



## **Agenda Item 5**

**EXTENSION TO DWELLINGHOUSE AT  
TAVARES, MADDISTON ROAD,  
BRIGHTONS, FALKIRK, FK2 0JP, FOR  
MR & MRS J MACHRAY - P/21/0071/FUL**

**FALKIRK COUNCIL**

**Subject:** EXTENSION TO DWELLINGHOUSE AT  
TAVARES, MADDISTON ROAD, BRIGHTONS, FALKIRK,  
FK2 0JP, FOR MR & MRS J MACHRAY - P/21/0071/FUL  
**Meeting:** PLANNING COMMITTEE  
**Date:** 19 MAY 2021  
**Author:** DIRECTOR OF DEVELOPMENT SERVICES

**Local Members:** Ward - Upper Braes

Councillor Gordon Hughes  
Councillor James Kerr  
Councillor John McLuckie

**Community Council:** Brightons

**Case Officer:** John Cooney (Planning Officer - Interim), Ext. 4705

[View this Application on Public Access](#)

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

- 1.1 The proposal seeks approval for a rear roof extension to the main roof and existing rear wing of the cottage, with three front roof windows. The proposed timber-clad roof extension would have a T-shaped footprint and modern rectilinear or “box” shape.
- 1.2 The application property comprises of a single storey detached cottage which faces north-east on Maddiston Road, Brightons. Part of the property, but not the cottage itself, is located within the Polmont Station/Brightons Area of Townscape Value, along with neighbouring properties to the north-west along Maddiston Road.
- 1.3 The property is flanked by the Masonic Hall to the north-west, and a residence at ‘Jacaranda’ to the south-east. To the rear, the property bounds the residential grounds of ‘Airlie’ at 1A Charlotte Street, and Nos. 2-4 Park Terrace. 22 Park Terrace is the nearest residential building to the south-east, despite not sharing a boundary with the application property.
- 1.4 The existing house has a pitched roof with hipped roof single storey rear wing. This rear wing has been extended to the side and rear with flat roofed single storey extensions. There is also a detached garage structure to the north-west of the main house. The natural ground level rises considerably towards the rear of the site.

1.5 The dimensions of the proposed roof extension are as follows:

Width: 10.44 metres along the rear roof of the main house, and 4.29 metres above the protruding rear wing;

Depth: 2.71 metres at the main rear roof, and an additional 5.25 metres above the protruding rear wing (Maximum depth 7.96 metres).

Height: 2.16 metres above the main rear roof slope, 2.85 metres above the existing rear wing, and 5.79 metres in total above natural ground level.

Distance from main rear roof eaves: 0.39 metres;

Distance from main roof ridge: 0.12 metres.

1.6 The materials are as follows: Timber cladding, bituminous felt roofing, and white uPVC-framed windows.

1.7 There are three rear-facing windows proposed on the roof extension above the original cottage, and one set of rear double doors with Juliet balcony proposed above the existing rear wing. A single side ground floor window is proposed to the original flank wall of the cottage.

## **2. REASON FOR COMMITTEE CONSIDERATION**

2.1 The application was called in by Councillor John McLuckie to allow committee to consider the following matters: Why officers consider the proposal to be out of character with the surrounding area; and how the proposal would affect the Area of Townscape Value as defined in the Local Development Plan.

## **3. SITE HISTORY**

3.1 Detailed planning permission was granted on 15.08.1997 for an Extension to Dwellinghouse (Application Reference: F/97/0562).

## **4. CONSULTATIONS**

4.1 The following responses to consultation were received:

4.2 The Coal Authority has no objection to the proposal.

## **5. COMMUNITY COUNCIL**

5.1 Brightons Community Council have not made any representation.

## **6. PUBLIC REPRESENTATION**

6.1 During consideration of the application, 1 letter of objection was received by the Council. The concerns raised are summarised as follows:

- Size and Placement of proposed windows would lead to direct overlooking of a neighbouring property.

## 7. DETAILED APPRAISAL

- 7.1 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

- 7a.1 [The Falkirk Local Development Plan \(LDP2\)](#) was adopted on 7 August 2020. The proposed development was assessed against the following policies:

#### HC08 - Residential Extensions and Alterations

- 7a.2 The proposal seeks approval for a large rear roof extension with T-shaped footprint at an existing detached cottage on Maddiston Road. It is acknowledged that several houses of a variety of different designs in the wider area have extended their roofs over time.
- 7a.3 The established character of the area is such that a rear roof extension at this detached cottage may be acceptable in principle. However, this does not suggest that any new roof extension design would be considered appropriate for this particular context.
- 7a.4 The proposed roof extension would extend more than 10 metres, across almost the entire width of the rear roof slope, and this would be attached to a further protrusion of 5.25 metres out over the existing rear wing of the house. As such, the maximum depth of the roof extension would be almost 8 metres.
- 7a.5 In addition, the rectilinear or “box” shape of the proposal would mean it would dominate the rear roof of the house and fail to appear subservient to the original building by virtue of its scale and massing. The proposed timber cladding would appear out of character with the building and surrounding area. This effect would be particularly striking along the blank side elevations of the roof extension, as all the vertical windows at loft level would be rear-facing. The applicant has suggested changing the proposed timber cladding to hung roof tiles during their discussions with Council officers. However, even if this suggestion were entertained, it would not overcome issue of the inappropriate size and shape of the proposed extension.
- 7a.6 Whilst the proposal would be visible to a limited extent from along Maddiston Road to the front of the property, it would be prominently visible from surrounding properties and from publicly accessible areas such as Charlotte Street to the west. The proposal, if approved, would constitute a poor example for future development in the area by reason of its overly bulky size and inappropriate materials relative to the existing cottage.
- 7a.7 Officers have suggested an alternative extension proposal to the applicant which may overcome the appearance concerns raised in this assessment. This included two modest-sized rear dormers to the main roof, and reconfiguration and enlargement of the existing ground floor footprint of the cottage. The applicant was not amenable to this suggestion.

- 7a.8 Therefore, the proposed scale, design and materials would not be sympathetic to the existing building. In these respects, the proposal fails to accord with Policy HC08 of the Local Development Plan.
- 7a.9 The proposal's position and orientation relative to adjoining properties is such that these neighbours would not be harmed through overlooking and overshadowing. However, this does not outweigh the matters of appearance and character which have been identified above.

#### PE09 - Areas of Townscape Value

- 7a.10 It is acknowledged that whilst the Polmont Station/Brightons Area of Townscape Value extends into the property and includes the detached garage on site, it does not include the cottage itself which is proposed to be extended. However, in light of the potential for the Area of Townscape Value to become a Conservation Area in the future, it is necessary to consider the proposal's impact on the setting of this adjacent area which has been identified for its historic and architectural merit.
- 7a.11 It is important to recognise that several properties in the wider Area of Townscape Value have undertaken sizeable rear and front roof extensions in the past. Likewise, several nearby properties outwith the Area of Townscape Value have also extended their roofs, including along Charlotte Street to the west of the application property. This established character does at least favour the principle of a rear roof extension being introduced at this property.
- 7a.12 However, whilst a rear roof extension, even one of a modern design, may be acceptable in principle, the current proposal would have an overly bulky appearance, with a maximum width of more than 10 metres, and a maximum protruding depth of almost 8 metres. This scale, along with the proposed rectilinear or "box" massing would appear out of proportion with the existing cottage. The proposed roof extension would respond poorly to the architectural style and materials of the cottage, and of neighbouring properties within the adjacent Area of Townscape Value.
- 7a.13 The applicant has also drawn officers' attention to an unimplemented recent planning permission (Ref: P/18/0641/FUL) at 'Macland', further north-west along Maddiston Road, which involved a two storey rear extension to that property. However, there are some key differences between that property and the current application property at 'Tavares': It is a taller house with existing habitable loft space and rear addition with mansard roof. As such, the capacity for change above ground level at the rear of 'Macland' is greater than at 'Tavares'. Notwithstanding this, this nearby permission does demonstrate that modern extensions are possible within the area, if designed appropriately for their particular site context. Officers consider that the current proposal at 'Tavares' is not appropriately designed for its context.
- 7a.14 As such, the proposal, by reason of its size, massing, and materials, would harm the setting of the adjacent Area of Townscape Value and fails to accord with Policy PE09 of the Local Development Plan.
- 7a.15 The proposal is therefore contrary to the Development Plan.

## **7b Material Considerations**

7b.1 The material considerations to be assessed are Falkirk Council non-statutory supplementary guidance, and the public representations.

### **Falkirk Council Supplementary Planning Guidance**

#### **Falkirk Council Supplementary Guidance SG03 Residential Extensions and Alterations**

7b.2 Paragraph 3.5 of Supplementary Guidance SG03 states that “A roof or dormer extension can be an appropriate means of extending upstairs floorspace. However, in many modern roof dormer extensions, too much accommodation has been sought, contained within overlarge boxes which are too bulky or out of proportion and spoil the character of the original house.”

7b.3 The Supplementary Guidance goes on to state later in the same paragraph that “Box-dormers may be permitted where the street is characterised by a number of existing examples. The following guidelines are applicable:

- Position should be below the roof ridge and set in from the gable or party wall;
- A lightness of appearance, mainly glazed;
- Vertically proportioned windows immediately over or related to the pattern of openings. The external cladding of the dormer should match that of the original roof, but should be kept to a minimum on the face of the dormer.”

7b.4 Whilst it is noted that rear roof extensions have been introduced to nearby properties in the past, these nearby examples do not justify a roof extension of the size proposed in this instance. The proposal would dominate the roof of the existing house and fail to appear subservient to it.

7b.5 Whilst a rear roof extension of modern design is not opposed in principle, the use of timber cladding on the scale proposed in this application would be over-dominant and relate poorly to the appearance and character of the existing cottage.

7b.6 As such, the proposal fails to accord with Supplementary Guidance SG03 - Residential Extensions and Alterations.

### **Public Representations**

7b.7 The public representations are summarised in Section 6 of this report, and are addressed in turn as follows:

- The proposed roof extensions would not harmfully overlook its adjacent neighbours to the north-west and south-east.
- The proposed windows would be at least 18 metres from the rear boundary of the site and at least 27 metres from the nearest residential building to the south-west. Considering both this and the position of rear neighbours on a higher natural ground level, these residential neighbours would not be harmfully overlooked by the proposal.

## **Consideration of the Site in relation to Coal Mining Legacy**

- 7b.8 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.9 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 one of these exempt groups, but ground conditions should still be considered as part of the Building Standards process, if relevant.
- 7b.10 Where planning permission is to be granted, an appropriate informative note appears on the Decision Notice.

## **Human Rights and Equality Assessment**

- 7b.11 Officers have considered the Human Rights Act 1998 in reaching a recommendation. The proposed development and officer recommendation is not considered to impact adversely on any protected characteristic groups as identified within the Equality Act 2010.

## **7c Conclusion**

- 7c.1 The proposal is an unacceptable form of development and fails to accord with Local Development Plan Policies HC08 and PE09 for the reasons detailed in this report. There are no material planning considerations that warrant of grant of planning permission in this instance.

## **8. RECOMMENDATION**

- 8.1 It is recommended that the Planning Committee refuses planning permission for the following reason(s):**
- 1. The size, scale and design of the proposal would fail to be sympathetic to the existing house, and would be out of character with the surrounding area. The proposal is contrary to the terms of Policies HC08 'Residential Extensions and Alterations' and PE09 'Areas of Townscape Value' of the Local Development Plan.**

**Informatives:**

1. For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01, 02, 03A and 04A.

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**pp Director of Development Services**

**Date: 6 May 2021**

**LIST OF BACKGROUND PAPERS**

1. The Falkirk Local Development Plan (LDP2), August 2020.
2. Falkirk Council Supplementary Guidance SG03 Residential Extensions and Alterations.
3. Objection received from Mr Stuart McNeill, Airlie, 1a Charlotte Street, Falkirk, FK2 0HP on 11 March 2021

Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504705 and ask for John Cooney, Planning Officer (Interim).

## **Policy Schedule**

### **HC08 Residential Extensions and Alterations**

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 impact on the functioning of garden ground, unacceptable loss of off-street parking or road safety issues.

Detailed guidance on the application of these criteria is set out in Supplementary Guidance SG03 'Residential Extensions and Alterations'.

### **PE09 Areas of Townscape Value**

The Council recognises the architectural and historic merit and potential of the additional areas of townscape value identified on the Proposals Map, which do not currently have Conservation Area status. Within these areas:

1. The Council will undertake Character Appraisals to determine whether the areas merit designation as Conservation Areas, either as new Conservation Areas, or as extensions to existing ones; and
2. Development proposals will be required to fit with the distinctive 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.

# Planning Committee

## Planning Application Location Plan

# P/21/0071/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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