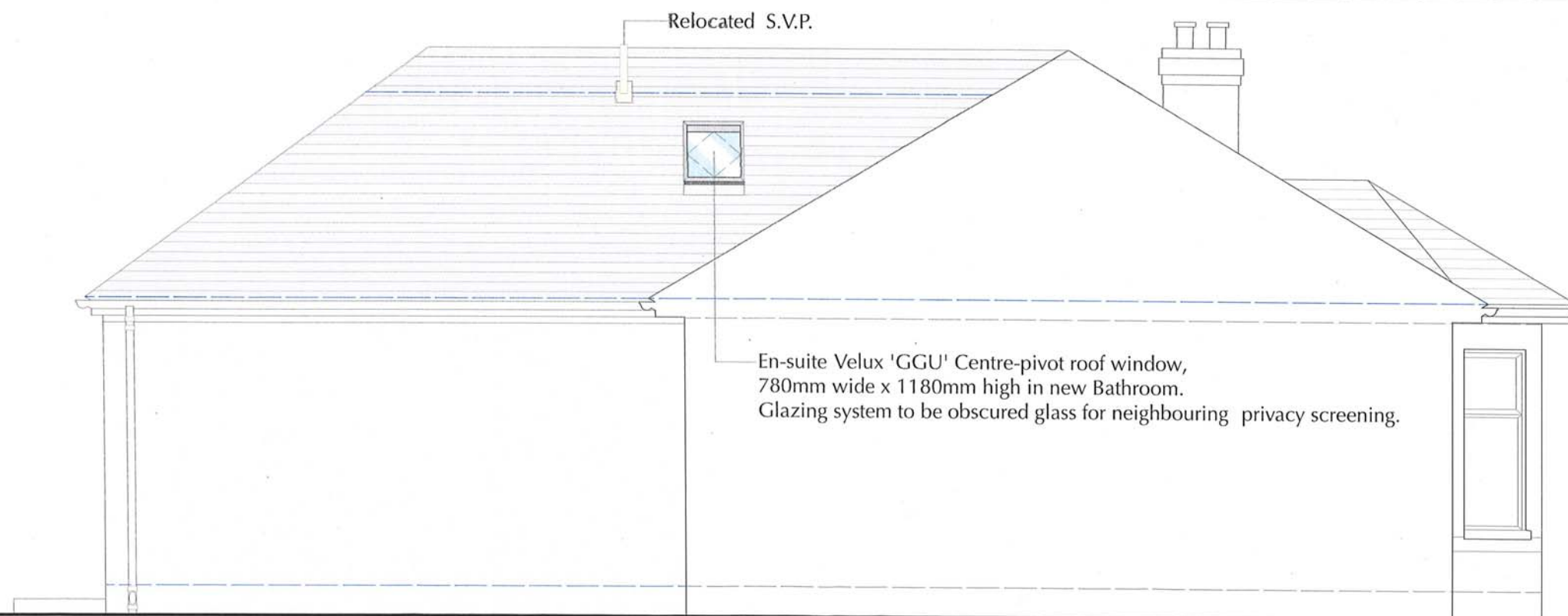
DATE: . JUN. 2014.

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EXISTING GARAGE BLOCK PLAN & ELEVATIONS - SCALE 1:50



PROPOSED SIDE (WEST FACING) ELEVATION

PROPOSED EXTENSION SIDE ELEVATION & EXISTING GARAGE BLOCK -
567 MAIN STREET, STENHOUSEMUIR, FALKIRK (AREA)

SCALE - 1:50 @ A3
DATE: . JUNE. 2014.

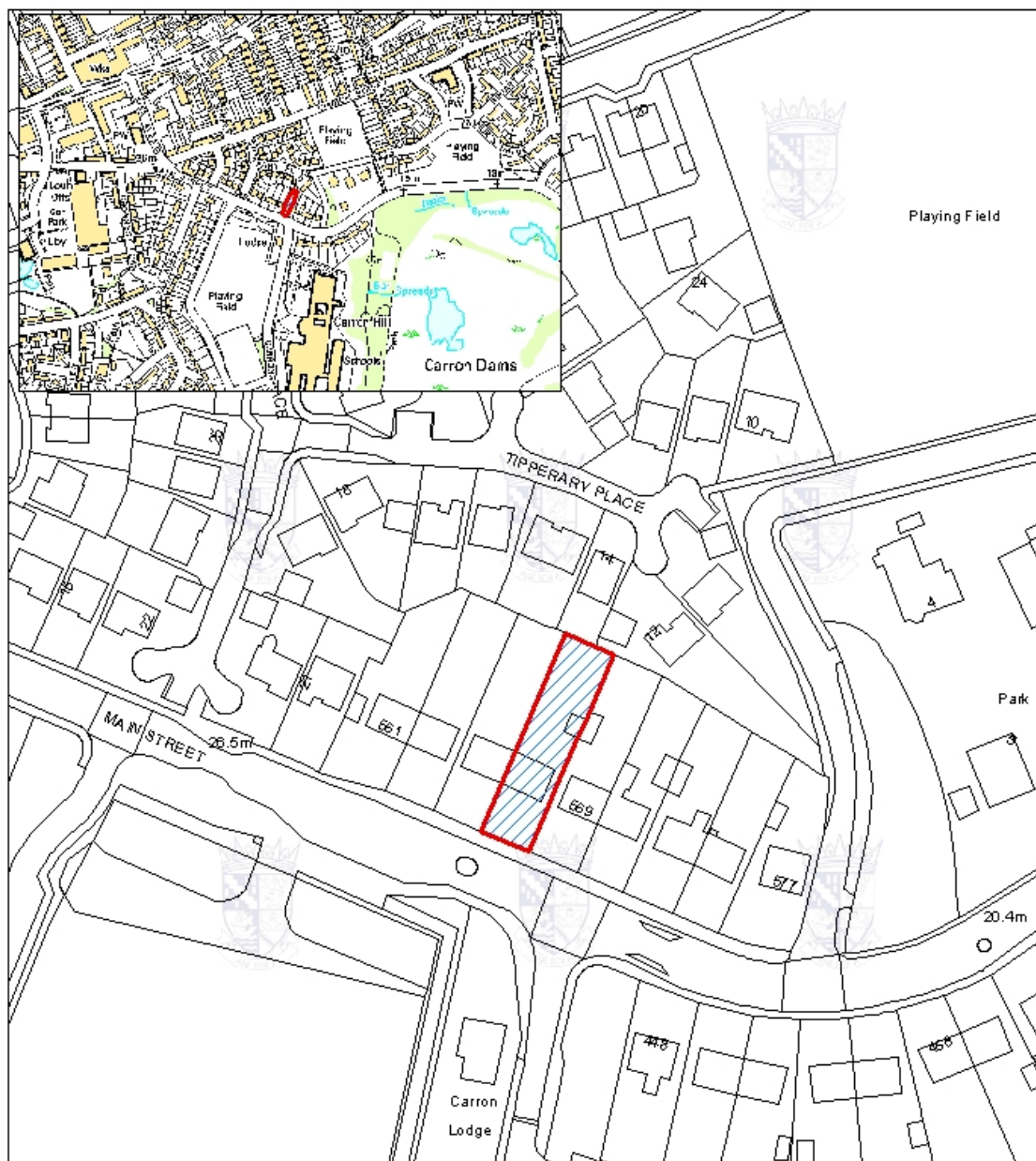
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Planning Committee

Planning Application Location Plan

P/14/0342/FUL

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



Falkirk Council



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