

AGENDA ITEM 7

FALKIRK COUNCIL

Subject: EXTENSION TO DWELLINGHOUSE (CONSERVATORY TO REAR) AT 8 COLONSAY AVENUE, POLMONT, FALKIRK FK2 0UZ FOR MRS DUNNING - P/09/0687/FUL
Meeting: PLANNING COMMITTEE
Date: 27 JANUARY 2010
Author: DIRECTOR OF DEVELOPMENT SERVICES

Local Member: Councillor Steven Jackson
Councillor Malcolm Nicol
Councillor Alan Nimmo

Community Council: Polmont

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

UPDATE REPORT FOLLOWING COMMITTEE SITE VISIT

1. Members will recall that this application was considered at the meeting of the Planning Committee on 2nd December 2009 when it was agreed to continue consideration to allow a site visit to be carried out by Members. This visit took place on Monday 11th January 2010.
2. In support of the application, the applicant explained that the reason why the conservatory was not moved to the south west wall is that there are two manholes at this location. The cost of relocating of these manholes would be prohibitive and the proposed location as submitted was more favourable.
3. The objector (next door neighbour) raised concerns in relation to the height of the wall and the overall height of the ridged roof which would overshadow the main living area within their dwellinghouse. The proposed brick wall would not be aesthetically pleasing to look at. In response, there already exists a high boundary wall in this location. The resultant increase in the wall as a result of the proposal would be approximately 45cm. In response to this matter Members sought clarification in respect of an amended design where perhaps a shallower pitch could decrease this impact. The agent clarified that to lower the ridge of the roof, the firewall would need to be increased or remain at the height proposed.
4. It was confirmed on site that the high timber fence located on the boundary was erected by the neighbour and not the applicant.

5. Members took the opportunity to visit the garden of the objector next door and to view the proposal from within their property. The agent confirmed that the floor level would be the same level as the existing dwellinghouse. It was also noted that the neighbour's patio doors were tinted glass and this would have an impact in terms of light filtration.
6. **It is recommended that planning permission be granted subject to the following conditions:-**

- (1) **The development to which this permission relates must be begun within three years of the date of this permission.**

Reason(s):

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

Informative(s):

- (1) **For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our reference number(s) 01, 02 and 03.**
- (2) **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.**
- (3) **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.

LIST OF BACKGROUND PAPERS

1. The Polmont and District Local Plan.
2. Falkirk Council Local Plan Finalised Draft (Deposit Version).
3. Supplementary Planning Guidance Note – House Extensions and Alterations
4. Letter of objections received from Mr and Mrs J Drummond, 10 Colonsay Avenue, Polmont, Falkirk, FK2 0UZ on 19 October 2009.

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

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For Director of Development Services

Date: 19 January 2010

APPENDIX 1

FALKIRK COUNCIL

Subject: EXTENSION TO DWELLINGHOUSE (CONSERVATORY TO REAR) AT 8 COLONSAY AVENUE, POLMONT, FALKIRK, FK2 0UZ FOR MRS DUNNING - P/09/0687/FUL

Meeting: PLANNING COMMITTEE

Date: 2 December 2009

Author: DIRECTOR OF DEVELOPMENT SERVICES

Local Members: Councillor Steven Jackson
Councillor Malcolm Nicol
Councillor Alan Nimmo

Community Council: Polmont

Case Officer: Kirsty Hope (Assistant Planning Officer), 4705

1. DESCRIPTION OF PROPOSAL / SITE LOCATION

- 1.1 The property is a semi-detached 1½ storey dwellinghouse located at 8 Colonsay Avenue, Polmont.
- 1.2 This detailed application deals with a single storey rear extension (Conservatory) to the existing dining room.

2. REASON FOR COMMITTEE CONSIDERATION

- 2.1 The Application has been called in by Councillor Malcolm Nicol.

3. SITE HISTORY

- 3.1 No planning history.

4. CONSULTATIONS

- 4.1 The Environmental Protection Unit has no objection to the proposal.

5. COMMUNITY COUNCIL

- 5.1 The Polmont Community Council has not made any representations on the proposal.

6. PUBLIC REPRESENTATION

6.1 One letter of representation was received following the neighbour notification process. Issues raised include:

- Detrimental to the value of the adjoining property.
- Detrimental to the standard of living – blocking out the sun from patio and sun lounge and overshadowing to garden area.
- Proposal would be visibly intrusive.
- No objection to the proposal if the proposal would move to the south facing wall.

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 specific policies within the approved Falkirk Council Structure Plan relevant to this application.

Polmont and District Local Plan

7a.2 Policy POL 2.2 'Urban Limit' states:

"The Urban Limit, as indicated on the Policies, Proposals and Opportunities Map, is regarded as the desirable limit to the growth of the urban and village areas of Polmont and District for the period of the Plan. Accordingly, there will be a general presumption against development proposals which would extend the urban area beyond this limit or which would constitute sporadic development in the countryside."

7a.3 The application site is within the urban limits as defined by the Polmont and District Local Plan and the proposal is therefore in accordance with the terms of this policy.

7a.4 Policy POL 3.7 'Extensions and Alterations to Residential Properties' states:

"The Council will require that extensions and alterations to residential properties respect the original building, neighbouring properties and the character of the area in general, in terms of scale, design and materials. Proposals for garages should generally not project beyond the front elevation of the house and should have external finishes that match those of the existing house."

7a.5 The proposal is considered to respect the original building in terms of scale and design. The materials are considered to be acceptable. It is not considered that the proposal would detrimentally affect neighbouring properties. There is adequate private garden ground retained. The application accords with policy POL 3.7 of the Polmont and District Local Plan.

7b Material Considerations

7b.1 The material considerations relating to this proposal are the representation received, the Falkirk Council Local Plan Finalised Draft (Deposit Version) and Supplementary Planning Guidance.

Representations Received

7b.2 The value of properties is not a material planning consideration.

7b.3 Overshadowing and impact on day lighting have been assessed and it is not considered that this proposal would adversely affect the neighbouring property as the proposed extension would be single storey.

7b.4 The proposal is single storey in height and it is not considered to have an overbearing impact on the neighbouring property.

7b.5 The proposal has been assessed within the proposed location and is considered to be accordance with the Development Plan.

Falkirk Council Local Plan Finalised Draft (Deposit Version)

7b.6 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."*

7b.7 Policy SC9 affirms the position of the Polmont and District Local Plan as detailed in paragraphs 7a.4 and 7a.5 above.

Supplementary Planning Guidance Note – House Extensions and Alterations

7b.8 This guidance note advises that the main planning concern with rear extensions is the scale and massing from original dwelling, streetscape, garden amenity, privacy and overshadowing. The proposed development accords with the guidance as set out in the SPGN for the reasons stated above.

7c Conclusion

- 7c.1 This proposed extension is in accordance with the Development Plan and the Falkirk Council Local Plan Finalised Draft (Deposit Version). The application also accords with Falkirk Council's Supplementary Planning Guidance. There are no material considerations which would merit refusal of this application.

8. RECOMMENDATION

- 8.1 It is therefore recommended that detailed planning permission be granted 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.

Reason(s):

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

Informative(s):

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

- (2) 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.

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

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

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For Director of Development Services

Date: 25 November 2009

LIST OF BACKGROUND PAPERS

1. The Polmont and District Local Plan.
2. Falkirk Council Local Plan Finalised Draft (Deposit Version).
3. Supplementary Planning Guidance Note – House Extensions and Alterations.
4. Letter of objection dated 19 October 2009 received from Mr & Mrs J Drummond, 10 Colonsay Avenue Polmont Falkirk FK2 0UZ.

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

Regulatory Committee

Planning Application Location Plan

P/09/0687/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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