

Application No: **N/06/01863/FUL**

Date Registered: 28th December 2006

Applicant: **Douglas Findlay Cardie**
83 Baldorran Crescent
Balloch
Cumbernauld
G68 9EX

Agent M. Rae
 24 Kennedy Way
 The Meadows
 Airth
 By Falkirk
 FK2 8GB

Development: **Extension to a Dwellinghouse**

Location: **83 Baldorran Crescent**
Balloch
Cumbernauld
G68 9EX

Ward: 56 Balloch W, Blackwood E & Craigmarloch : Councillor Barry McCulloch

Grid Reference: 274031 675290

File Reference: N/06/01863/FUL

Site History: No relevant history

Development Plan: Cumbernauld Local Plan 1993. Policy HG4 applies

Contrary to Development Plan: No

Consultations: None

Representations: One letter of representation.

Newspaper Advertisement: Not required

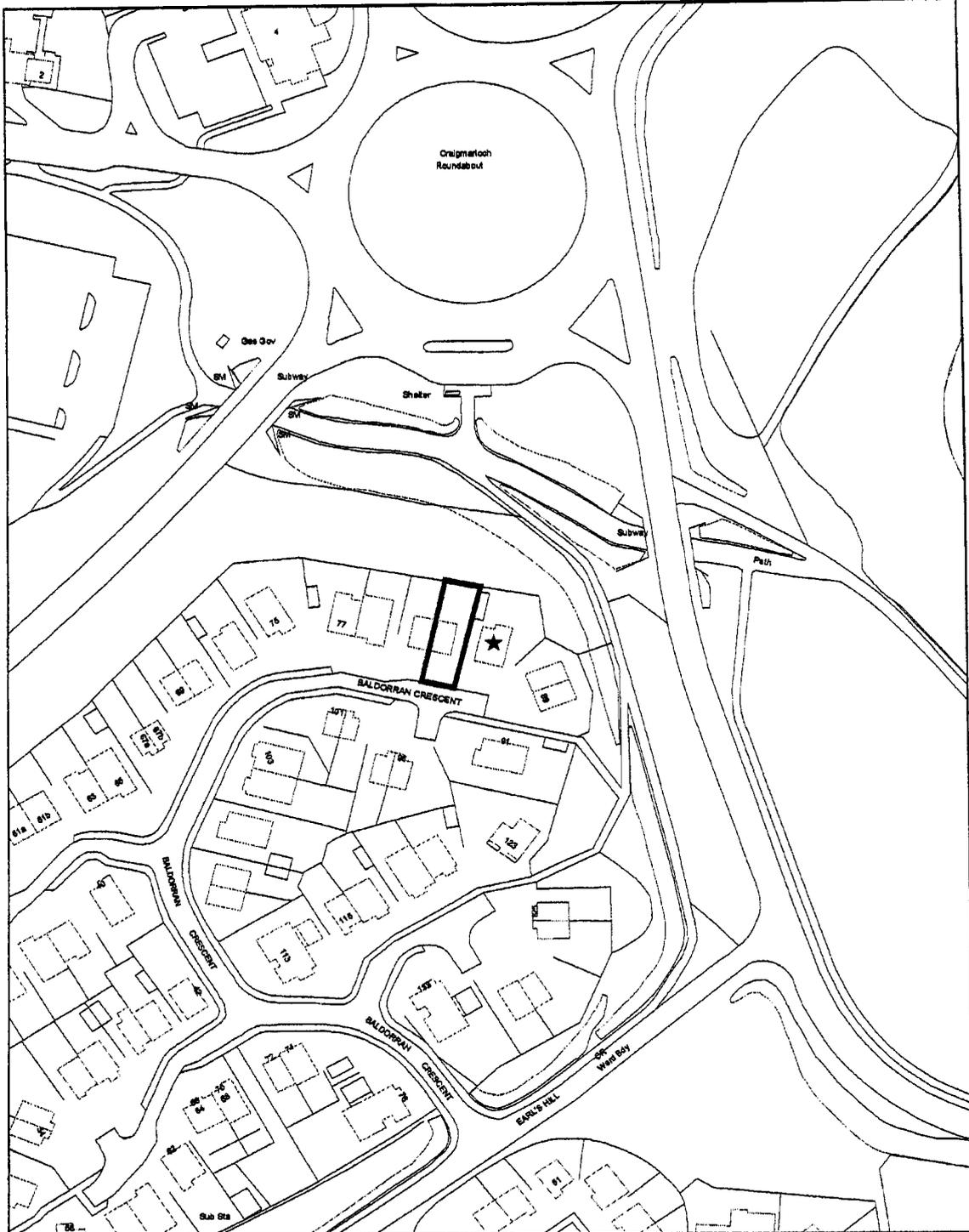
Recommendation: Approve Subject to the Following Conditions:-

1. That the development hereby permitted shall be started within five years of the date of this permission

Reason: To safeguard the residential amenity of the area.

2. That the facing materials to be used for the external walls and roof shall match in colour and texture those of the existing adjoining building.

Reason: To safeguard the residential amenity of the area.



The map is reproduced from the original plan prepared for the purposes of the Planning Act 1976. It is a reproduction of the original plan and is not a substitute for the original plan. It is not to be used for any other purpose without the written consent of the Council. It is not to be used for any other purpose without the written consent of the Council. It is not to be used for any other purpose without the written consent of the Council.

Prepared by:
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Douglas Cardie
83 Baldorran Crescent Cumbernauld
Extension to a Dwellinghouse
 ★ Representation

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 North Lanarkshire Council
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3. That before the extension hereby permitted is brought into use, an additional in-curtilage car parking space measuring at least 5.5 metres deep X 3 metres wide shall be created and thereafter maintained for that purpose

Reason: To ensure the provision of adequate parking facilities within the site.

4. That notwithstanding the approved plans, before the extension hereby permitted is completed, a 5 metre wide dropped kerb vehicular access shall be formed

Reason: To ensure that 2 cars can be positioned parallel to each other and that there is an adequate entrance and exit for 2 in-curtilage cars

Background Papers:

Application form and plans received 13th November 2006

Letter from Henrietta Adam & Rosanne Borgeaud-Adam, 85 Baldorran Crescent, Balloch, Cumbernauld, G68 9EX received 5th December 2006.

Cumbernauld Local Plan 1993

Any person wishing to inspect these documents should contact Ms Erin Louise Deeley at 01236 616464.

Date: 5th February 2007

APPLICATION NO. N/06/01863/FUL

REPORT

1. Description of Site and Proposal

- 1.1 The application property is a single storey semi-detached bungalow at 83 Baldorran Crescent, Balloch. There is a driveway to the side of the property. It can accommodate at least 3 cars. The driveway of neighbouring property No.85 is parallel to it. There is no fence or other means of division between the driveways. There is an existing bathroom window on the side elevation. There is a conservatory to the rear of the property and the rear garden is bounded by a 2 metre fence. There are established trees and shrubs adjacent to the pavement and on the mutual boundary with No. 81.
- 1.2 The proposal is for a single storey side extension measuring approximately 2.5 metres wide X 9 metres deep, the depth of the house. The extension would provide an additional bedroom and an extension to the existing bedroom with en-suite facilities. There are no side elevation windows proposed. The extension would compromise the majority of the existing driveway, leaving only one in curtilage parking space at the front of the property.

2. Development Plan

- 2.1 This proposal raises no strategic issues in terms of the Glasgow and the Clyde Valley Joint Structure Plan 2000 and can therefore be assessed against local plan policies.
- 2.2 In the Cumbernauld Local Plan 1993, the site lies within a defined residential area where policy HG4 (Residential Amenity) applies. This policy seeks to protect residential amenity from inappropriate developments.

3. Consultations and Representations

- 3.1 No consultations were required in respect of this application.
- 3.2 There has been one letter of objection received from the owner of No.85. The points of objection raised can be summarised as follows:
 - The development would have an overbearing visual impact and reduce the availability of sunshine into my rear garden

Comment: It is considered that the proposed design is in keeping with the existing scale and character of the dwellinghouse. There are several other properties in the area which have consent for similar scale side extensions such as No.21, No.54, and No.75. As the extension is proposed for the side of the property, I do not consider it would impact on the current availability of sunshine into the rear garden of No.85. The extension would be approximately 600 mm from of the mutual boundary with No.85. The driveway of No. 85 (positioned parallel with the driveway of the application property) is approximately 3 metres wide so it is therefore considered that the extension would be an acceptable distance from the side elevation window. It should be noted that this window appears to be a hall way window. A hall way window is not regarded as a habitable room and should therefore not be given the same consideration in terms of overshadowing.

- Any future proposal to extend No.85 would be seriously inhibited

Comment: This proposal would not compromise the ability of No.85 to extend their property to the side or to the rear. The possibility of a future extension cannot be considered when determining this application.

- Access for emergency vehicles to the rear of the property would be seriously inhibited

Comment: It is not uncommon in housing estates that there is no access for emergency vehicles to the rear of houses. This is not a Planning or Building Standards requirement.

- If approved, there should be a distance of 1 metre between the extension and the mutual boundary line

Comment: There would be no planning justification for suggesting to the applicant that he provides a 1 metre gap as requested. There is no planning legislation that requires a 1 metre opening between an extension and a mutual boundary. The applicant could have proposed to extend to the mutual boundary and this would not have been considered unacceptable.

- To construct the extension would mean assembling scaffolding on my property (No.85)

Comment: This would be a legal issue between the applicant and the neighbour

- 600mm would not constitute a viable width for a footpath for the applicant to access their rear garden. We would be opposed to them using our driveway.

Comment: There is no requirement under planning legislation for the applicant to access their rear garden from the outside of their property. In any event, 600 mm would enable access.

- We stipulate that no side windows or velux/dormer windows be allowed on this property

Comment: It is not considered reasonable to attach a condition that removes the permitted development rights of the applicant that allows them to form a window on the side elevation without planning consent. A window on the side elevation is not a part of this proposal. In terms of Building Standards, no windows would be allowed in the side elevation.

- The angled car space shown on the plans is inappropriate

Comment: Notwithstanding the proposed additional in curtilage car parking space, it is possible to widen the dropped kerb access, ensuring that two cars be positioned parallel to each other, one in the existing drive and one in a newly formed car space. A condition can be attached to cover to this.

4. Planning Assessment and Conclusions

- 4.1 In terms of Section 25 of the Town and Country Planning (Scotland) Act 1997, planning applications must be determined in accordance with the relevant development plan unless material considerations indicate otherwise. In this case, the proposal complies with policy HG4 of the Cumbernauld Local Plan 1993.
- 4.2 Notwithstanding the objections raised, it is considered that the proposal is acceptable from a planning perspective in that it would not have a detrimental impact on the residential amenity of No.85 Baldorran Crecent or other neighbouring properties.
- 4.3 Although an additional bedroom is being created and a car parking space lost, it is considered that 2 in-curtilage car parking spaces is adequate. The roof space of this house type is easily converted without the consent of the Planning Authority whereby additional bedrooms could be created without a requirement to achieve an additional space.

4.4 It should be noted that the objector has requested a site visit and a hearing by the Planning and Environment Committee prior to the determination of this application.