

**AGENDA ITEM No. 1**

Application No: N/07/00116/FUL

Date Registered: 24th January 2007

**Applicant:** **Mr Ian MacKinlay**  
**115 Cumbernauld Road**  
**Stepps**  
**G33**

Agent Colin Stewart  
"Lismore"  
The Lane  
Dullatur  
G68 0AU

**Development:** **Construction of a Dwellinghouse**

**Location:** **Land Adjacent To**  
**115 Cumbernauld Road**  
**Stepps**  
**G33 6EX**

Ward: 70 Stepps: Councillor Brian Wallace

Grid Reference: 265796 668477

File Reference: N/07/00116/FUL

Site History:

Development Plan: This site is covered by Policies ENV 21(Areas of Special Character) and Policy HG3(Retention of Residential Amenity) of the Northern Corridor Local Plan 2005

Contrary to Development Plan: No

**Consultations:** Scottish Water No objection

**Representations:** Three letters of representation received

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 accord with the provisions of the Town and Country Planning (Scotland) Act 1997.



2. That notwithstanding what is shown on the approved plans, before the development hereby permitted commences plans detailing a revised access and parking arrangements for the site shall be submitted to and approved in writing by the Planning Authority. This plan should demonstrate incutillage parking for 3 cars and a turning facility to enable cars to leave the site in a forward gear.

**Reason:** In the interests of adequate parking and safe entry on to the highway.

- 3 That before the house hereby approved is occupied the vehicular access shall be formed in accordance with the details approved under the terms of condition 2 above. Thereafter the access and parking area shall be kept available for use as such at all times.

**Reason:** In the interests of adequate parking and traffic safety.

- 4 That the house shall be constructed using the materials shown on the approved plans and before the development hereby permitted commences samples of the roof slate and facing stone shall be submitted to and approved in writing by the Planning Authority.

**Reason:** In the interests of residential amenity.

- 5 That apart from the trees detailed for removal in the approved plans, no other trees within the application site shall be lopped, topped or felled and no shrubs or hedges, shall be removed from the application site, without the approval in writing of the Planning Authority.

**Reason:** In the interests of the amenity of the area.

#### **Background Papers:**

Application form and plans received 24th January 2007

Letter from Dr Martin G Sambrook, 117 Cumbernauld Road, Stepps, Glasgow, G33 6EX received 5th February 2007.

Letter from Mrs M A Boon, 2 Whitehill Avenue, Stepps, Glasgow, G33 6BL received 5th February 2007.

Letter from Rob Stuart (Chair), Stepps & District Community Council received 5th March 2007

Northern Corridor Local Plan, 2005,

Any person wishing to inspect these documents should contact Mr Gavin Forrest at 01236 616466.

**Date 23<sup>rd</sup> February 2007**

## APPLICATION NO. N/07/00116/FUL

### REPORT

#### 1. Description of Site and Proposal

- 1.1 This application seeks permission for the erection of a two storey detached house on land adjacent to 115 Cumbernauld Road, Stepps.
- 1.2 The site is currently garden ground of 115 Cumbernauld Road. The rear of the proposed house will be in line with the rear of Nos 115 and 117 but will protrude a further 6 metres in front of the building line of No 115. There will be approximately 10.5 metres from the house to the public footpath, and a new access will be created from Cumbernauld Road.
- 1.3 The design of the house has taken into account the Area of Special Character and the surrounding properties. The proposed house will be stone to match the surrounding houses and there will be slate effect tiles and timber sash-and-case windows.

#### 2. Development Plan

- 2.1 There are no strategic issues in terms of the Glasgow and Clyde Valley Joint Structure Plan 2000 and the application can be assessed against the relevant provisions of the Northern Corridor Local Plan, 2005.
- 2.2 This application is covered by policies HG3 (Retention of Residential Amenity) and ENV21 (Areas of Special Character). Policy HG3 states that the Council will seek to protect the established character of existing housing areas by opposing development which is incompatible with a residential setting or adversely affects the amenity of established housing areas. Policy ENV 21 states that within the "Areas of Special Character", all proposals will be subject to rigorous scrutiny and in all cases the Council will require to be satisfied that proposals will maintain or enhance the area's character.

#### 3. Consultations and Representations

- 3.1 Scottish Water have no objections to the proposal.
- 3.2 My Transportation Section have concerns about the proposed access, and require that turning facilities be provided within the site. This matter can be addressed by a planning condition.
- 3.3 There have been 3 letters of representation received from neighbours at 117 Cumbernauld Road, 2 Whitehill Avenue and Stepps & District Community Council. The main points of objection and my comments thereon are as follows;
  - The dimensions of the building make it a large building for the site. It is intrusive in comparison to its neighbours.

**Comments:** The proposed building is situated within the existing garden ground of 115 Cumbernauld Road. The site is large enough to accommodate such a building and will also provide sufficient garden ground and parking. The proposed house will be situated approximately 13 metres from 2 Whitehill Avenue and 117 Cumbernauld Road.

- Numbers 115 and 117 Cumbernauld Road are two of the oldest properties in the village. The addition of a large modern building between them would alter the character of an important area of Stepps.

**Comments:** The location and character of the area has been taken into consideration. The proposed house is of traditional appearance and will be constructed using traditional materials (stone, timber windows and slate roof tiles). As such it is considered that the house will be sympathetic to its surroundings. The new house will inevitably impact upon the character of the area, but not so significantly as to justify refusing planning permission.

- The proposed building will be very close to the site boundary and to 115, and there is also little space between it and the site boundary on the 117 side.

**Comments:** The proposed house will be situated approximately 2.1 metres from 115 Cumbernauld Road, 13 metres from 2 Whitehill Avenue and approximately 13 metres from 117 Cumbernauld Road. The sides of 2 Whitehill Avenue and 117 Cumbernauld Road do not have any windows to habitable rooms that will be affected by the development.

- A building of this size would block out light to the garden of 2 Whitehill Avenue, and this could have the effect of reducing the value of the property.

**Comments:** The proposed property will be situated a significant distance from the boundary. It is situated further away from the boundary than Nos 115 and 117 Cumbernauld Road. There are currently conifers and large trees on the boundary, which currently create overshadowing. The proposed house will not lead to any significant amount of overshadowing. This is also due to the orientation of 2 Whitehill Avenue and the proposed house

- I am concerned that the site excavation work may be carried out too close to the trees thus making them unstable and posing a risk to my property (2 Whitehill Avenue). A cynic might think that the new owners might want the trees removed.

**Comments:** At the closest, the proposed house's rear elevation will be situated approximately 5 metres away from the existing trees. At present if the new owner wished to remove the trees from their property, they are perfectly within their rights to do so, as there is not a Tree Preservation Order on the trees. Nevertheless, it is accepted that the trees contribute to the character of the area and as such a planning condition can be imposed requiring them to be retained unless the Council agrees to their removal.

- The proposed conservatory has windows which face my property (117 Cumbernauld Road). This means that given the 18 metre rule from window to window, this could possibly preclude any future development of our property to the west.

**Comments:** Each application must be considered on its individual merits. Consideration must be given to variables such as boundary treatment. Currently there is a 2 metre high hedge in line with the sunroom that will considerably reduce any overlooking. Scale for possible future development is not a material consideration. Any proposed future development would be considered on its own merits.

- Where will the access/parking be for the building works? The use of Cumbernauld Road pavement areas would block site lines for exit from 117 Cumbernauld Road.

**Comments:** My Traffic and Transportation section has raised no objections. Unfortunately as with every development there will be a certain amount of disruption.

- Will the two mature trees be cut down that currently stand in the driveway. One of the trees is locally known as the "spooky tree" and is a minor landmark.

**Comments:** All the trees shown on the plans are to remain except the tree to be removed for the access. It is assumed that this is the tree being referred to as the "spooky tree". As there is

no a TPO (Tree Preservation Order) on the tree there is no protection on it that means it can be removed without authorisation from the Planning Authority.

- The property would reduce both daylight and sunlight for the window on the west wall of my property (117 Cumbernauld Road) and I am concerned that due to its size it will overshadow this side of my house. The affected room has only one window and it is situated less than 18 metres from the conservatory windows
- **Comments:** There is a single window on the side elevation of 117 Cumbernauld Road. There is currently a hedge on the rear boundary that separates the proposed house site and 117 Cumbernauld Road's driveway. This hedge is approximately 2 metres high at present. The rear lean-to extension at 117 Cumbernauld Road will be in line with the proposed conservatory of the proposed house. The proposed house will be situated an adequate distance from the existing house to rule out blocking of daylight. Overshadowing, if any, will be limited to early morning.

#### **4. Planning Assessment and Conclusions**

- 4.1 In accordance with Section 25 of the Town and Country Planning (Scotland ) Act 1997, planning decisions must be made in accordance with the development plan unless material considerations indicate otherwise. This proposal is not contrary to Local Plan Policy
- 4.2 It is considered that the site is of significant size to accommodate the proposed house. Both the proposed house and the existing house will have sufficient garden ground, The design of the house is sympathetic to, and in keeping with, the character of the area. Whilst it is true that the proposed house will alter the character of the area, and will have an impact on the amenity of the surrounding properties, any such impact will not be so significant as to justify refusing planning permission.
- 4.3 Having taken account of all the relevant material planning considerations, and notwithstanding the concerns raised by the objectors, it is recommended that planning permission be granted.