

## REPORT OF HANDLING FOR APPLICATION 22/01997/FUL

<b>ADDRESS:</b>	8 Edgehill Road Glasgow G11 7LP
<b>PROPOSAL:</b>	Erection of two storey extension to side and single storey extension to rear of dwellinghouse.
<b>DATE OF ADVERT:</b>	This application did not require to be advertised.
<b>NO OF REPRESENTATIONS AND SUMMARY OF ISSUES RAISED</b>	22 neighbour notification letters were issued, and the application was included on the Weekly List of Applications. No representations have been received.
<b>PARTIES CONSULTED AND RESPONSES</b>	None.
<b>PRE-APPLICATION COMMENTS</b>	Applicant sought pre-application advice on this proposal (22/00565/PRE) and feedback was provided. The scale of the proposed development and overdevelopment of the usable private garden space were highlighted as potential issues in the feedback.
<b>EIA - MAIN ISSUES</b>	NONE
<b>CONSERVATION (NATURAL HABITATS ETC) REGS 1994 – MAIN ISSUES</b>	NOT APPLICABLE
<b>DESIGN OR DESIGN/ACCESS STATEMENT – MAIN ISSUES</b>	NOT APPLICABLE
<b>IMPACT/POTENTIAL IMPACT STATEMENTS – MAIN ISSUES</b>	NOT APPLICABLE
<b>S75 AGREEMENT SUMMARY</b>	NOT APPLICABLE
<b>DETAILS OF DIRECTION UNDER REGS 30/31/32</b>	NOT APPLICABLE
<b>STRATEGIC DEVELOPMENT PLAN POLICIES</b>	NOT APPLICABLE
<b>CITY DEVELOPMENT PLAN POLICIES</b>	<b>CDP 1:</b> The Placemaking Principle <b>SG 1:</b> Placemaking, Residential Development
<b>OTHER MATERIAL CONSIDERATIONS</b>	None.
<b>REASON FOR DECISION</b>	The proposal was not considered to be in accordance with the Development Plan and there were no material considerations which outweighed the proposal's variance with the Development Plan.

**COMMENTS**

<b>PLANNING HISTORY</b>	<b>Development Management</b>			
	<b>Ref</b>	<b>Proposal</b>	<b>Decision Issued</b>	<b>Decision</b>
	85/01699/DC	Erection of two storey side extension to dwelling house and adjoining lock up garage.	23.08.1985	GC
	<b>Appeal or Local Review</b>			
	<b>Ref</b>	<b>Proposal</b>	<b>Decision Issued</b>	<b>Decision</b>
	<b>Enforcement</b>			
	<b>Ref</b>	<b>Proposal</b>	<b>Closed</b>	<b>Decision</b>
<b>SITE VISITS (DATES)</b>	A site visit was arranged with the Applicant and Agent to discuss the Case Officer's concerns with the proposed development. The applicant decided they wanted a decision based on the current submitted scheme rather than revising the proposal.			
<b>SITING</b>	The application site is an end-terraced, 2-storey property located on the northeast side of Edgehill Road in Ward 12 – Victoria Park.			
<b>DESIGN AND MATERIALS</b>	<p><b>Design:</b> The proposed development is for the erection of a two-storey extension to side and single storey extension to rear of dwellinghouse. The extension will increase the footprint of the dwelling by approx. 81 sqm.</p> <p><b>Side extension</b> The two-storey extension projects from the side elevation by around 5.3m at the front elevation and around 5.6m at the rear elevation and is around 9.2m wide. The overall height of this extension is around 8m (with an eaves height of around 5.3m). The ridgeline sits slightly lower than the original dwelling and has a pitched roof.</p> <p><b>Rear extension</b> This extension projects from the rear elevation by around 4.6m (around 3.2m from the side extension from the rear elevation) and is around 7.2m wide. The overall height of this extension above ground floor level is just under 2.6m (with an eaves level of around 0.7m) (around 3.8m including height beneath ground floor level). The extension has a pitched roof.</p> <p><b>Materials:</b> Roof: Tiles Walls: Render Doors/windows: Aluminium</p>			
<b>DAYLIGHT</b>	<p><i>SG 1: Placemaking – Alterations to Dwellings &amp; Gardens states that extensions should not:</i></p> <ul style="list-style-type: none"> <li><i>• cause significant loss of daylight to any habitable room of neighbouring property from the construction of an extension; and</i></li> <li><i>• block sunlight to adjacent private gardens to a significant extent.</i></li> </ul> <p><b>Comment:</b> No issues. In order to detrimentally impact daylighting the proposal has to fail in both plan and elevation. The applicant has provided a 45-degree daylight test drawing, which shows the extension passes on the elevation. Therefore, daylighting in the adjoining property would not be adversely affected.</p>			
<b>ASPECT</b>	The extension would be attached to both the side and rear elevation of property and linked internally.			
<b>PRIVACY</b>	<p><i>SG 1: Placemaking – Alterations to Dwellings &amp; Garden states the following guidance:</i></p> <ul style="list-style-type: none"> <li><i>a) there should be no adverse impact on existing or proposed accommodation;</i></li> <li><i>b) windows of habitable rooms should not increase direct overlooking into adjacent private gardens or rooms;</i></li> </ul>			

	<p><i>c) at ground floor level, screening of 1.8 metre high will usually be required along boundaries where new windows face neighbouring properties;</i></p> <p><i>d) above ground floor level, windows of habitable rooms which directly face each other, including dormers, should be at least 18m apart and at least 10m from the site boundary. These distances do not apply to rooflights; and</i></p> <p><i>2.7 Exceptions to these distances may be made in situations where windows are at an angle to each other, or, for ground floor rooms, effective permanent screening either exists, or can be erected.</i></p> <p><b>Comment:</b></p> <p>No issues found. The 1.8m high fence and hedges on the boundary between the dwelling and 2 Edgehill Road will provide sufficient screening for the ground floor windows on the side elevation. The window on the second storey of the side extension serves an en-suite, which is not described as a habitable space.</p>
<b>ADJACENT LEVELS</b>	No City Development Plan issues.
<b>LANDSCAPING (INCLUDING GARDEN GROUND)</b>	<p><i>SG 1: Placemaking – Alterations to Dwellings &amp; Gardens states that a minimum of 66% of the original useable private garden space should be retained in all house plots after extensions, garages, and outbuildings etc, have been built, to avoid over-development of the site.</i></p> <p><i>Useable Garden Ground is defined in SG1 as : Land, under the exclusive control of the applicant, including decking, to a dwelling before the erection of any extensions or garages, etc. that has been adequately screened, usually to the rear and side of the property, but excludes the driveway, garage and any parking space.</i></p> <p><b>Comment:</b></p> <p>The total useable private garden space is approximately 215 sqm and the area being developed is approximately 81 sqm.</p> <p>This means around 37.7% of the useable private garden space is being developed. The development therefore breaches the policy of leaving a minimum of 66% of useable private garden space undeveloped and therefore, would be considered over-development of the site.</p>
<b>ACCESS AND PARKING</b>	<p><i>SG 1: Placemaking – Alterations to Dwellings &amp; Gardens states that extensions should not be built up to a common boundary thereby blocking off the only route around the house for garden equipment and refuse bins. All extensions, garages, etc., should be set back from the side property boundary by at least 900 mm to allow external movement of refuse bins, garden equipment etc from the front to the rear of the property.</i></p> <p><b>Comment:</b></p> <p>The drawings show that a 900mm width path has been maintained between the side extension and the adjoining boundary to 2 Edgehill Road for front to rear access.</p>
<b>SITE CONSTRAINTS</b>	The site is located within a Coal Authority Low Risk Area.
<b>OTHER COMMENTS</b>	<p>Sections 25 and 37 of the Town and Country Planning (Scotland) Acts require that when an application is made, it shall be determined in accordance with the Development Plan unless material considerations dictate otherwise.</p> <p>The issues to be taken into account in the determination of this application are therefore considered to be:</p> <p>a) whether the proposal accords with the statutory Development Plan;</p> <p>b) whether any other material considerations (including objections) have been satisfactorily addressed.</p> <p>In respect of (a), the Development Plan comprises the Clydeplan Strategic Development Plan, approved in July 2017 and the Glasgow City Development Plan adopted on the 29th March 2017. There are no specific policies of relevance to this application proposal in the Clydeplan Strategic Development Plan. The policies of relevance in the Glasgow City Development Plan are:</p>

**Policy CDP 1: The Placemaking Principle**

**Supplementary Guidance SG 1: Placemaking, Residential Development**

In relation to the issues raised in this application, SG 1 states the following guidance:

**2.3 Design and Materials –**

- a) the siting, form, scale, proportions, detailed design and use of materials should be in keeping with the existing building and wider area;*
- b) high quality innovative design is encouraged where it will complement the property;*
- c) extensions and other alterations to dwellings should be designed so they do not dominate the existing building, or neighbouring buildings;*
- d) external materials should reflect the character of the original building and the street and the windows and doors in an extension should match those of the existing property.*

**2.13 One and a Half and Two Storey Extensions –**

*a) Side Extensions*

*To ensure extensions are subordinate to the existing house and avoid a terracing effect, 1.5 and 2-storey side extensions should generally:*

- not double the footprint of the house;*
- be set back a minimum of 1.5 metres from the building line; and*
- incorporate a roof style which carries through the line of the eaves of the existing house and has a ridgeline lower than the ridge of the roof of the house.*

**Comment:**

The external materials reflect and complement the character of the host dwelling and the street. However, there are issues in regard to the scale and form of the proposed development.

As the footprint of the extension is approximately 81 sqm, this is substantially more than doubling the original dwelling's footprint at 53 sqm, increasing the original footprint by around 153%. As the proposed development itself is significantly larger than the original dwelling, it is likely that the side and rear extensions together would dominate the original dwellinghouse.

In addition to this, the width of the original dwellinghouse is approximately 6.3 metres and the side extension would extend a further 5.3 metres to the southeast, almost doubling the width of the original dwellinghouse. As a result, the proposed development is not considered subordinate to the existing property.

Overall, the scale of the proposed side and rear extensions would not be considered subservient and would instead dominate the existing property, resulting in overdevelopment of the site. The proposed development therefore fails to meet Criteria 2.3 and 2.13 of SG1 and it is recommended that the proposal is **refused**.

**2.5 Usable Private Garden Space –**

*A minimum of 66% of the original useable private garden space should be retained in all house plots after extensions, garages, and outbuildings etc, have been built, to avoid over-development of the site.*

*Useable Garden Ground is defined in SG1 as : Land, under the exclusive control of the applicant, including decking, to a dwelling before the erection of any extensions or garages, etc. that has been adequately screened, usually to the rear and side of the property, but excludes the driveway, garage and any parking space.*

**Comment:**

The applicant has argued that the useable garden ground should include part of the side garden which extends beyond the building line and would not include the existing garage. This is on the basis that their front hedge is high and provides an element of privacy that is not generally afforded to front gardens. They also claim that this situation is unique to a corner plot and therefore the front/side garden should be included in the overall calculation.

Planning would disagree. The definition in SG1 is clear and whilst the front garden is adequately screened by a high hedge, no protection could be offered which would require its retention. A planning condition requiring the hedge to be retained at a certain height would fail the six tests in that it would not be considered reasonable, enforceable or relevant to the development. It would be an inappropriate control which would place a burden on future occupants with no real planning reason other than to justify the significant scale of the development.

Therefore in this context the useable garden ground is, and would always be, the area from the building line backwards. This would include any side garden that is behind the main building line and not any side or front garden which projects forward of it. The garage would also be included within this calculation as it is not original.

With this in mind the total useable private garden space is approximately 215 sqm and the area being developed is approximately 81 sqm. This means around 37.7% of the useable private garden space is being developed. The development therefore breaches the policy of leaving a minimum of 66% of useable private garden space undeveloped and would be considered over-development of the site. This may seem like a minor infringement but amounts to approximately 8 square metres.

Therefore, the proposed development fails to meet Criteria 2.5 of SG1 and it is recommended that it is **refused**.

### **2.31 Fences and Walls –**

*In some cases planning permission is not required for fences and walls. Where permission is required, generally in front of houses or bounding a road, the following guidance applies:*

*a) in front gardens, where privacy is less of a consideration, walls and fences should not exceed 1 metre in height; and*

*b) in rear gardens, where a level of privacy can be expected, walls and fences up to 2 metres are acceptable.*

### **Comment:**

A 1.8m fence is proposed forward of the building line. Due to the character of the site and its surroundings this should be no higher than 1 metre. The proposed development therefore fails to meet Criteria 2.31 of SG1 and it is recommended that it is **refused**.

Lastly, within the submitted Planning Statement, the Agent listed a variety of previous applications that had been granted planning permission for comparable extensions. The Case Officer has noted below some key differences between each of the comparable applications and the application currently being assessed. It should also be noted that every application is determined on its own merits, so any decisions made do not set a precedence for any other applications being determined.

### **07/03519/DC - 121 Churchill Drive – 2 storey extension to side of dwelling**

- This application is historic as it was submitted in 2007 and will have been assessed using a different Development Plan.
- The proposed extension was a far smaller development (only a side extension) than the proposed extensions in the application currently being assessed and was considered subordinate to the dwelling.
- Sufficient usable private garden space remained.

### **21/03723/FUL - 161 Churchill Drive – 1<sup>st</sup> floor extension to rear of dwelling**

- The proposed development was an upper storey extension, so the footprint of the property did not increase or impact usable private garden space.

	<p><b>19/02553/FUL – 2 storey extension to side of dwelling</b></p> <ul style="list-style-type: none"> <li>• The proposed extension had a footprint of 33.6 sqm (which was sufficiently subordinate to original dwelling).</li> <li>• Sufficient usable private garden space remained.</li> </ul> <p><b>18/03700/FUL - 2 storey extension to side of dwelling and single storey to rear</b></p> <ul style="list-style-type: none"> <li>• The extensions had an overall footprint of 26.19 sqm, which is significantly smaller than the proposed development's footprint in the current application being assessed.</li> <li>• 88% of the usable private garden space was retained.</li> </ul> <p><b>16/02825/DC (PLU) – single storey extension to rear of dwelling</b></p> <ul style="list-style-type: none"> <li>• The certificate was sought on the grounds that the works were completed more than 4 years before the date of the application, and therefore benefitted from deemed planning consent.</li> </ul> <p><b>20/00047/FUL - 23 Beechwood Drive – single storey extension to side of dwelling</b></p> <ul style="list-style-type: none"> <li>• The extension had a footprint of 42sqm and was considered to be sufficiently subordinate to the original dwelling.</li> <li>• Sufficient usable private garden space remained.</li> </ul> <p>Overall, with regard to a) above, the proposed development fails to meet criteria under CDP1 and therefore does not accord with the statutory Development Plan.</p> <p>With regard to b), whilst there have been no representations this is not reason in itself to approve planning permission. Despite concerns being raised at pre app and during the course of this application, Planning has sought to negotiate changes to the development in order to bring it in line with policy but the applicant has requested that the proposal be assessed as it stands.</p> <p>There are no other material considerations which would merit a breach of the Councils Statutory Guidance.</p> <p>Therefore, it is recommended the application be <b><u>refused</u></b>.</p>
<b>RECOMMENDATION</b>	<b>Refuse</b>

Date: <b>15.11.2022</b>	DM Officer	<b>Lisa Davison</b>
Date: <u>16/11/2022</u>	DM Manager	Ross Middleton

## REASONS FOR REFUSAL

01. The proposal was not considered to be in accordance with the Development Plan and there were no material considerations which outweighed the proposal's variance with the Development Plan.
02. The development proposal is contrary to CDP 1: The Placemaking Principle and SG 1: Placemaking (Part 2, Residential Development - Alterations to Dwellings & Gardens) of the Glasgow City Development Plan as specified below, and there is no overriding reason to depart therefrom.
03. The proposal is contrary to CDP 1 and SG 1 of the Glasgow City Development Plan in that the addition of the proposed side and rear extensions, by virtue of the overall scale and form, would be a disproportionate addition to this property, more than doubling the footprint and nearly doubling the width of the property. This would compromise the overall appearance of the building and wider setting, to the detriment of visual amenity and the character of the street scene.

04. The proposal is contrary to CDP 1 and SG 1 of the Glasgow City Development Plan in that the extension would develop more than 34% of the usable private garden space, resulting in overdevelopment of the site.
05. The proposal is contrary to CDP 1 and SG 1 of the Glasgow City Development Plan in that the proposed fence forward of the building line exceeds 1m, which would be detrimental to the visual amenity and the character of the street scene.

## **Drawings**

The development shall not be implemented in accordance with the drawing(s)

1. 01 A LOCATION PLAN Received 3 August 2022
2. 02A BLOCK PLAN Received 3 August 2022
3. 03A SITE PLAN Received 3 August 2022
4. 08 PROPOSED SITE PLAN Received 3 August 2022
5. 09 PROPOSED PLANS Received 3 August 2022
6. 10 PROPOSED ROOF PLAN Received 3 August 2022
7. 11 PROPOSED ELEVATIONS Received 3 August 2022
8. 12 PROPOSED SECTIONS Received 3 August 2022
9. 13 DOWNTAKINGS PLANS Received 3 August 2022
- 10.14 DOWNTAKINGS ELEVATIONS Received 3 August 2022

As qualified by the above reason(s), or as otherwise agreed in writing with the Planning Authority