

**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:** 10 September 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

**UPDATE REPORT FOLLOWING SITE VISIT**

1. Members will recall that this application was originally considered at the meeting of the Planning Committee on 20 August 2014 (copy of previous report appended), when it was agreed to continue the application for a site visit. This visit took place on 1<sup>st</sup> September 2014.
2. The case officer summarised the proposed development to the Planning Committee and referred to the salient points of assessment as set out in the Committee report.
3. The applicant and his architect spoke in support of the proposal. It was stated by the architect that the extension had been redesigned from the previous application refused in P/14/0159/FUL. It was also noted that the accommodation was now fully contained within the roof space provided, with roof light windows only to provide light, as opposed to dormer windows. The architect also stated that the extension was designed in a manner that there would be no impact upon the front elevation of the property. The applicant cited two similar house extensions granted by the Council (P/07/1232/FUL and P/10/0555/FUL). The related case officer assessment reports are appended at Appendices 3 to 5. The applicant advised that these two similar proposals did not fully comply with Council Policy (but see paras 7b.6 to 7b.18 of the previous report).

4. The applicant also advised that the size of the proposed footprint of the extension was similar in depth to the existing flat roofed extension of the neighbouring property (no. 569). The applicant did not agree that the proposed extension failed to comply with the 45 degree rule in relation to overshadowing as contained in the supplementary guidance in relation to house extensions that the proposal was now 1.5 metres off the communal boundary with the adjoined neighbouring dwelling (no. 567). The applicant concluded that the proposed extension had been reduced in size, and he circulated a pack of information (appended).
5. Opportunity was then given to neighbours in attendance to make comment. The neighbour who lives at 569 Main Street (adjacent to the east of the application property) spoke in support of the proposal. The neighbours from 563 Main Street, to the west, confirmed their objection citing reasons relating to the extension size; the roof pitch of 30 degrees on the current dwelling not matching that of the proposed extension, which was set at 40 degrees; and the loss of solar gain through overshadowing/loss of daylight. They concluded by intimating that such a proposal, if allowed, would impact upon their ability to sell their property and that the visual amenity of the area could be affected by similar proposals being allowed in the future.
6. Members of the Planning Committee sought clarification in relation to the roof pitch. In response to this query, the roof pitch of the existing dwelling is 30 degrees and the proposed main extension roof is set at 35 degrees. However, the hipped roof feature on the extension is proposed as a 30 degree roof pitch. The Planning Committee also queried the issue of the 45 degree rule in relation to overshadowing to the adjoined neighbouring dwelling. The line of the 45 degree rule is taken from the midpoint of the nearest ground floor window of the adjoining house, on the rear building line. The relevant section of the guidance is appended. Members of the Planning Committee also questioned the proposed size of the extension in relation to the current dwelling. It was noted by the applicant's architect that the footprint extension was not over 50% of the existing dwelling. However, the proposed plans show an extension footprint that is almost a 100% increase in relation to the floor space of the existing dwellinghouse. This is contrary to guidance.
7. The Planning Committee concluded their visit by visiting the garden of the neighbouring property of 563 Main Street, to assist in considering the impact of the proposed extension in relation to overshadowing and loss of daylight.
8. No matters were raised at the site visit which would amend the original recommendation to refuse planning permission.

## 9. **RECOMMENDATION**

### 9.1 **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**

.....  
**Director of Development Services**

**Date:** 4 September 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.

**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**

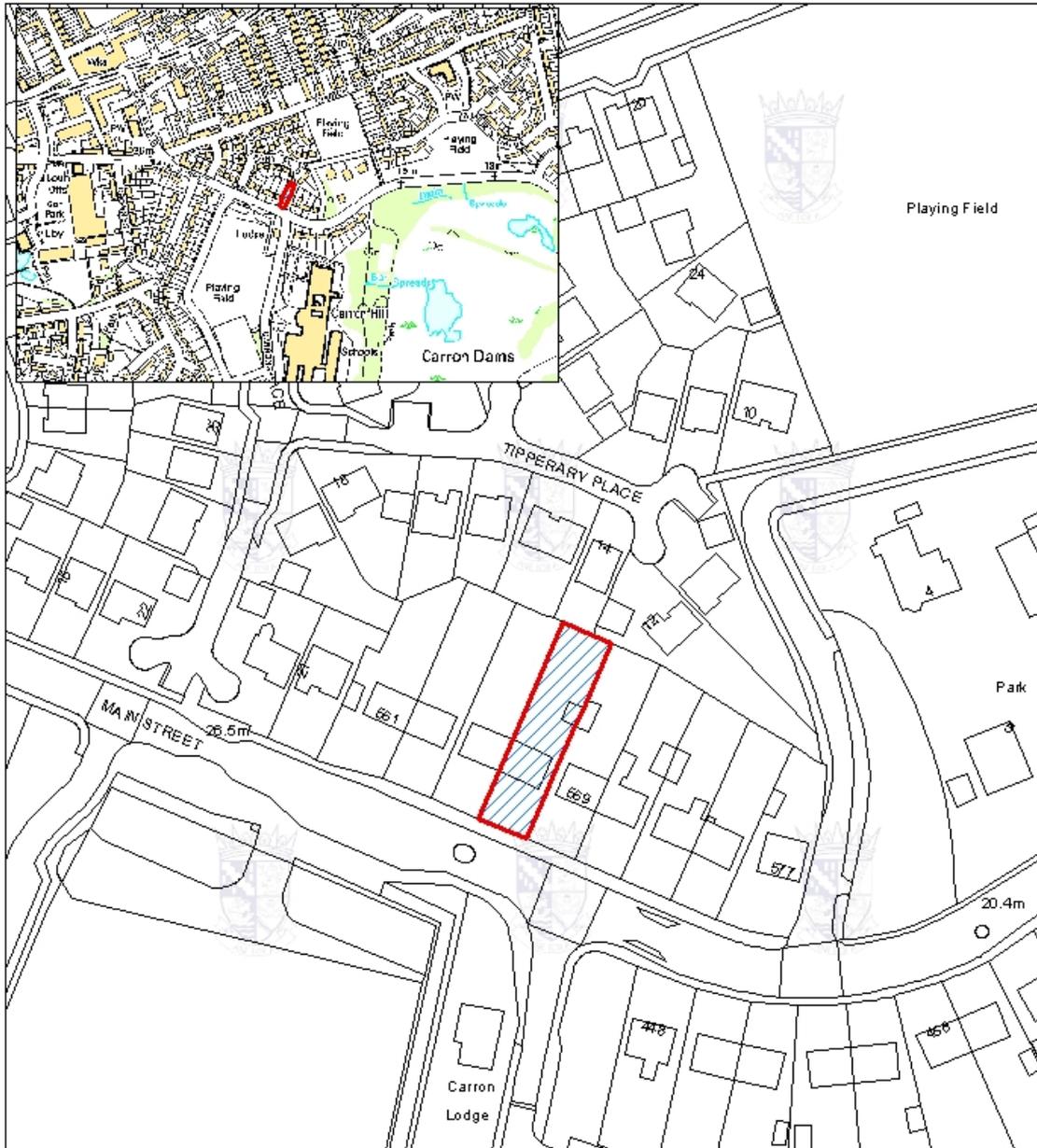
1. Falkirk Council Local Plan
2. Falkirk Council Local Development Plan - Proposed Plan
3. Letter of representation received from Mr Alan Learmonth, 571 Main Street Stenhousemuir FK54QD on 19 June 2014
4. Letter of support received from Mrs Audrey Hunter, 569 Main Street Stenhousemuir FK5 4QD ON 14 June 2014.
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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.

# Planning Committee

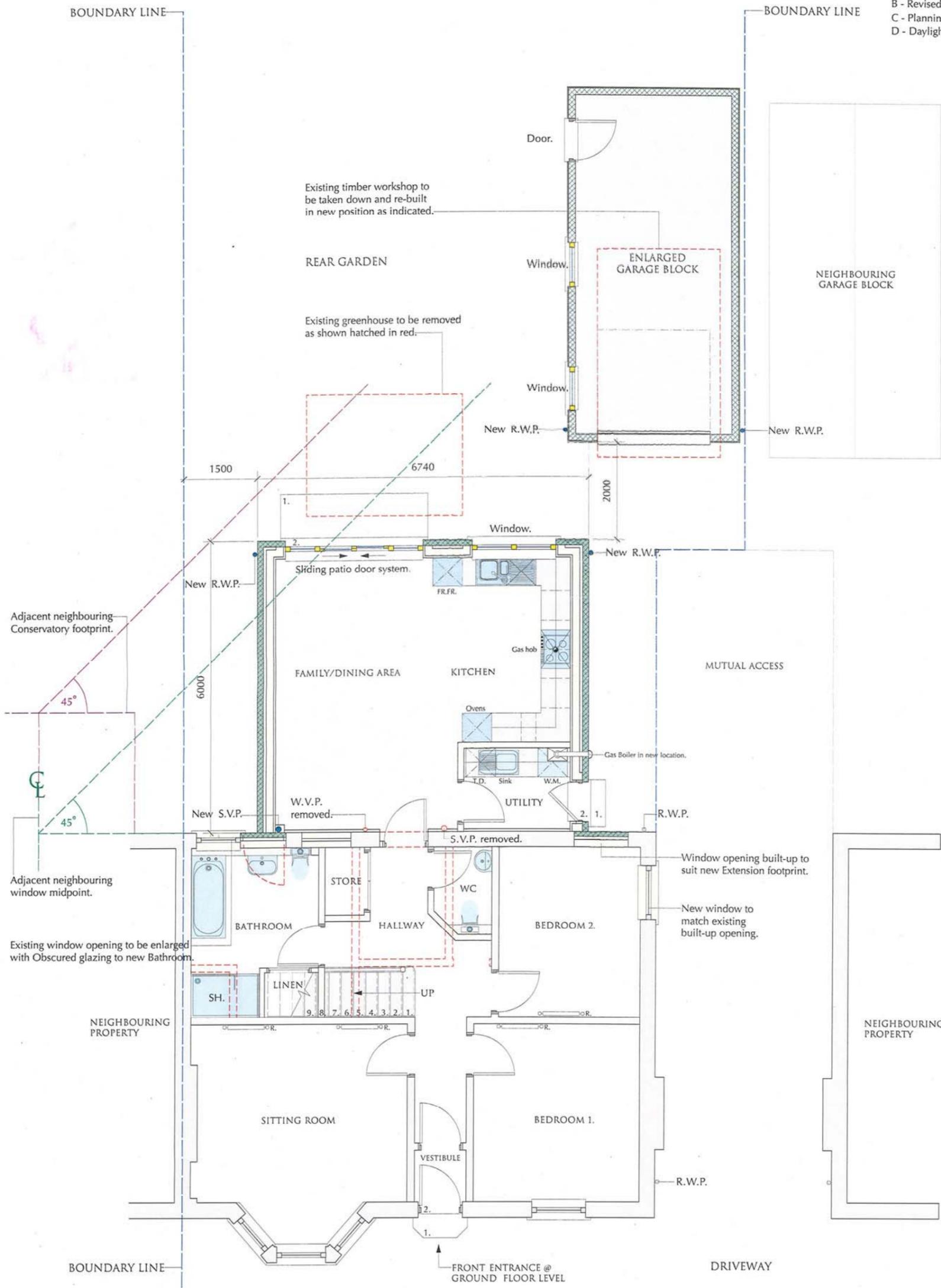
## Planning Application Location Plan P/14/0342/FUL

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



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



PROPOSED GROUND FLOOR PLAN

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

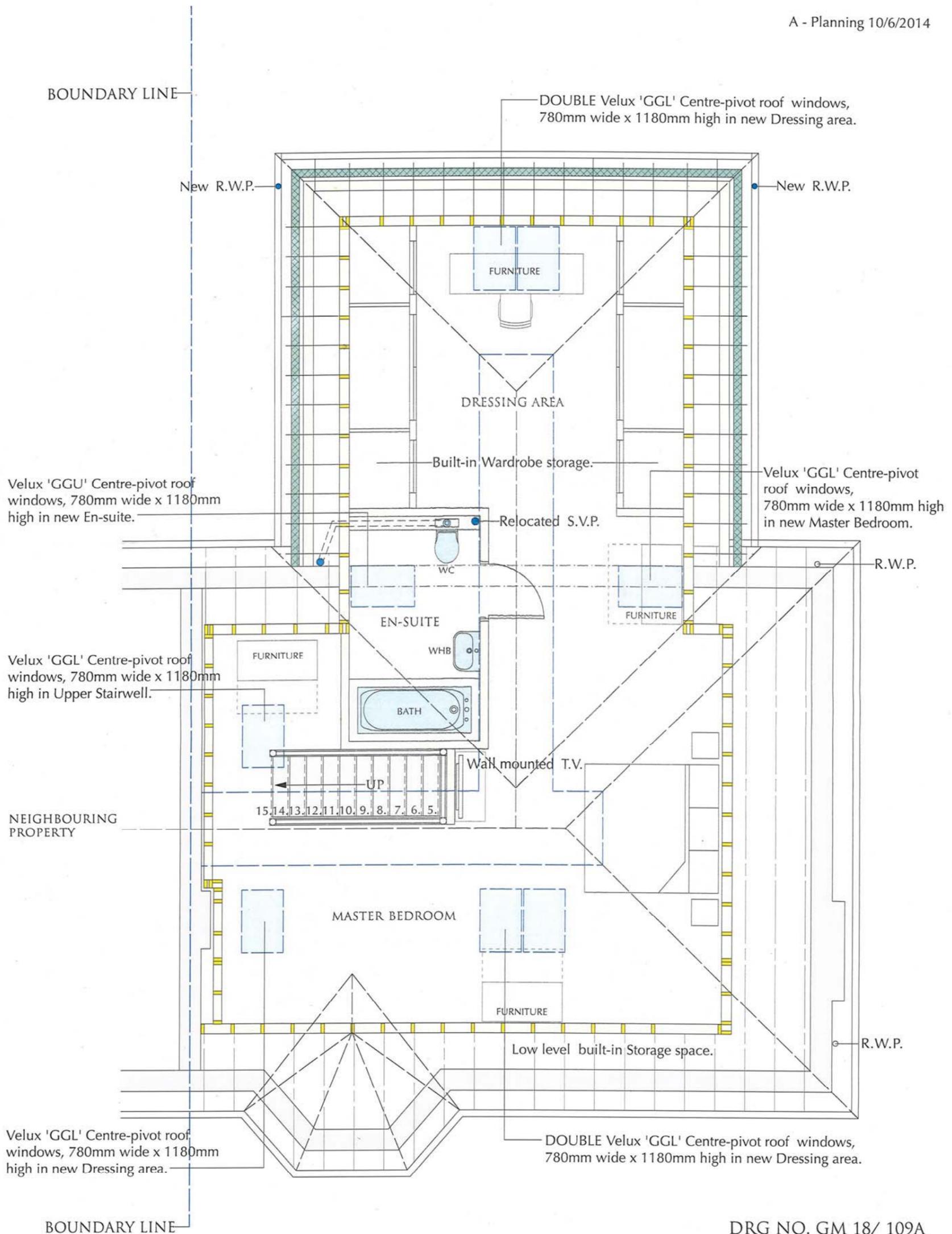
DRG NO. GM 18/ 104D

SCALE - 1:50 @ A2

DATE: . MAR. 2014.

gsmarchitecture

greig@gsmarchitecture.co.uk T 0131 258 2138  
 W gsmarchitecture.co.uk M 07915 600 871



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

DRG NO. GM 18/ 109A

SCALE - 1:50 @ A3

DATE: . JUNE. 2014.

**gsmarchitecture**

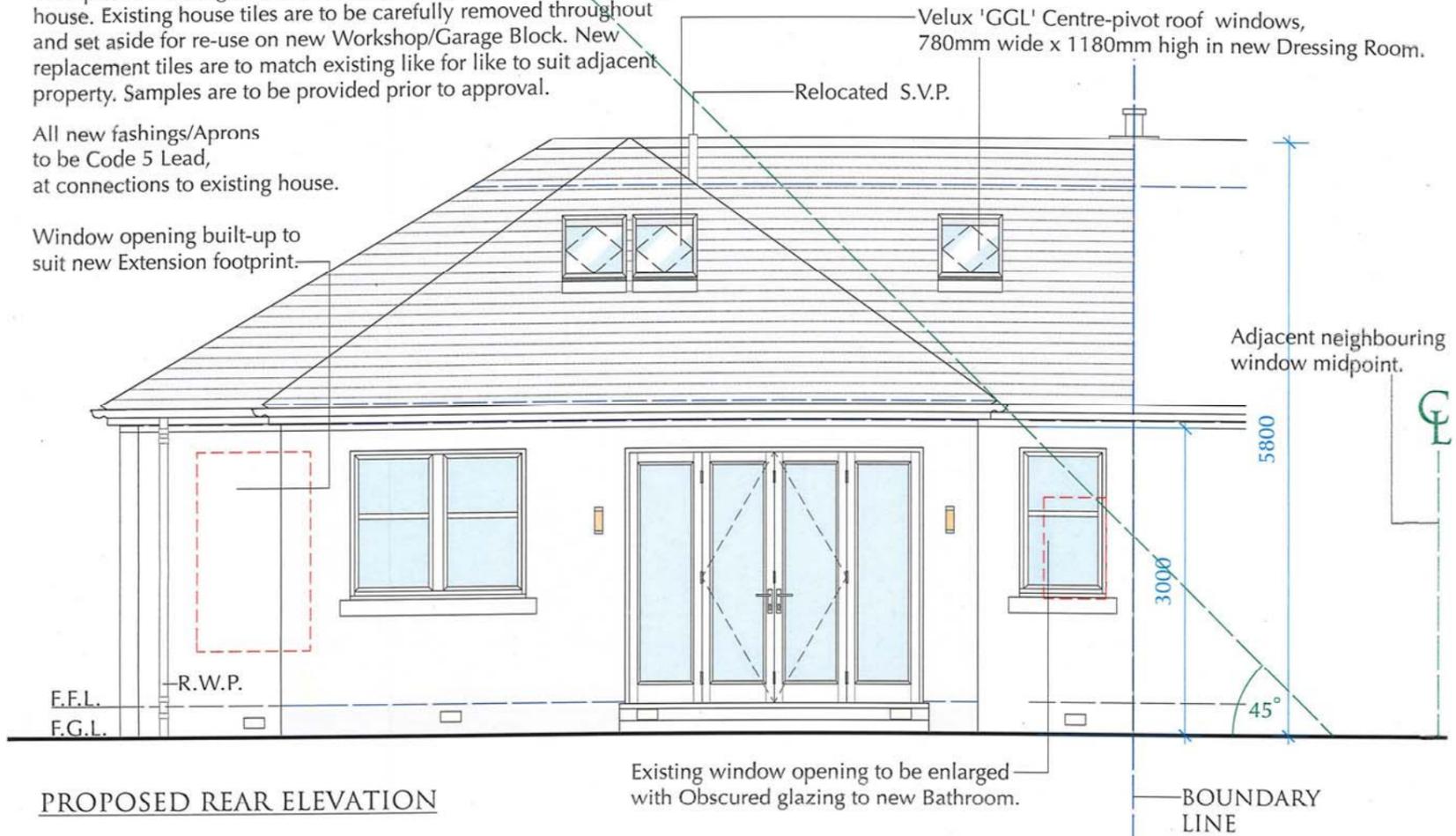
greig@gsmarchitecture.co.uk T 0131 258 2138  
W gsmarchitecture.co.uk M 07915 600 871

**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 fashings/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)**

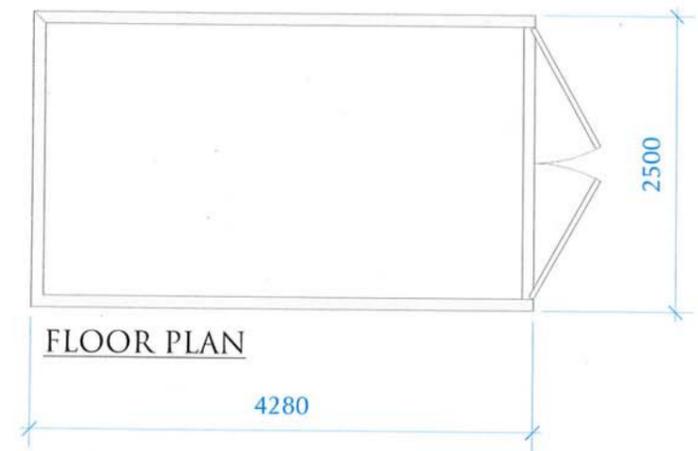
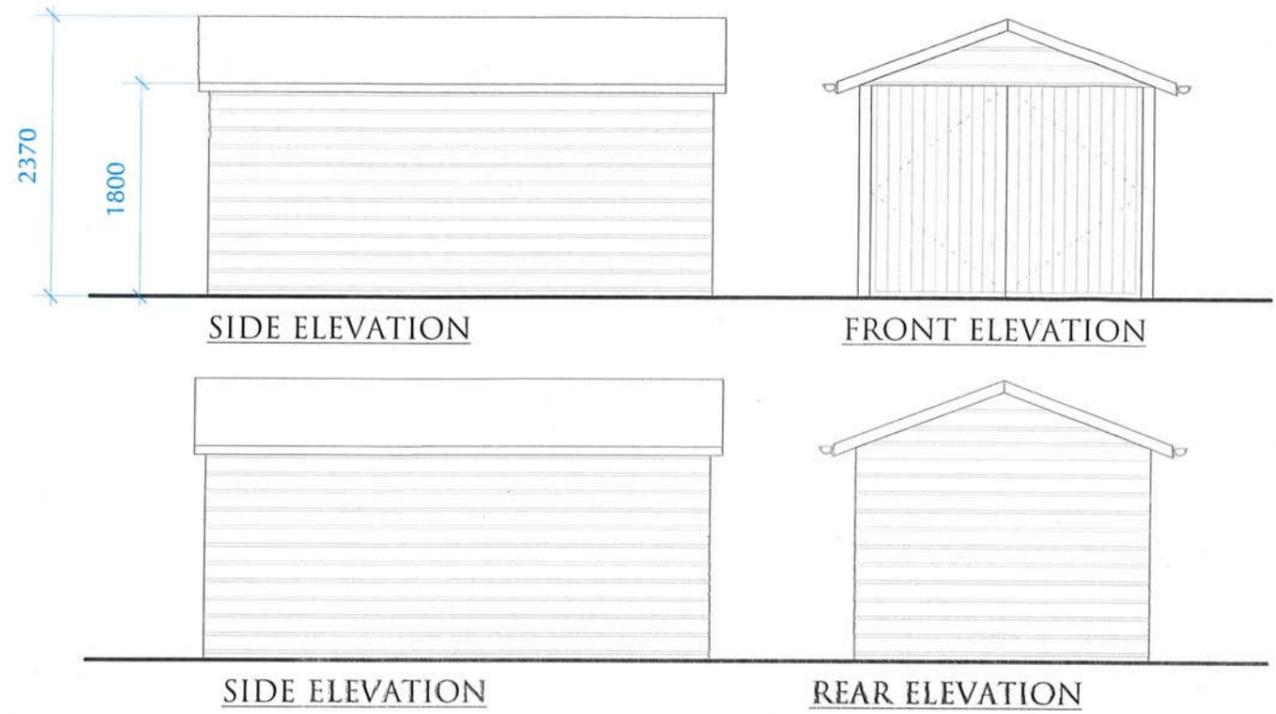
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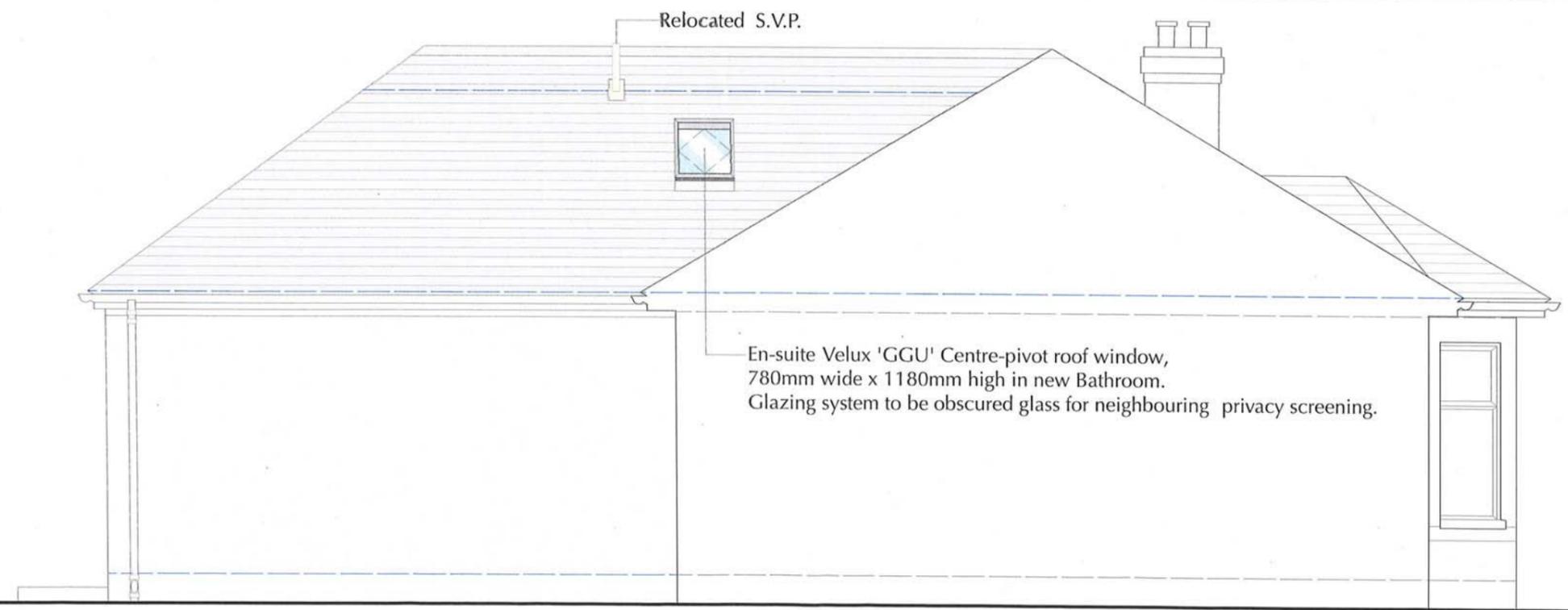
DATE: . JUN. 2014.

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EXISTING GARAGE BLOCK PLAN & ELEVATIONS - SCALE 1:50



En-suite Velux 'GGU' Centre-pivot roof window,  
780mm wide x 1180mm high in new Bathroom.  
Glazing system to be obscured glass for neighbouring privacy screening.

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.

DRG NO. GM 18/ 112  
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**FALKIRK COUNCIL**

TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS

LIST OF PLANNING APPLICATIONS APPROVED UNDER DELEGATED POWERS

OFFICER :           **JOHN DALY**

LIST PREPARED:    20 FEBRUARY 2008

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**Development**     Extension to Dwellinghouse and Erection of Timber Decking  
**Location**         456 Main Street, Stenhousemuir, Larbert, FK5 3JU  
**Applicant**        Mr & Mrs Cox  
**Application No.**   P/07/1232/FUL

**DECISION:** Grant Detailed Planning Permission

Conditions:

1.     The development to which this permission relates must be begun within five years of the date of this permission.

Reasons:

1.     To accord with the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997.

  
\_\_\_\_\_  
Director of Development Services

21/2/08  
Date

Falkirk Council Planning Committee meeting

Site inspection notes and comments on case officers report.

**In support of our application:**

Having considered all relevant reasons for refusal of the original application the upper floor level was re-designed throughout, based on the original objection points.

The Extension has been set-back **1.5m** from the existing mutual boundary line.

Improving on the original 1m position.

The new roof design has been carefully designed with the entire upper floor areas confined to the developed roof spaces. Allowing the new extension to appear as a single storey with no projection beyond the roof profile.

The roof design is hipped to match the house.

Velux windows have been created replacing the original gable wall and vertical windows.

The new roof does not project higher than the existing roof line and visually appears the same.

The principal elevation of the house is to the front street. The rear extension has **no** impact on the character of the existing bungalow at the front. Consideration has been carefully taken to ensure that all new development is to the rear of the property, maintaining the integrity of the principal elevation, avoiding any type of overbearing dormer construction.

**We have commented on the following items:**

**Item 1.3**

Reference to agents additional information being submitted **after** the recommendation was made:

On Wednesday 16th July 2014, I e-mailed the case officer asking if there was any comments or feedback on the current application, as there had been no correspondence further to registration of the application.

A reply was received on Friday 18th July at 11:48am advising that the application was being recommended for refusal, with no scope for negotiation.

At 13:03pm on the same day, just over one hour after receiving this response I sent a further e-mail with additional information which we feel was important in support of our application.

On Wednesday 23rd July we were advised that the additional information could not be included as the application had already been considered.

The application was recommended for refusal without any comments or concerns raised on the design, within the determination period.

No opportunity was presented for us to address the Planning Officers grounds for refusal.

**Item 1.4**

It is also noted that the additional information is now considered under the 'material considerations' section of the Planning officers report.

Supporting information was issued on several occasions and contained a photo-sheet of two approved extensions elsewhere in Stenhousemuir and an additional drawing relating to the daylight calculations. These documents were intended for the purpose of the Committee to assess directly and visually. The information has not been included with the application documents, as requested and therefore cannot be viewed for a fair assessment by the Committee. Considerations under this section can only be assessed by the case officers comments and not on individual merit from the evidence presented.

#### **Item 7a.1 to 7a.6**

The proposed extension has been sympathetically designed to fall within The Development Plan as carefully as possible without compromising the overall design criteria. This can be a challenging process and these guidelines are often relaxed when consideration is being made under Planning Guidance notes and Policies.

#### **Item 7b.2**

The proposed extension roof has been designed to appear the same as the house. The upper floor of the extension has no dormers and is fully contained within the developed roof space. This provides a visual appearance of a single storey extension providing a sympathetic approach to creating upper floor living accommodation, without projection beyond the roof profile.

#### **Item 7b.3**

It's noted that the ground floor area of the extension would increase the floor area by nearly 100%. The SPG advises that **additional** accommodation should be no greater than 50% of the existing ground floor area.

The existing ground floor area of the house is **68m<sup>2</sup>**. (50% of this area is 34m<sup>2</sup>.)  
The proposed ground floor extension area is **33.4m<sup>2</sup>**. (less than 50% of the house).  
This fits within the SPG guidance notes and advice as detailed.

#### **Item 7b.16 and 7b.17**

Following investigation of Planning Applications previously granted we are able to provide examples of similar applications which have been granted Planning Consent with similar ground floor footprints and roof profiles.

456 Main Street - Approved extension. Included with this response are photographs and a drawing:

It is agreed the 1m dimension stated was incorrect. Subsequently a site inspection has been carried out at the property and detailed measurements were obtained. The extension is located 2m from the boundary line and projects 5m beyond the back wall. The length of the extension is 7.8m long. Over 1m wider than our proposal. The ridge line of the extension is level with the existing roof ridge and does not sit below the ridge height of the house. There would be adequate headroom in the roof space of this extension allowing for future development and additional accommodation. This would fall under Permitted Development and would not require Planning Permission.

It's important to note that the centre line of the neighbouring window for daylight impact is **0.89m** away from the boundary. When the 45-degree test is measured the projection beyond the intersection is **2.1m** in length. The projection distance on our application is **1.54m** in length. This is over **0.6m** less. The approved extension also fails the above tests in the case of window location and by a greater margin.

A detailed drawing is available for inspection/distribution showing this example.

It has also been noted that the location of the individual properties on the opposite side of the road have different lighting impacts, however we can find no evidence within the SPG to support the orientation with regard to the compass point.

### **Item 7b.18**

56 Balfour Crescent - Approved extension. Included with this response are photographs:

As above, the ridge line of the extension is level with the existing roof ridge and does not sit below the ridge height of the house.

The boundary line is 0.5m from the extension and projects 5.1m from the back wall.

The neighbouring window is also in close proximity to the boundary.

This example fails the above 45-degree tests by a greater margin than both extensions.

It should be considered that these two examples (are) comparable extensions.

### **Item 7b.19**

It has been noted that the agent has incorrectly assessed the impact of the 45-degree angle set out in the guidelines in the **SPG**, and the drawings do not reflect the guidance.

A detailed drawing is available for inspection/distribution identifying these angles.

The new extension projects beyond the 45-degree angle line intersection by a distance of 1.54m in length. This has less impact than both comparable extensions.

Given that the window in question currently sits within a conservatory and has an obscured polycarbonate roofing material this should be taken into consideration when assessing the impact.

It is questionable as to the interpretation of the 45-degree angle line of Policy SC9, as the window lies within the footprint of a conservatory. Drawing available for inspection/distribution.

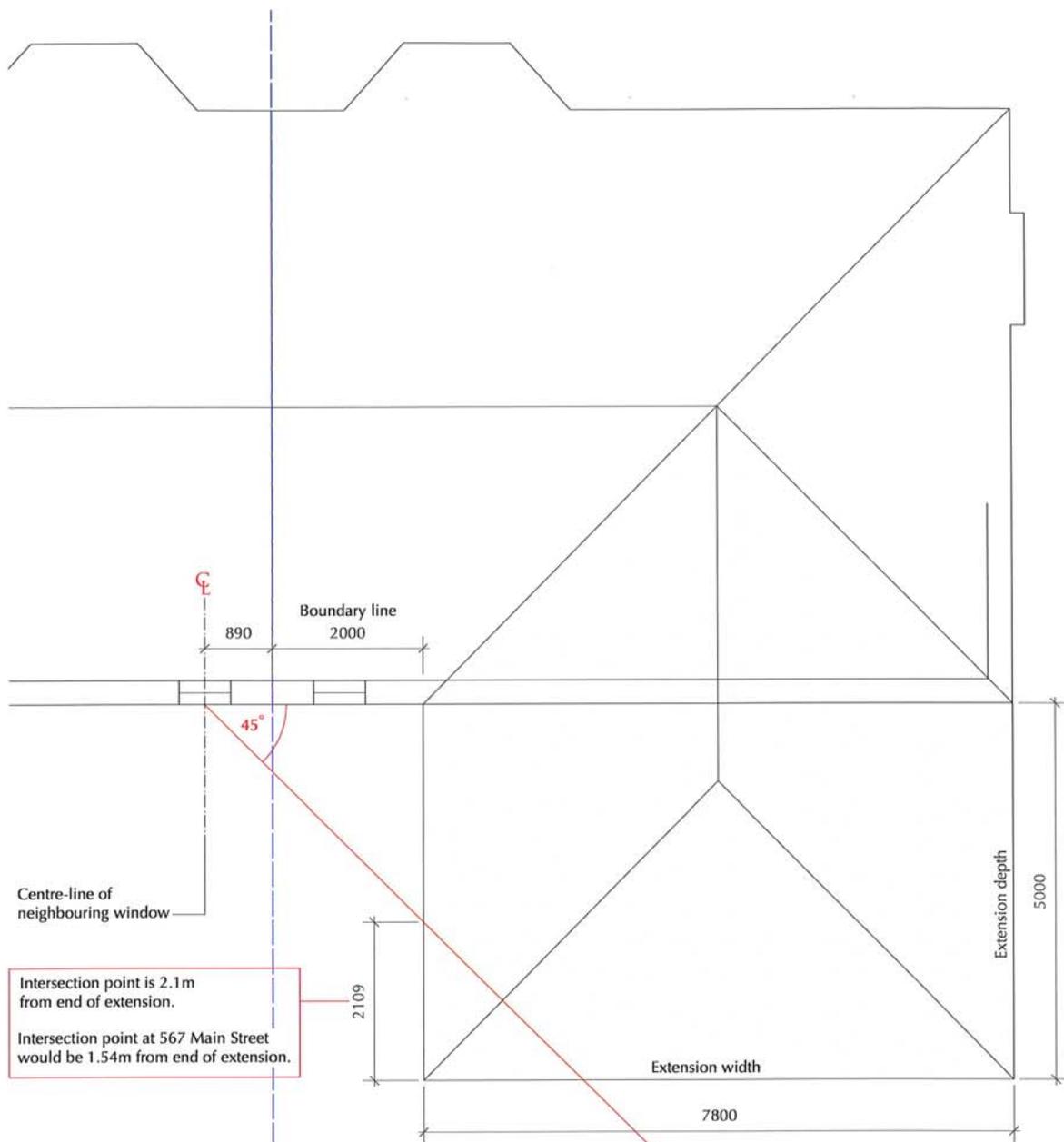
As previously stated we have shown other examples where Policy SC9 has been interpreted differently.

### **IN CONCLUSION**

We have demonstrated that there are a number of examples of extensions in close proximity which have footprints and a roof profiles similar to that as proposed in this the **second** application for 567 Main Street, Stenhousemuir, recommended for refusal.

The second submission is very sympathetic to the existing building in that the roof profile now follows the symmetry of the existing roof. We have also relocated the proposed extension further from the boundary of the adjoining property.

With regard to SC9 we can find no reference in the guidelines with regard to the elevation and its compass point, also as previously stated the 45-degree guidelines do not cover windows which sit within conservatories.

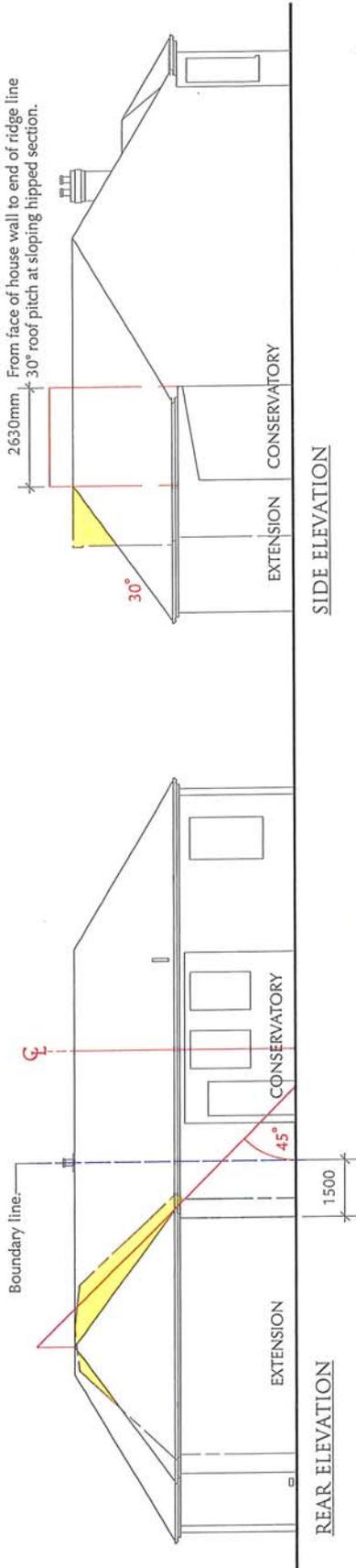


EXISTING APPROVED NEIGHBOURING EXTENSION, DIMENSIONS - PART FLOOR PLAN

456 MAIN STREET, STENHOUSEMUIR

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

DRG NO. GM 18/ SK 2  
**gsmarchitecture**  
grieg@gsmarchitecture.co.uk T 0131 258 2138  
W gsmarchitecture.co.uk M 02915 400 871

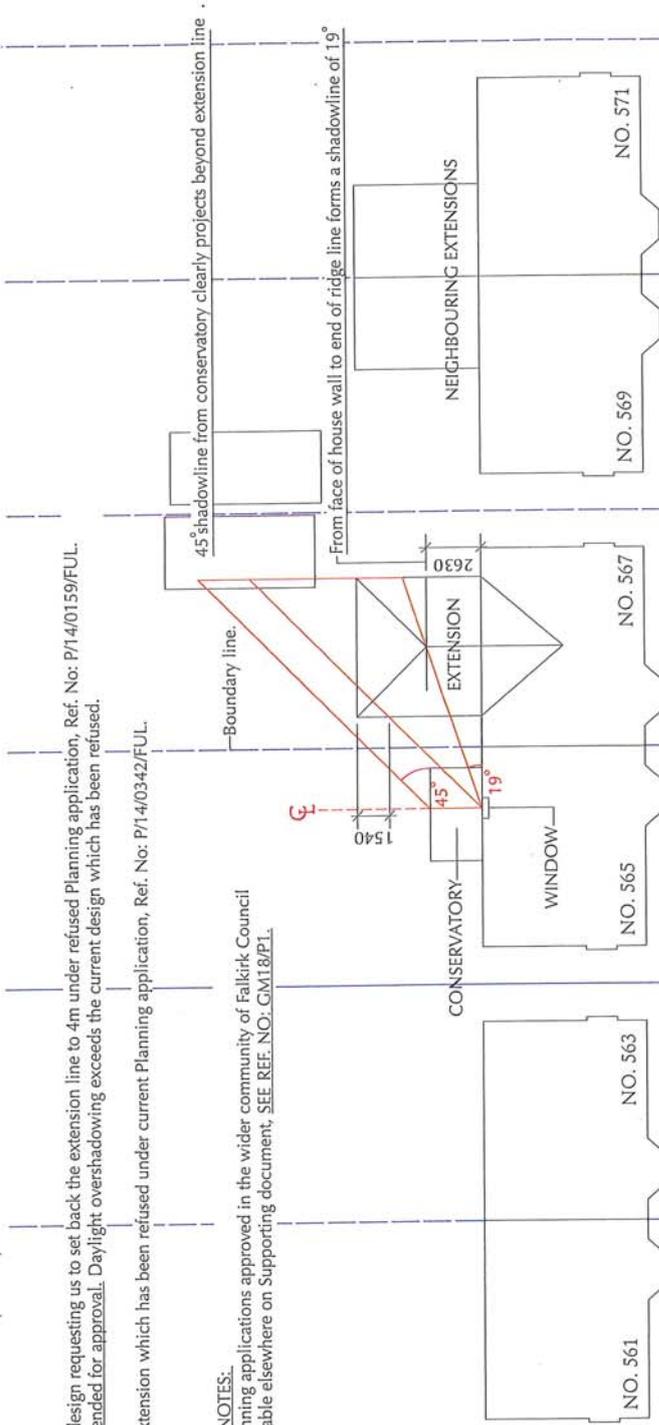


 - Footprint from original design requesting us to set back the extension line to 4m under refused Planning application, Ref. No: P/14/0159/FUL. This was being recommended for approval. Daylight overshadowing exceeds the current design which has been refused.

 - Footprint of proposed extension which has been refused under current Planning application, Ref. No: P/14/0342/FUL.

**ADDITIONAL SUPPORTING NOTES:**

We make reference to two Planning applications approved in the wider community of Falkirk Council for examples of what is acceptable elsewhere on Supporting document, SEE REF. NO: GMI18/PI.



**FLOOR PLAN**

**PROPOSED REAR EXTENSION, DAYLIGHTING & SHADOW LINES**  
**567 MAIN STREET, STENHOUSEMUIR, FALKIRK (AREA)**

SCALE - 1:200 @ A3

DATE: . JUL. 2014.

DRG NO. GM 18/ SK 1B

**gs** **mar** **architecture**  
 gs@gsmararchitecture.co.uk T 0131 252 2138  
 gsmararchitecture.co.uk M 07912 42871

456 MAIN STREET, STENHOUSE MUIR



R.T.O



56 BALFOUR CRESCENT, STENHOUSEMUIR



P.T.O.



**PLANNING APPLICATION DETERMINED BY DIRECTOR OF DEVELOPMENT SERVICES UNDER DELEGATED POWERS – REPORT OF HANDLING**

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**PROPOSAL** : Extension to Dwellinghouse (Single Storey to Rear) and Erection of Detached Domestic Garage  
**LOCATION** : 56 Balfour Crescent, Larbert, FK5 4BB  
**APPLICANT** : Mr Robert Black  
**APPN. NO.** : P/10/0555/FUL  
**REGISTRATION DATE** : 29 July 2010

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

The existing property is a single storey semi detached dwellinghouse located within a well established residential area. The proposal involves the erection of a single storey extension and detached domestic garage to the rear of the dwellinghouse.

**2. SITE HISTORY**

There is no relevant site history, although I would note that an application for a similar rear extension at 33 Balfour Crescent (Ref: P/10/0250/FUL) was granted permission earlier this year.

**3. CONSULTATIONS**

The following responses to consultation were received:

Roads Development Unit	The Roads Development Unit have stated that the existing disabled parking bay will need to be removed to allow access to the proposed detached domestic garage, and an application for a Minor Roadworks Consent will be required for the formation of the access. Both have been inserted as an informative to the planning permission.
Environmental Protection Unit	Informative inserted in relation to hours of work and contaminated land.

The local Community Council did not comment.

**4. PUBLIC REPRESENTATION**

During consideration of the application, no letters of objection or representation were received.

**5. THE DEVELOPMENT PLAN**

The proposed development was assessed against the undernoted Development Plan(s) :

**Falkirk Council Structure Plan.**

There are no relevant policies within the Falkirk Council Structure Plan.

**Local Plan(s)**

Larbert and Stenhousemuir Local Plan

The relevant policies against which assessment was made are:

LAR09 Extensions and Alterations to Residential Properties

## **5A. MATERIAL CONSIDERATIONS**

The following matters were considered to be material in the consideration of the application:

Falkirk Council Local Plan Finalised Draft (Deposit Version)

Falkirk Council Supplementary Guidance

## **6. PLANNING ASSESSMENT**

### **The Development Plan**

Policy LAR 9 Extensions and Alterations to Residential Properties of the adopted Larbert and Stenhousemuir Local Plan aims to protect the amenity of existing residential areas, the proposed development respects the original dwelling in terms of scale, design and materials and as such accords with the terms of the above policy and Development Plan.

**Falkirk Council Local Plan Finalised Draft (Deposit Version)(April 2007)** as amended by the Final Proposed Modifications (June 2010).

SC09 - Extensions and Alterations to Residential Properties

It is considered that the scale, design and materials to be used in the proposed extension are sympathetic to the original building, the proposal will not significantly affect the degree of amenity, daylighting or privacy enjoyed by properties in the surrounding area; and will not result in overdevelopment of the plot. The Roads Development Unit has stated that adequate parking will be provided within the curtilage of the dwellinghouse. It is considered that the proposal accords with Policy SC9 of the emerging Falkirk Council Local Plan.

### **Falkirk Council Supplementary Guidance**

In terms of general issues, an adequate amount of garden ground will remain, however, the proposed extension will be 57% of the existing ground floor area, but will appear at a lower scale than the existing dwellinghouse.

*The proposal accords in terms of useable garden ground. Privacy/ Overlooking and Overshadowing have not been assessed, as the proposal relates to the erection of a single storey extension.*

On balance, it is considered that the proposal accords with the Supplementary Planning Guidance Note on House Extensions and Alterations.

## **7. CONCLUSION**

The proposal is in accordance with Policy LAR 9 of the Larbert and Stenhousemuir Local Plan, Policy SC9 of the Falkirk Council Local Plan Finalised Draft (Deposit Version) and the Falkirk Council Supplementary Planning Guidance on House Extensions and Alterations. There are no material planning considerations which would warrant refusal of planning permission.

## 8. RECOMMENDATION

Grant Planning Permission

Permission should be 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. The proposed garage shall be used solely for purposes incidental to the enjoyment of the dwellinghouse.

Reason(s):

1. To accord with the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997.
2. To ensure that the property is used for domestic purposes only.

Informatives:

1. This application was submitted online, and the decision notice is issued without plans. 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 and 07.
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

Deviation from these hours of work is not permitted unless in emergency circumstances and with the prior approval of the Environmental Health Manager.

3. 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.
4. The Roads Manager within Corporate and Commercial Services should be contacted to obtain a Minor Roadworks Consent before forming a vehicular access onto the public road or undertaking any work on, or under, the public road.
5. From a recent site visit and correspondence with the Roads Network Team it appears that the applicant has a disabled parking bay. This bay is situated over the driveway formed for the property. The disabled parking bay will need to be revoked for access to the proposed detached domestic garage. Falkirk Council, Development Services, Network Team (01324 504830) will provide the relevant information for this.

.....  
Director of Development Services

Contact Officer : Gavin Clark  
(Assistant Planning Officer) 01324 504704

Date