



PLANNING APPLICATIONS COMMITTEE

Report by Director of Development and Regeneration Services

Contact: Ms K Rattray Phone: 0141 287 6049

APPLICATION TYPE Full Planning Permission

RECOMMENDATION Grant Subject to Condition(s)

APPLICATION	06/04075/DC	DATE VALID	26.02.2007
SITE ADDRESS	Flat 3/2 89 Hill Street Glasgow G3 6NZ		
PROPOSAL	Installation of two rooflights to rear roofslope of flat.		
APPLICANT	Mr Mikael Star Flat 3/2 89 Hill Street Glasgow G3 6NZ	AGENT	L Macleod 369 Ruchazie Road Glasgow G33 3BP
WARD NO(S)	16, Kelvingrove	COMMUNITY COUNCIL LISTED	02_032, Garnethill
CONSERVATION AREA	Central Area		
ADVERT TYPE	Affecting a Conservation Area/Listed Building	PUBLISHED	16 March 2007
CITY PLAN	Residential		

REPRESENTATIONS/CONSULTATIONS

Seven letters of objection have been received, five from neighbouring proprietors, one from The New Glasgow Society and the other from The Architectural Heritage Society of Scotland, the grounds of which are summarised below:-

1. The proposal is not in keeping with the traditional tenemental surroundings and would have a significant detrimental impact on the appearance of the building, the tenement block and the surrounding conservation area.
2. The proposal may damage the integrity of the roof structure.
3. Legal issues involving ownership of the roof and attic space are affected, including the removal of a common cold water storage tank from the roofspace.
4. The proposal would lead to increased wear and tear and affect issues relating to maintenance of the roof and attic space.
5. Lack of neighbour notification.

6. Consent for the proposal would set a precedent for similar type of development which will seriously affect the character of the streetscape.
7. The proposal would adversely affect the value of the objector's property.
8. Any builder work would inconvenience access to other flats.
9. The proposal would detract from the internal unity of the flats in creating a flat with a layout totally different to that of the other flats.
10. Lack of information of the disposal of waste from the new bathroom and the potential effect of the changes on any architectural features.

SITE AND DESCRIPTION

The application site is the top right flat in an unlisted, four-storey, pitch-roofed, red sandstone tenement. It is located on the south side of Hill Street, in the Garnethill district of the Central Conservation Area. The area is residential; the built form predominantly tenemental with a perimeter block layout.

PROPOSAL

The application is for the installation of two rooflights to the rear roofslope of the flat, associated with the formation of a bedroom, bathroom and store in the roofspace above the flat.

PLANNING HISTORY

Planning application 06/02081/DC for erection of rear dormer and installation of one rooflight to rear roof slope and three rooflights to front roof slope of flat was refused on 11 September 2006, under delegated powers for the following reasons:

01. The development proposal is contrary to Policy RES 15 (House Extensions and Alterations), HER 1 (Conservation Areas), HER 3 (Design Standards for Listed Buildings and Properties in Conservation Areas) of the City Plan (adopted August 2003) as specified below, and there is no over-riding reason to depart therefrom.
02. Due to its design, proportions, bulk, materials and position on the roof, the proposed rear dormer would detract from the character of the building itself, and the surrounding Central Conservation Area.
03. Due to their number and location on the front roof slope of the property, the three proposed front rooflights would detract from the character and appearance of the building itself and the surrounding Central Conservation Area.
04. Approval of this application would set an undesirable precedent for further similar proposals, which would lead to erosion in the appearance of this Conservation Area, the original characteristics of which the City Council is seeking to protect and enhance.

POLICIES

The Development Plan consists of The Glasgow and The Clyde Valley Joint Structure Plan and the Glasgow City Plan which was adopted in August 2003. There are no policies of relevance to the application proposal in the Structure Plan. The site lies within a Residential Policy Principle Area in the Glasgow City Plan and the following policies are considered relevant:-

RES 15 House Extensions and Alterations
HER 1 Conservation Areas
HER 3 Design Standards for Listed Buildings and Properties in Conservation Areas

ASSESSMENT AND CONCLUSIONS

Section 25 of the Town and Country Planning (Scotland) Act 1997 requires that when an application is made, it shall be determined in accordance with the Development Plan unless material considerations dictate otherwise.

The issues to be taken into account in the determination of this application are considered to be:-

- 1) Whether the proposal accords with the Development Plan;
- 2) Whether the proposal preserves or enhances the character or the appearance of the Conservation Area, and;
- 3) Whether any other material considerations have been satisfactorily addressed. This includes the above noted letters of objections.

In respect to 1) above, the Development Plan comprises the Glasgow and the Clyde Valley Joint Structure Plan and the Glasgow City Plan. There are not considered to be any relevant policies in the Structure Plan. The proposal concerns alterations to a residential property and is therefore in accordance with the Residential Development Policy Principle contained within the Glasgow City Plan.

Policy RES 15 House Extensions and Alterations

Policy RES 15 'House Extensions and Alterations' sets out several standards which have to be met for the proposal to be considered favourably. The policy states that extensions and other alterations to dwellings should be designed as an integral part of the property; should reflect the character of the original building and the character of the neighbourhood; and should not detract from the appearance of the dwellings of the street scene.

Policy HER 1 Conservation Areas

Policy HER 1 contains a number of policies for works that affect properties in Conservation Areas. It states that materials should be appropriate to the locality and sympathetic to the existing buildings and that alterations should be carried out in accordance with the design standards set out in HER 3. The proposal is considered to meet the aims of this policy.

Policy HER 3 Design Standards for Listed Buildings and Properties in Conservation Areas

Policy HER 3 sets out additional design standards which have to be met for the proposal to be considered favourably. It states new rooflights should be located on rear elevations and should replicate traditional rooflights in design, low profile framing, genuine glazing bars and coloured to blend in with roof finish.

The current proposal addresses the issues which led to the refusal of the earlier application. The two rooflights would be sited on the rear roof slope and would relate satisfactorily to the building's fenestration below. A condition can be applied to any planning permission to ensure that the proposed rooflights will be of traditional design with low profile framing (to sit flush with the roof), have genuine glazing bars and be coloured to blend in with roof finish.

On the basis of the above, it is considered that the proposal complies with the aims of the above policies and would have no adverse impact on the character and appearance of the application site or surrounding Conservation Area. Thus, the proposal accords with the Development Plan.

In respect of 2), any proposal involving works that affect properties in Conservation Areas should preserve or enhance the character or the appearance of the Conservation Area. Due to the height of the tenement, the ground levels of the surrounding land and screening by the existing buildings to the rear (south) of the application site, only partial views of the rear roof slope are available from the public areas of the Conservation Area. It is considered that, subject to conditions, the proposal would not significantly affect the character or appearance of the Central Conservation Area.

In respect of 3), other material considerations are the points raised in the letters of objection. The grounds of objection can be summarised, with appropriate comment, as follows:-

1. The proposal is not in keeping with the traditional tenemental surroundings and would have a significant detrimental impact on the appearance of the building, the tenement block and the surrounding conservation area.

Comment: The two proposed rooflights would be located on the rear slope of the roof and would relate satisfactorily to the building's fenestration below. In addition, a condition would be applied to any planning permission ensure that all of the proposed rooflights will be of traditional design with low profile framing, genuine glazing bars and coloured to blend in with roof finish. Thus, it is considered that the proposal would comply with the Development Plan and would not harm the character or appearance of the building, the tenement block or the surrounding Conservation Area

2. The proposal may damage the integrity of the roof structure.

Comment: The impact of the proposal on the structural integrity of the building is not a material planning consideration but may be addressed by other legislative powers operated by Building Control.

3. Legal issues involving ownership of the roof and attic space are affected, including the removal of a common cold water storage tank from the roofspace.

Comment: The applicant has certified that the co-owners of the application site were notified of the application. Property ownership is a private legal matter and not a material consideration in the determination of a planning application. However, any grant of planning permission would not override private ownership rights.

4. The proposal would lead to increased wear and tear and affect issues relating to maintenance of the roof and attic space.

Comment: The maintenance of common property is a private legal matter; it is not a material consideration in the determination of a planning application.

5. Lack of neighbour notification.

Comment: The applicant has certified that the statutory neighbour notification was undertaken. The objector's property was not a notifiable neighbouring property.

6. Consent for the proposal would set a precedent for similar type of development which will seriously affect the character of the streetscape.

Comment: Every planning application is determined on its own merits; the current proposal complies with the terms of the Development Plan. Any person proposing a similar development to a similar property type will require planning permission. Any proposals submitted to the Council will be determined in accordance with the current Development Plan and other material considerations, which will safeguard the character and visual amenity of the surrounding area.

7. The proposal would adversely affect the value of the objector's property.

Comment: The impact of a development proposal on neighbouring property values is not a material planning consideration.

8. Any builder work would inconvenience access to other flats.

Comment: Any inconvenience arising from construction period of the development would be temporary and permission should not be refused on this basis. Obstruction of access to other flats within the close may be addressed by other legislative powers such as those operated by Environmental Protection Services, or the police or by the building's factor or co-proprietors.

9. The proposal would detract from the internal unity of the flats in creating a flat with a layout totally different to that of the other flats.

Comment: The internal alterations do not require planning permission and therefore do not form part of the application under consideration.

10. Lack of information of the disposal of waste from the new bathroom and the potential effect of the changes on any architectural features.

Comment: The internal alterations do not require planning permission. The submitted scale drawings are sufficient to enable the determination of the application.

CONCLUSION

In conclusion, the proposal is considered to comply with the terms of policies RES 15, HER 1 and HER 3 of the City Plan. Other material considerations, namely the points raised in the letters of objection, are considered to have been satisfactorily addressed and do not outweigh the Development Plan. Given the above, the proposal is considered acceptable and accordingly it is recommended that Planning Permission be granted subject to the following conditions.

CONDITIONS AND REASONS

01. The development shall be implemented in accordance with unnumbered drawing received on 14 December 2006, as qualified by the undernoted condition, or as otherwise agreed in writing with the Planning Authority.

Reason: As these drawings constitute the approved development.

02. The proposed rooflights shall be the Conservation Rooflight (or equivalent) of traditional design with low profile framing, genuine glazing bars and coloured to blend in with roof finish.

Reason: In order to safeguard the property itself and the amenity of the surrounding area.

Reason: To safeguard the amenity of the surrounding Conservation Area.

ADVISORY NOTES TO APPLICANT

01. The applicant is advised that the granting of planning permission does not remove him/her from the requirement to obtain the consent of adjacent landowners in respect of any access required to build, or maintain, this approved development. Such consent should be obtained prior to the commencement of works on site.

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