

FALKIRK COUNCIL

Subject: EXTENSION TO DWELLINGHOUSE (SECOND STOREY TO REAR) AT CAMPDEN, 47 MAIN STREET, BRIGHTONS, FALKIRK FK2 0JS FOR MR CHRIS MCPHEE - P/11/0019/FUL
Meeting: PLANNING COMMITTEE
Date: 18 May 2011
Author: DIRECTOR OF DEVELOPMENT SERVICES

Local Members: Ward - Upper Braes
Councillor Gordon Hughes
Councillor Stephen Fry
Councillor John McLuckie

Community Council: Brightons

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 20 April 2011 when it was agreed to continue consideration to allow a site visit to be carried out by Members. This visit took place on Monday 9 May 2011.
2. At the site inspection Members viewed the property which is the subject of the planning application.
3. A representative spoke on behalf of the applicant and was heard in support of the application and advised the need for the additional accommodation space within the property. The representative indicated the other examples of this type of extension within the immediate area.
4. The examples referred to within the area were subject to consent prior to the introduction of the Supplementary Guidance Note on House Extensions and Alterations being published in 2006. The neighbouring property (No.49 Main Street) was granted consent for the extension in 2004.
5. Members of the Planning Committee sought clarification of the applicant's requirements for additional space and the interpretation of the Supplementary Guidance Note in respect of House Extensions and Alterations.

6. It is acknowledged that applicant's living requirements are changing and justify possible expansion of the existing property. However, it is considered that the design solution is not an improvement to the existing situation and therefore not in accordance with the relevant guideline. It is accepted that the next door property has a similar extension to what is being proposed but this was granted in 2004, prior to the introduction of the House Extension Guideline which advocates the need for proposals that are well designed in terms of scale and proportion to the main dwellinghouse.
7. The issue of the hedge retention is a civil matter between the applicant and next door neighbour as it would appear to be communal. However, the applicant did confirm that it is his intention to retain the hedge.
8. No matters were raised that would amend the original recommendation to refuse planning permission.

9. RECOMMENDATION

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

- (1) The proposal by reason of its scale and design would not be sympathetic to the existing building and consequently would have an adverse effect on the amenity of the property and the residential area. As a result the proposed extension is contrary to the Falkirk Council Local Plan Policy SC9 and Falkirk Council's Supplementary Planning Guidance, related to '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 - 04 inclusive.

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pp Director of Development Services

Date: 11 May 2011

LIST OF BACKGROUND PAPERS

1. Falkirk Council Structure Plan.
2. Falkirk Council Local Plan.
3. Falkirk Council Supplementary Guidance Note on House Extension and Alterations.
4. Letter of representation from Mrs Kareen Ainslie, 45 Main Street, Brightons, Falkirk FK2 0JS on 28 January 2011
5. Letter of representation from Iain McColl, Moranside, 49 Main Street, Brightons, Falkirk on 8 February 2011
6. Letter of representation from Mrs Karen Ainslie, 45 Main Street, Brightons, Falkirk FK2 0JS on 8 February 2011.

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

FALKIRK COUNCIL

Subject: EXTENSION TO DWELLINGHOUSE (SECOND STOREY TO REAR) AT CAMPDEN, 47 MAIN STREET, BRIGHTONS, FALKIRK FK2 0JS FOR MR CHRIS MCPHEE - P/11/0019/FUL

Meeting: PLANNING COMMITTEE

Date: 20 April 2011

Author: DIRECTOR OF DEVELOPMENT SERVICES

Local Members: Ward - Upper Braes
Councillor Gordon Hughes
Councillor Stephen Fry
Councillor John McLuckie

Community Council: Brightons

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

1. DESCRIPTION OF PROPOSAL / SITE LOCATION

- 1.1 This application seeks full planning permission for an extension above the existing single storey element of the existing dwellinghouse. This would be created by a large dormer over the existing property to create (flat roofed) accommodation on an upper level. Additionally, there is high level decking proposed at the rear of the extension leading onto the rear garden.
- 1.2 The property is a semi-detached, one and a half storey dwelling that is located within an existing residential area.

2. REASON FOR COMMITTEE CONSIDERATION

- 2.1 The application has been called to Committee by Councillor Malcolm Nicol.

3. SITE HISTORY

- 3.1 P/09/0787/FUL – detailed planning permission to extend the dwelling in a similar scale and design to this current application was refused permission on 22nd January 2010.
- 3.2 Pre-application advice was given to the agent with regard to possible options, but not all the recommended changes have been implemented.

4. CONSULTATIONS

- 4.1 The Environmental Protection Unit has raised no objection to the proposal.
- 4.2 The Roads Development Unit has raised no objection to the proposal.

5. COMMUNITY COUNCIL

- 5.1 The Brightons Community Council has not commented on the application.

6. PUBLIC REPRESENTATION

- 6.1 During the consideration of the application, three letters were received from two contributors. Two letters from one contributor were in support of the application. The other letter highlighted comments, which can be summarised as follows:-

- No concern with extension, as long as hedge is not removed or damaged whilst work is being carried out.
- Privacy is maintained, unsure of height of the decking and the surrounding timber barrier.
- Unsure about light deprivation onto neighbouring property.
- When will access be required during construction works?

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 relevant policies within the Falkirk Council Structure Plan.

Falkirk Council Local Plan

- 7a.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."*

7a.3 The proposed extension and, in particular, the two storey flat roof element of the development is considered to be unacceptable in terms of scale and character and its relationship with the existing dwelling house. It is considered that the proposed extension is unsympathetic to the scale and character of the existing property and therefore would have an adverse impact on the amenity and character of the area. It is considered that this extension would result in an overdevelopment of the existing dwelling. There are no concerns in relation to on-street parking and the rear garden ground would remain unaltered.

7a.4 Accordingly, the proposal is contrary to the Development Plan.

7b Material Considerations

7b.1 The material considerations relating to this application are the Falkirk Council Supplementary Guidance, consultation responses and the public representations.

Falkirk Council Supplementary Guidance – House Extensions and Alterations

7b.2 Paragraph 2.7 of the approved Supplementary Guidance states that generally, dormer extensions should appear mainly glazed, be vertically proportioned above existing openings, be no greater in proportion than 3 metres wide by 2 metres high and is positioned well within the roof plane. It is considered that the box dormer element over the existing outbuilding would be out of proportion to the original dwelling and would not comply with the guidance. The proposed over dominant design and scale of the extension is not considered to be sympathetic to the existing building and consequently would have an adverse effect on the amenity of the existing property and surrounding area.

7b.3 The proposed development therefore does not accord with the guidance as set out in the Supplementary Guidance.

Consultation Responses

7b.4 The Environmental Protection Unit has raised no objection to the proposal but has recommended that if planning permission is granted informatives be attached with regards to ground conditions and hours of construction work noise.

7b.5 The Roads Development Unit has advised that there is adequate off-street parking provision.

Assessment of Public Representations

7b.6 The existing hedge cannot be controlled by this planning application, any damage is a private legal matter.

7b.7 The lower level balcony is 1 metre in height, whilst the higher level is 2.4 metres high. The contributor has been advised accordingly.

7b.8 No details of the proposed screening have been provided.

7b.9 The immediate garden to the rear of the neighbouring property would have a degree of overshadowing at the later point in the day but given that the rear of the property is north facing, there will be a degree of overshadowing at present.

7b.10 Construction access is a civil matter.

7c Conclusion

7c.1 It is considered that the proposal is an unacceptable form of development and is contrary to the terms of the Falkirk Council Local Plan and the Supplementary Planning Guidance Note on House Extensions and Alterations. There are no other material planning considerations that would warrant an approval of planning permission in these circumstances.

8. RECOMMENDATION

8.1 It is therefore recommended that planning permission be refused for the following reason(s):-

- (1) The proposal by reason of its scale and design would not be sympathetic to the existing building and consequently would have an adverse effect on the amenity of the property and the residential area. As a result the proposed extension is contrary to the Falkirk Council Local Plan Policy SC9 and Falkirk Council's Supplementary Planning Guidance, related to 'House Extensions and Alterations'.**

Informative(s):-

- (1) For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our reference number(s) 01 - 04 inclusive.**



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pp Director of Development Services

Date: 12 April 2011

LIST OF BACKGROUND PAPERS

4. Falkirk Council Structure Plan.
5. Falkirk Council Local Plan.
6. Falkirk Council Supplementary Guidance Note on House Extension and Alterations.
4. Letter of representation from Mrs Kareen Ainslie, 45 Main Street, Brightons, Falkirk FK2 0JS on 28 January 2011
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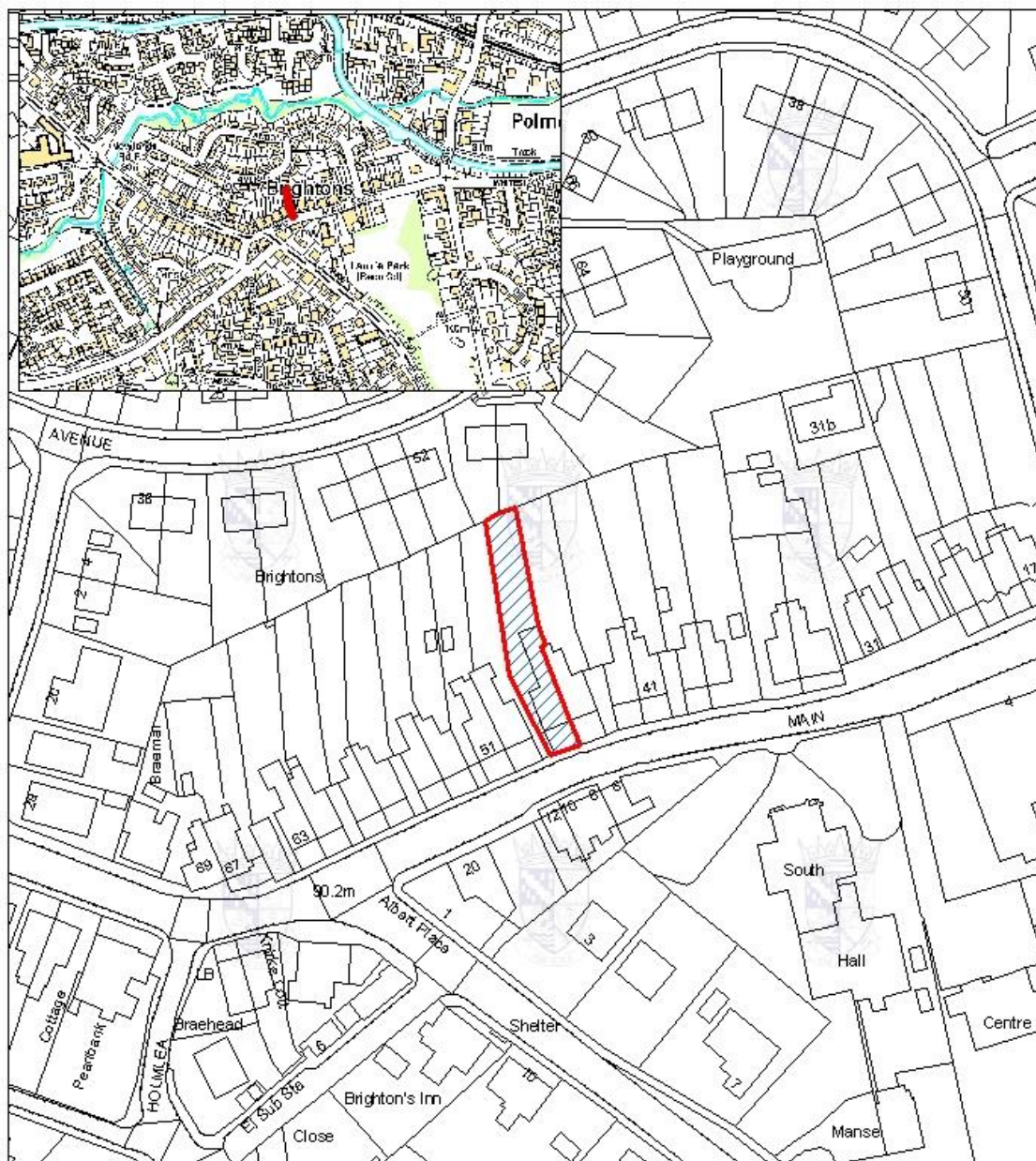
Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504705 and ask for Kirsty Hope, Assistant Planning Officer.

Planning Committee

Planning Application Location Plan

P/11/0019/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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