

REPORT TO: Planning Committee

MEETING DATE: Tuesday 5 September 2017

BY: Depute Chief Executive
(Partnerships and Community Services)

SUBJECT: Application for Planning Permission for Consideration

Note - this application was called off the Scheme of Delegation List by Councillor O'Donnell for the following reason: There is objection from neighbours to this planning application. I believe that members of the Planning Committee would benefit from a site visit to see the impact and to come to an informed decision as to whether or not this planning application should be granted.

Application No. **17/00524/P**

Proposal Extension to house

Location **47 Links View
Port Seton
East Lothian
EH32 0EZ**

Applicant Mr Keith Stewart and Ms Irina Tilekeeva

Per Niall Young Architecture Ltd

RECOMMENDATION Consent Granted

PLANNING ASSESSMENT

The property to which this application relates is a two storey end-terrace house and its garden located within a predominantly residential area as defined by Policy ENV1 of the adopted East Lothian Local Plan 2008. The house has a distinctive mono-pitched roofed architectural form as have all of the other houses of Links View to the west of it.

The property is bounded to the north by an area of public open space with the public road of Links Road beyond, to the east and west by neighbouring residential properties and to the south by the public road of Links View with neighbouring residential properties beyond.

Planning permission is sought for the addition of a single storey mono-pitched roof extension onto the rear (south) elevation of the existing property.

The proposed rear extension would extend some 5.7 metres along and some 3.3 metres out from the rear building line of the existing house. It would extend to a height

of some 2.7 metres from ground level to eaves height of the mono pitched roof. The roof of the proposed extension would continue along the entire length of the rear building line of the existing house, some 8.8 metres, and would be supported by a 2.7 metre post, forming a car port area. The roof of the proposed extension would extend beyond the rear building line of the proposed extension by some 0.4 metres.

The rear (south) elevation is proposed to have a glazed door opening and two glazed screen openings in the form of sliding doors. The side (west) elevation is proposed to have a glazed screen opening and the side (east) elevation is proposed to have no openings. The proposed roof would have three rooflights.

The external walls of the proposed extension would have a brick basecourse and a roughcast render finish to match the existing house. The proposed roof would be clad with zinc and the proposed doors and windows would have aluminium frames.

Section 25 of the Town and Country Planning (Scotland) Act 1997 requires that the application be determined in accordance with the development plan, unless material considerations indicate otherwise.

The development plan is the approved South East Scotland Strategic Development Plan (SESplan) and the adopted East Lothian Local Plan 2008.

Policy 1B (The Spatial Strategy: Development Principles) of the approved South East Scotland Strategic Development Plan (SESplan) and Policy DP6 (Extensions and Alterations to Existing Buildings) of the adopted East Lothian Local Plan 2008 are relevant to the determination of the application.

Three written objections to the application have been received. The main grounds of objection are:

- (i) The proposed extension would result in a harmful loss of parking space to the property resulting in on street parking;
- (ii) The scale of the proposed extension is excessive;
- (iii) The proposed extension is intrusive in terms of view, light and appearance from the neighbouring property to the west; and
- (iv) Concerns with existing trees on the eastern boundary.

The proposed extension would create an entrance vestibule and small sitting area. Road Services are satisfied that the two car parking spaces shown on the submitted layout drawing are sufficient to serve the house as it is to be extended. They are further satisfied that both of the spaces could be safely used.

The Council's Policy & Projects (Landscape) service raised no objection to the proposal, being satisfied that it would not result in the loss of any trees that make a significant contribution to the amenity of the area.

The proposed extension in its position on the rear (south) elevation of the house would be visible from the public road of Links View to the south of the applicant's property. By virtue of its architectural form, size, design, proportions, materials and positioning, the proposed extension would be a complementary addition to the house and would not be harmfully unsympathetic to the house or its surroundings. The proposed extension would be well contained within the application site. It would not be harmful to the character and appearance of the house or to the character and appearance of the area.

In assessing whether or not a proposed new development would result in harmful overlooking and therefore loss of privacy to existing neighbouring residential properties it is the practice of the Council, as Planning Authority to apply the general rule of a 9 metres separation distance between the windows of a proposed new development and the garden boundaries of neighbouring residential properties and an 18 metres separation distance between directly facing windows of the proposed new development and the windows of existing neighbouring residential properties.

In relation to the above, the openings on the rear (south) elevation would look onto the applicants garden ground and onto the public road of Links View beyond and so would not cause any harmful overlooking. The openings on the side (west) elevation would look onto a high fence boundary separating the applicants house from the neighbouring property at 48 Links View to the west and so would not cause any harmful overlooking or impingement of privacy.

There are no proposals to form windows or other openings in the side (east) elevation of the proposed extension. Windows or other openings could be formed in this elevation at a later date with the benefit of permitted development rights and thus without the need for planning permission. Any such openings would look onto the high boundary treatment of mature planting separating the rear garden boundary of the applicant's house and 46 Links View to the east and so would not allow for any harmful overlooking to such property.

"Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice" by P.J. Littlefair gives guidance on the impact of a proposed projecting on the daylight and sunlight received by neighbouring properties.

In the Guide it is stated that in designing new development it is important to safeguard daylight and sunlight to nearby buildings.

The Guide recommends that at least half of the garden ground of the property should receive at least two hours of sunlight on 21st March.

Application of the sunlight test on the proposed extension demonstrates that the proposed extension would cast shadow onto part of the rear garden of the neighbouring properties of 48 Links View. The small increase in the amount of overshadowing as a result of the proposed extension would not have a detrimental effect on the amount of sunlight received by the rear gardens of this property as the existing property is already set in front of the neighbouring property to the west and would receive a small amount of overshadowing currently.

Consequently, the proposed extension would not, due to its height, size, and positioning, result in a harmful loss of sunlight to the property to the west at 48 Links View. Nor would it result in a harmful loss of sunlight to any other property.

The proposed extension is consistent with Policy 1B (The Spatial Strategy: Development Principles) of the approved South East Scotland Strategic Development Plan (SESplan) and with Policy DP6 of the adopted East Lothian Local Plan 2008.

CONDITION:

- 1 None.