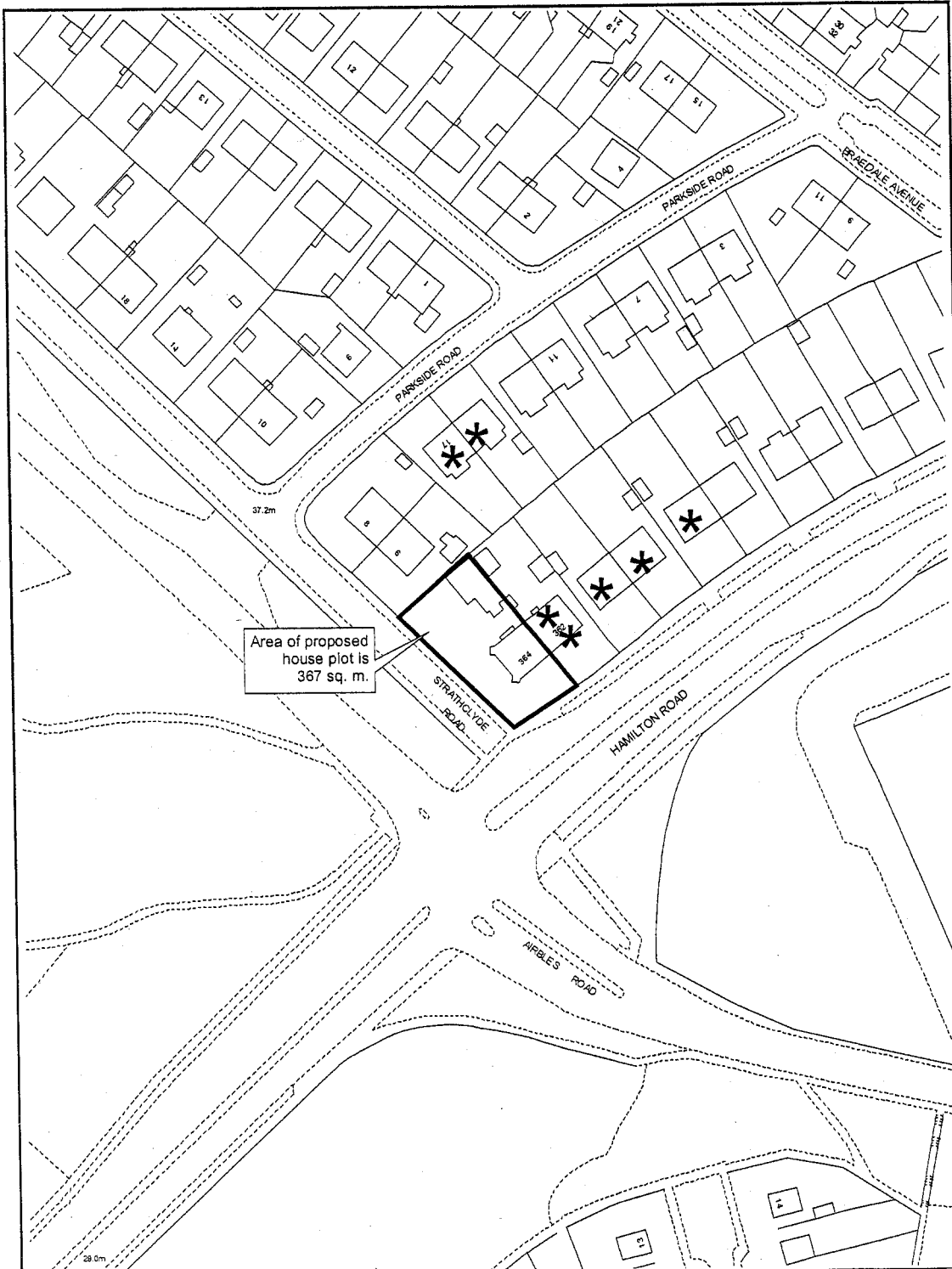


Application No: S/04/00440/FUL
Date Registered: 25th March 2004
Applicant: Mr & Mrs R Gray
364 Hamilton Road
Motherwell
ML1 3EG
Development: Erection Of 1 1/2 Storey Dwelling
Location: 364 Hamilton Road Motherwell Lanarkshire ML1 3EG
Ward: 1: Ladywell Councillor Michael Ross
Grid Reference: 273978. 656512.
File Reference: S/PL/B/13/23/PW
Site History: S/03/00002/FUL Erection of two-storey dwellinghouse and garages
Refused 19th March 2003,
Appeal dismissed 3rd November 2003
Development Plan: Policies HSG 8 Established Residential Area and
Policy HSG 11 Infill Housing Development, both in the Southern
Area Local Plan Finalised Draft (Modified 2001)
Contrary to Development Plan: No
Consultations: The Coal Authority (Comment)
Representations: 7 Representation Letters
Newspaper Advertisement: Not Required

Comments:

This application seeks consent for the erection of a one and a half storey dwelling within the rear garden area of 364 Hamilton Road, Motherwell, a semi-detached one and a half storey dwelling. The site lies within the established residential area of Braedale and is identified as such in both the adopted and emerging local plans. The area is characterised by single, and one and a half storey dwellings dating from the 1930s.

Members may recall that a previous application for a two-storey dwelling on the site was refused on the 19th of March 2003. The application was refused for reasons of overdevelopment and effect on residential amenity. A subsequent appeal for the same proposal was dismissed on the 3rd of November 2003. A total of 7 letters of objection have been received from surrounding residents on the grounds of overdevelopment out of character with the area and loss of residential amenity. A request for a site visit and hearing has also been made by the adjoining neighbour at 362 Hamilton Road. This revised proposal is for a one and a half storey dwelling based on the height and style of 364 Hamilton Road, which is therefore considered to be in-keeping in terms of elevational architecture and height. However, it is considered that the plot size and rear garden of the proposed dwelling and the resultant plot size and garden depth of 364 Hamilton Road would still be significantly below the Council's minimum space standards. The proposal is also considered to be out of keeping with surrounding plot densities in an area characterised with relatively large plots and rear gardens by modern standards.



PLANNING APPLICATION No. S / 04 / 00440 / FUL

ERECTION OF ONE AND A HALF STOREY DWELLINGHOUSE

364 HAMILTON ROAD, MOTHERWELL.

* Representation

Site Area = 0.03 ha



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This application is therefore recommended for refusal for the following reasons. It should be noted that an objector has requested a site visit and hearing while the applicant has requested a site visit if the Committee are minded to refuse the proposal.

Recommendation: Refuse for the Following Reasons:-

1. That the proposal is contrary to Policy HSG8 in the Southern Area Local Plan Finalised Draft (Modified 2001), which seeks to protect established character and residential amenity, as the curtilage of 364 Hamilton Road is too small to satisfactorily accommodate both the proposed dwelling and existing dwelling and as such, would result in inappropriate overdevelopment of an incongruous density out of keeping with the lower density which characterises the area, to the detriment of residential amenity.
2. That the proposal is contrary to policy HSG 11 in the Southern Area Local Plan Finalised Draft (Modified 2001), which assesses infill housing development in terms of the size of the site, its effect on garden space and the overall impact of a proposal on the character and amenity of the surrounding area, as it would result in inappropriate over-development and the unacceptable loss of private garden ground for 364 Hamilton Road.
3. If approved, this application could set an undesirable precedent for other similar developments to the detriment of residential amenity.

Background Papers:

Application form and plans received 16th March 2004

Accompanying letter from applicants Mr and Mrs Gray, 364 Hamilton Road dated 12th March 2004

Letter from The Coal Authority received 3rd March 2004

Letter from Miss Alexandria H Fraser, 362 Hamilton Road, Motherwell, ML1 3EG received 17th March 2004

Letter from Owner/Occupier, 15 Parkside Road, Motherwell, ML1 3DY received 23rd March 2004.

Letter from L.F. Odber, 356 Hamilton Road, Motherwell received 24th March 2004.

Additional letter from Miss Alexandria H. Fraser, 362 Hamilton Road, Motherwell, ML1 3EG received 2nd April 2004.

Letter from J S Clarke, 358 Hamilton Road, Motherwell, ML1 3EG received 7th April 2004.

Letter from James Mays, 360 Hamilton Road, Motherwell, ML1 3EG received 14th April 2004.

Letter from Mrs J Baird, 17 Parkside Road, Motherwell, ML1 3DY received 14th April 2004.

The Southern Area Local Plan Finalised Draft (Modified 2001)

Any person wishing to inspect these documents should contact Paul Williams at 01698 302091.

APPLICATION NO. S/04/00440/FUL

REPORT

1. Description of Site and Proposal

- 1.1 This application seeks consent for the erection of a one and a half storey dwelling in the rear garden of 364 Hamilton Road, Motherwell, a one and a half storey semi-detached dwelling. The northwestern half of the application site, which bounds the gardens of 362 Hamilton Road and 6 Strathclyde Road is currently occupied by a large brick built garage/outbuilding which appears to be contemporary with the dwelling and was originally built to accommodate a commercial vehicle. The remainder of the site forms part of the rear garden of 364 Hamilton Road including vehicular access.
- 1.2 The applicant proposes to demolish the existing garage/outbuilding and form a house plot approximately 15.5 metres wide and construct a one and a half storey dwelling based in terms of elevational treatment, style and height on the applicants' existing dwelling at 364 Hamilton Road. The proposed dwelling has roof ridge height of 6.5 metres and has two traditionally styled dormer windows to the front and one to the back. The proposed dwelling fronts onto Strathclyde Road in a traditional manner with separate vehicular access from the same road. The applicant proposes to provide 2 replacement parking spaces within that part of the side/front garden of 364 Hamilton road which fronts onto Strathclyde Road.

2. Development Plan

- 2.1 The site is zoned for residential purposes in both the adopted Burgh of Motherwell and Wishaw Development Plan and in the emerging Southern Area Local Plan Finalised Draft (Modified 2001). Policy HSG 8 in the emerging Local Plan identifies the site as being within an Established Residential Area. This policy seeks to protect the character and residential amenity of the areas identified. Policy HSG 11, regarding infill housing development in the same local plan is also central to the assessment of the proposal. It has the same aims as Policy HSG 8 and assesses the detail of the proposed design in terms of scale, plot size and the impact of the proposal on the character and amenity of the surrounding area.

3. Consultations and Representations

- 3.1 No objections were received as a result of the consultation process.
- 3.2 The Transportation Section of my department has expressed no objections to the proposal as both the proposed house plot and the resultant plot at 364 Hamilton Road will be capable of providing the required driveways in order to accommodate two cars. This is subject to the proviso that the existing 1.8 metre high wall and 2.1 metre gateposts are partially demolished to no more than 1.05 metres in order to ensure the required pedestrian/vehicular intervisibility.
- 3.3 A total of 7 letters of objection have been received from adjacent residents. The grounds of objection are as follows:-
- Incongruous overdevelopment out of character with area to the detriment of residential amenity
 - The rear dormer of the proposed dwelling will overlook the gardens of 360 and 362 Hamilton Road
 - The proposed house will overshadow 360 and 362 Hamilton Road
 - The proposed dwelling will result in a loss of view of mature beech trees in Strathclyde park for some of the adjacent dwellings
 - The proposal would result in sub-standard car parking provision

- 3.4 It should be noted that an objector has requested a site visit and hearing while the applicant has requested a site visit if the Committee are minded to refuse the proposal.

4. Planning Assessment and Conclusions

- 4.1 Policies HSG 8, HSG 11 and the Council's minimum space standards for residential development are considered to be central to the assessment of this revised proposal. In particular, the effect on existing levels of residential amenity, the nature and design of the proposed dwelling and the resultant size of the proposed house plot and the reduced size of the rear garden of 364 Hamilton Road should be determining factors.
- 4.2 It is recognised that this revised proposal is an improvement in terms of the height and style of the proposed dwelling, which is based architecturally on the applicants' dwelling. Therefore in terms of elevational architecture and height, the proposal is considered to be acceptable. As a consequence of this, it is considered that the proposed dwelling would sit quite comfortably along the Strathclyde Road frontage.
- 4.3 The applicants have made the point that the demolition of the existing garage and outbuildings would be beneficial to surrounding residential amenity. This may be the case but it is not considered to be material to the consideration of this proposal as the outbuildings in question could be demolished and the ground returned to garden use at any time.
- 4.4 In terms of the points of objection, it is considered that the rear dormer on the proposed dwelling will not significantly affect the privacy of 360 and 362 Hamilton Road. Similarly, it is considered that both the aforementioned dwellings will not be significantly overshadowed by the proposed dwelling. This is because the proposed dwelling has a height of 6.5 metres, there is a distance of at least 8 metres from the proposed dwelling to the garden of no 362 and 12 metres minimum distance from the dwelling at 362 Hamilton Road. This allows for an adequate degree of separation and for neither privacy or overshadowing to be significant issues.
- 4.5 Furthermore, loss of view is not a material planning consideration and the proposed parking provision for both the proposed dwelling and the reduced plot of 364 Hamilton Road comply with council standards.
- 4.6 However in terms of garden sizes and resultant plot density, the proposed dwelling will have a rear garden depth of 8 metres, 2 metres below the minimum standard of 10 metres and more significantly, the resultant rear garden of 364 Hamilton Road would have a 6 metre depth. The current rear garden depth of 364 Hamilton road and all other similar dwellings that front in a northwesterly direction along Hamilton Road is approximately 22 metres. It is considered that the resultant garden depths and plot density for both dwellings would be sub-standard and significantly out of keeping in terms of the relatively large rear gardens which characterise the area.
- 4.7 For this reason, the proposal is considered to be contrary to the terms of Policy HSG8, as it would result in the over-development of the site, the loss of private garden ground for 364 Hamilton Road and a high density plot development out of keeping with the densities in the surrounding residential area. It is considered that the combined effect of the above would adversely affect the amenity of the surrounding established residential area.
- 4.8 The proposal is also considered to be contrary to the aims of policy HSG11, which seeks to protect the established character of residential areas from inappropriate infill development. This is because it is considered that it would result in an inappropriate over-development of a site that is too small and also result in the unacceptable loss of private garden ground relating to 364 Hamilton Road. It is therefore considered that the objections on the grounds of overdevelopment incongruous to the character of the area to the detriment of residential amenity are valid.

- 4.9 The applicants have provided information regarding the resultant areas of rear garden that would be achieved and it is recognised that they comply with the Council's standards, both achieving over the minimum of 100 square metres required for plots of this size. However, the resultant rear garden depths and plot densities would be out of keeping with the surrounding area to the detriment of the character and amenity of the area. This was a point made by Scottish Executive Inquiry reporter when dismissing the appeal for the previous proposal, which had larger rear garden depths than this revised proposal :- 'I further consider that the size of the plots formed, as a result of the sub-division of the existing garden area, would be significantly smaller than those adjacent, and that this combined with the dwellinghouse would materially and detrimentally affect the prevailing feeling of space which is characteristic of the vicinity'.
- 4.10 Therefore, for the above reasons, this application is recommended for refusal. The applicants have requested a site visit if the Committee is minded to refuse the application.