

FALKIRK COUNCIL

Subject: EXTENSION TO FLATTED DWELLING (DORMER) AT 50A STEWART AVENUE, BO'NESS EH51 9NL FOR MS MCCAFFREY – P/10/0382/FUL
Meeting: PLANNING COMMITTEE
Date: 22 September 2010
Author: DIRECTOR OF DEVELOPMENT SERVICES

Local Members: Councillor John Constable
Councillor Adrian Mahoney
Councillor Ann Ritchie

Community Council: Bo'ness

Case Officer: Julie Seidel (Planning Officer) ext 4880

UPDATE REPORT FOLLOWING COMMITTEE SITE VISIT

1. Members will recall that this application was originally considered at the meeting of the Planning Committee on 25 August 2010 (copy of previous report appended), when it was agreed to continue consideration of the application and to undertake a site visit. This visit took place on 6 September 2010.
2. At the site visit Members viewed the front and rear elevations of the property and the dormers constructed within the roof space of other dwellings forming part of the terrace.
3. The applicant was heard in support of the application and advised that in her opinion the proposed dormer would be in keeping with the character of the area and given the presence of similar dormer extensions, the proposal would not appear incongruous. She also expressed her concern about the objections received in relation to the quality of workmanship of previous works.
4. Members noted the style of the existing dormer extensions, which predate the current policy advice in relation to house extensions and also the Supplementary Planning Guidance (SPG) in this regard. The terms of the SPG were noted.
5. Local Member Councillor Ritchie was heard in relation to the proposals.
6. No issues were raised which would amend the original recommendation.

7. RECOMMENDATION

- 7.1 It is therefore recommended that Committee refuse planning permission for the following reason(s)-

- (1) The scale, massing and design of the dormer extension would not be sympathetic to the existing building and consequently would have an adverse effect on the visual amenity of the building and the wider residential area. As a result the proposed extension would be contrary to Policy BNS 11 'Extensions and Alterations to Residential Properties' of the adopted Bo'ness Local Plan and Policy SC9 'Extensions and Alterations to Residential Properties' of the Falkirk Council Local Plan Finalised Draft (Deposit Version) (April 2007) as amended by the Final Proposed Modifications (June 2010) and Falkirk Council's Supplementary Planning Guidance Note on 'House Extensions and Alterations'.

Informative(s):

- (1) For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01 - 08.

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Director of Development Services

Date: 15 September 2010

LIST OF BACKGROUND PAPERS

1. Bo'ness Local Plan
2. Falkirk Council Local Plan Finalised Draft (Deposit Version) (April 2007) as amended by the Final Proposed Modifications (June 2010)
3. Supplementary Planning Guidance Note on House Extensions and Alterations
4. Letter of objection from Mr Mark Tattersall 52A Stewart Avenue, Bo'ness EH51 9NL on 7 July 2010

Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504880 and ask for Julie Seidel (Planning Officer).

FALKIRK COUNCIL

Subject: EXTENSION TO FLATTED DWELLING (DORMER) AT 50A STEWART AVENUE, BO'NESS EH51 9NL FOR MS MCCAFFREY – P/10/0382/FUL
Meeting: PLANNING COMMITTEE
Date: 25 August 2010
Author: DIRECTOR OF DEVELOPMENT SERVICES

Local Members: Councillor John Constable
Councillor Adrian Mahoney
Councillor Ann Ritchie

Community Council: Bo'ness

Case Officer: Julie Seidel (Planning Officer) ext 4880

1. DESCRIPTION OF PROPOSAL / SITE LOCATION

- 1.1 The application site is located within a two storey block of traditional flatted dwellings, fronting Stewart Avenue, Bo'ness. This application relates to the extension of a first floor flatted dwelling to accommodate an additional bedroom in the roof space, in the form of a box dormer on the front elevation.
- 1.2 Previous applications have been refused at the application site which included a front box dormer, (Ref: 06/0931/FUL and P/07/0581/FUL). Following advice from officers a subsequent application was approved, for a box dormer on the rear elevation and velux windows on the front elevation, to facilitate accommodation in the roof space. This permission (Ref: P/07/0904/FUL) has been implemented.
- 1.3 There are two existing box dormer extensions located on the front elevation of properties nearby, initiated prior to 1990.

2. REASON FOR COMMITTEE CONSIDERATION

- 2.1 The application has been called in by Councillor John Constable.

3. SITE HISTORY

- 3.1 06/0931/FUL - extension to dwellinghouse (front and rear dormers) - refused on 7 November 2006.
- 3.2 P/07/0581/FUL - extension to flat (front and rear dormers) - refused on 16 July 2007.
- 3.3 P/07/0904/FUL - extension to flat (dormer to rear) - granted on 1 November 2007.

4. CONSULTATIONS

- 4.1 The Roads Development Unit do not object to the application and advise that there are no roads conditions to be attached to any planning permission.
- 4.2 The Environmental Protection Unit advise of an informative relating to ground contamination, but would not apply to a dormer.

5. COMMUNITY COUNCIL

- 5.1 Bo'ness Community Council has not made any representation.

6. PUBLIC REPRESENTATION

- 6.1 In the course of the application one letter of objection was received. The salient issues are summarised as follows:
- Concerns in relation to the structural integrity of the building, highlighted during roof repairs to adjacent flats;
 - The standard of workmanship was very poor when the rear dormer was built (Ref: P/07/0904/FUL) and no interest paid to the whole building e.g. old slates not renewed, guttering not repaired, pipe work not in keeping with the building, water damage to stonework not addressed;
 - The proposal would cause further damage to the structure and historical integrity of the building;
 - The proposal seeks to maximize the rental income of the flat, as part of a large portfolio of properties the applicant has, for financial gain; and
 - The heritage plans for Bo'ness have not changed since previous refusals for a front dormer and as such there should not be a different outcome.

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 in the Structure Plan that relate to the proposal and therefore, no strategic issues require to be addressed.

Bo'ness Local Plan

- 7a.2 Policy BNS11 'Extensions and Alterations to Residential Properties' states:

"The District Council will require that extensions and alterations to existing residential properties respect the original building in terms of scale, design and materials, and conform generally with the Council's document "Design Advice on House Extensions". In addition, proposals for garages should generally not project beyond the front elevation of the house and should have external finishes which match the materials of the house."

- 7a.3 It is considered the scale, massing and design of the dormer extension would result in a visually incongruous addition to the building and would unacceptably disrupt the appearance of the existing building and the surrounding area. The application does not accord with the 'Design Advice on House Extensions' and as such would be contrary to the terms of Policy BNS 11 of the adopted Bo'ness Local Plan.

- 7a.26 Accordingly, the proposal does not accord with the Development Plan.

7b Material Considerations

- 7b.1 The material considerations to be assessed are the policies within the Falkirk Council Local Plan Finalised Draft (Deposit Version) (April 2007), amended by the Final Proposed Modifications (June 2010), Supplementary Planning Guidance, the planning history of the site and the objections raised.

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

- 7b.2 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.3 The above policy reinforces policy BNS 11 'Extensions and Alterations to Residential Properties' of the adopted Bo'ness Local Plan and the related assessment. The scale, massing and design of the proposed box dormer is unsympathetic to the architectural quality of the existing building and would result in a visually incongruous addition to the building, unacceptably disrupting the appearance of the existing building and the surrounding area. The location of the extension would not significantly affect the degree of daylight or privacy enjoyed by neighboring properties and would not result in an overdevelopment of the plot. The proposal is contrary to the terms of Policy SC9 of the emerging District wide Local Plan.

Supplementary Planning Guidance

- 7b.4 Falkirk Council's Supplementary Planning Guidance (SPG) Note on 'House Extensions and Alterations' advises that box dormers often seek to achieve too much accommodation, contained in overlarge boxes which are too large or out of proportion and spoil the character of the existing building. The guidance note advises that box dormers should only be permitted on a building where over 50% of dwellings already have this type of development. Where box dormers are accepted the dormer should be positioned at least 500 mm below the roof line, 1 metre from the gable or party wall and 750 mm above the eaves.
- 7b.5 The application site is located within a 2 storey block of flats on the south side of Stewart Avenue. The building accommodates approximately 20 flatted units. Currently 2 units have box dormer extensions on the front elevation and both developments were initiated prior to 1990 and approval of the SPG in 2006. Box dormer extensions are not characteristic of the immediate surrounding area and less than 50% of the properties have this type of development. The dormer extension also fails to accord with advice related to their location on the roof. The proposal fails to accord with the design guidance contained within the Supplementary Planning Guidance Note on 'House Extensions and Alterations'.

Planning History

- 7b.6 This application represents a similar proposal to application Ref: P/07/0851/FUL, which included a box dormer extension to the front elevation. The application was refused and following advice from officers, led to the submission of application Ref: P/07/0904/FUL which gave approval for a box dormer on the rear elevation. There has been no material change in policy, guidance or other material considerations that would result in a change of recommendation from previous applications, which included a box dormer on the front elevation.

Response to Objectors

- 7b.7 The standard of workmanship on the building and the rental potential of the property are noted, but are not material planning considerations in the assessment of this application.
- 7b.8 It is accepted that the policy context has not changed since the last application, including a front box dormer, was refused.
- 7b.9 It is accepted that the introduction of an additional box dormer on the front elevation would not harmonise with the architectural quality of the building.

7c Conclusion

- 7c.1 It is considered that the proposal would have a negative impact on the visual amenity of the building and wider residential area, by virtue of the incongruous addition to the flatted dwelling. The proposed development has been assessed as being contrary to the Development Plan, emerging District wide Local Plan and Falkirk Council's Supplementary Planning Guidance and no material considerations have been identified that would warrant a departure in this instance.

8. RECOMMENDATION

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

- (1) The scale, massing and design of the dormer extension would not be sympathetic to the existing building and consequently would have an adverse effect on the visual amenity of the building and the wider residential area. As a result the proposed extension would be contrary to Policy BNS 11 'Extensions and Alterations to Residential Properties' of the adopted Bo'ness Local Plan and Policy SC9 'Extensions and Alterations to Residential Properties' of the Falkirk Council Local Plan Finalised Draft (Deposit Version) (April 2007) as amended by the Final Proposed Modifications (June 2010) and Falkirk Council's Supplementary Planning Guidance Note on 'House Extensions and Alterations'.

Informative(s):

- (1) For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01 - 08.

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Director of Development Services

Date: 18 August 2010

LIST OF BACKGROUND PAPERS

1. Bo'ness Local Plan
2. Falkirk Council Local Plan Finalised Draft (Deposit Version) (April 2007) as amended by the Final Proposed Modifications (June 2010)
3. Supplementary Planning Guidance Note on House Extensions and Alterations
3. Letter of objection from Mr Mark Tattersall 52A Stewart Avenue, Bo'ness EH51 9NL on 7 July 2010

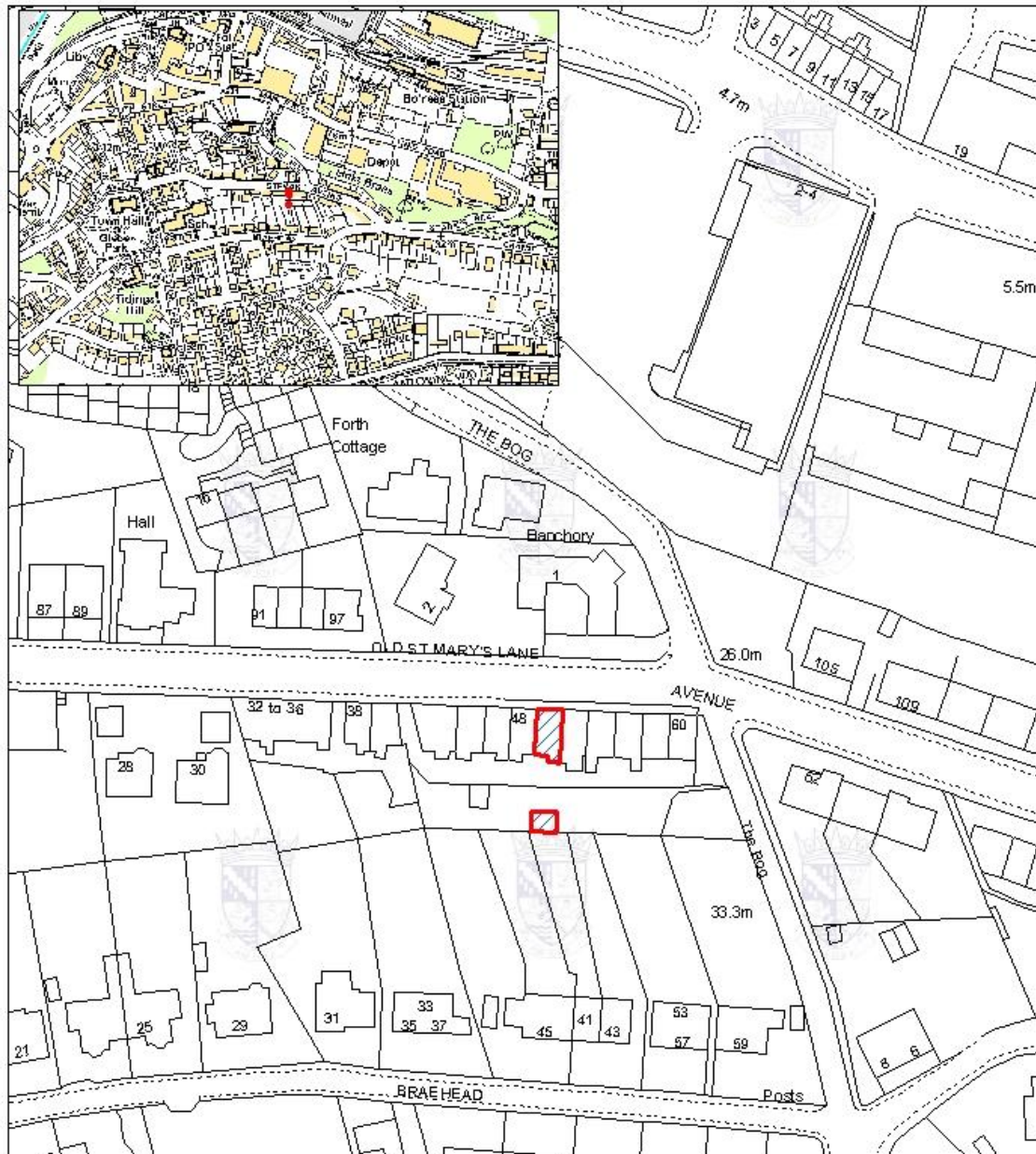
Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504880 and ask for Julie Seidel (Planning Officer).

Planning Committee

Planning Application Location Plan

P/10/0382/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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