

ANGUS COUNCIL

DEVELOPMENT STANDARDS COMMITTEE – 05 MARCH 2019

PLANNING APPLICATION - BRAEHEAD 10 CAIRNIE ROAD, ARBROATH

GRID REF: 363319 : 741573

SERVICE LEADER – PLANNING & COMMUNITIES

Abstract:

This report deals with planning application No 18/01016/FULL for the extension of a house at Braehead 10 Cairnie Road, Arbroath for Mr Derek. Wann. This application is recommended for approval.

1. RECOMMENDATION

It is recommended that the application be approved for the reason given in Section 10 of this report.

2. ALIGNMENT TO THE ANGUS LOCAL OUTCOMES IMPROVEMENT PLAN/CORPORATE PLAN

This report contributes to the following local outcome(s) contained within the Angus Local Outcomes Improvement Plan and Locality Plans:

- Safe, secure, vibrant and sustainable communities
- A reduced carbon footprint
- An enhanced, protected and enjoyed natural and built environment

3. INTRODUCTION

3.1 The applicant seeks planning permission for an extension to a house at 10 Cairnie Road, Arbroath. A copy of the location plan is provided at Appendix 1.

3.2 The application site comprises the curtilage of an existing house. The property has an area of garden ground with a driveway and garage. It is located in a predominantly residential area with the grounds of Arbroath High School located to the south. The house sits to the south of Cairnie Road carriageway and is bound to the east and west by neighbouring residential property.

3.3 The proposal would provide an extension on the west elevation of the house. The extension would replace an existing small porch located on the side elevation of the building and would have a footprint in the region of 17sqm. It would have a pitched roof measuring around 4.7m in height to its apex. The extension would be finished with a tiled roof and grey weatherboard cladding.

3.4 The application was subject of neighbour notification.

3.5 This application requires to be determined by Committee because it has been submitted by an elected member of Angus Council.

4. RELEVANT PLANNING HISTORY

There is no planning history relevant to determination of this application.

5. APPLICANT'S CASE

No supporting information has been submitted.

6. CONSULTATIONS

6.1 **Community Council** - There was no response from this consultee at the time of report preparation.

6.2 **Angus Council - Roads** - Offers no objection.

6.3 **Scottish Water** - Offers no objection.

7. REPRESENTATIONS

No letters of representation have been received.

8. PLANNING CONSIDERATIONS

8.1 Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise.

8.2 In this case the development plan comprises:-

- TAYplan (Approved 2017)
- Angus Local Development Plan (ALDP) (Adopted 2016)

8.3 The application is not of strategic significance and the policies of TAYplan are not referenced in this report. The relevant policies of the ALDP are provided in Appendix 2 and have been taken into account in the preparation of this report.

8.4 Policy DS1 of the ALDP states amongst other things that proposals on sites not allocated or otherwise identified for development, but within development boundaries will be supported where they are of a scale and nature appropriate to the location and where they accord with other relevant policies of the ALDP.

8.5 Policy TC4 relates to proposals for house alterations/extensions. It indicates that development will be supported where the siting, design, scale or massing of the proposal does not:

1. adversely affect the residential amenity enjoyed by the house or surrounding domestic properties including, in the case of microgeneration, through noise or shadow flicker;
2. detrimentally affect the character and/or appearance of the building, site or surrounding area; and
3. result in the overdevelopment of the plot or a loss of garden ground, parking or bin storage.

8.6 Policy DS4 deals with amenity and requires all proposed development to have regard to opportunities for maintaining and improving environmental quality. It indicates that development will not be permitted where there is an unacceptable adverse impact on the surrounding area or the environment or amenity of existing or future occupiers of adjoining or nearby properties.

8.7 The proposed extension is relatively modest in scale and would be located on the west facing side elevation of the building. It would not be visible from the neighbouring property to the east and would be around 40 metres from the dwelling to the north and separated from it by the Cairnie Road carriageway. The extension would be around 1.5 – 2m from the boundary with the neighbouring property to the west and would have habitable room windows (including a glazed door) facing the front garden of that property and its windowless gable elevation. The window and glazed door would serve a kitchen and dining area and would be partially screened from the

neighbouring property by an existing stone boundary wall. Any overlooking of the neighbouring property would be limited to the front garden area which is currently open to view from the public roadway. The proposal would not result in any significant impact on the amenity of occupants of neighbouring property.

- 8.8 The extension would have a pitched roof and the walls would be finished in grey weatherboard cladding. It would be set back behind the principal elevation of the house and some distance from the Cairnie Road carriageway. The design is appropriate for the style of building and it would not have any adverse impact on the appearance of the wider area.
- 8.9 The extension would not affect existing car parking provision and the property would retain a reasonably sizeable area of garden ground. It would not result in overdevelopment of the plot. The proposal does not give rise to any conflict with the council's planning advice note that deals with house extensions.
- 8.10 The proposal is compatible with development plan policy and relevant planning advice note guidance. There are no material considerations that justify refusal of planning permission.

9. OTHER MATTERS

HUMAN RIGHTS IMPLICATIONS

The decision to grant permission/consent has potential implications for neighbours in terms of alleged interference with privacy, home or family life (Article 8) and peaceful enjoyment of their possessions (First Protocol, Article 1). For the reasons referred to elsewhere in this report justifying this decision in planning terms, it is considered that any actual or apprehended infringement of such Convention Rights, is justified.

EQUALITIES IMPLICATIONS

The issues contained in this report fall within an approved category that has been confirmed as exempt from an equalities perspective.

10. CONCLUSION

It is recommended that the application be approved for the following reason:

Reason for Approval:

The proposal provides for the extension of an existing building in a manner that complies with the relevant development plan policy and associated guidance. There are no material considerations that justify refusal of planning permission.

**KATE COWEY
SERVICE LEADER - PLANNING & COMMUNITIES**

NOTE: No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973, (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above Report.

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DATE: 22 FEBRUARY 2019**

APPENDIX 1: LOCATION PLAN
APPENDIX 2: RELEVANT DEVELOPMENT PLAN POLICIES

Kirkton Enterprise Centre
 Sir William Smith Road
 Kirkton Industrial Estate
 Arbroath
 DD11 3RD
 Tel: 01241 435236
 www.building-design-services.com



building design services

project
Extension to 10 Cairnie Road
Arbroath
Angus
DD11 3DY

scale
1:1250

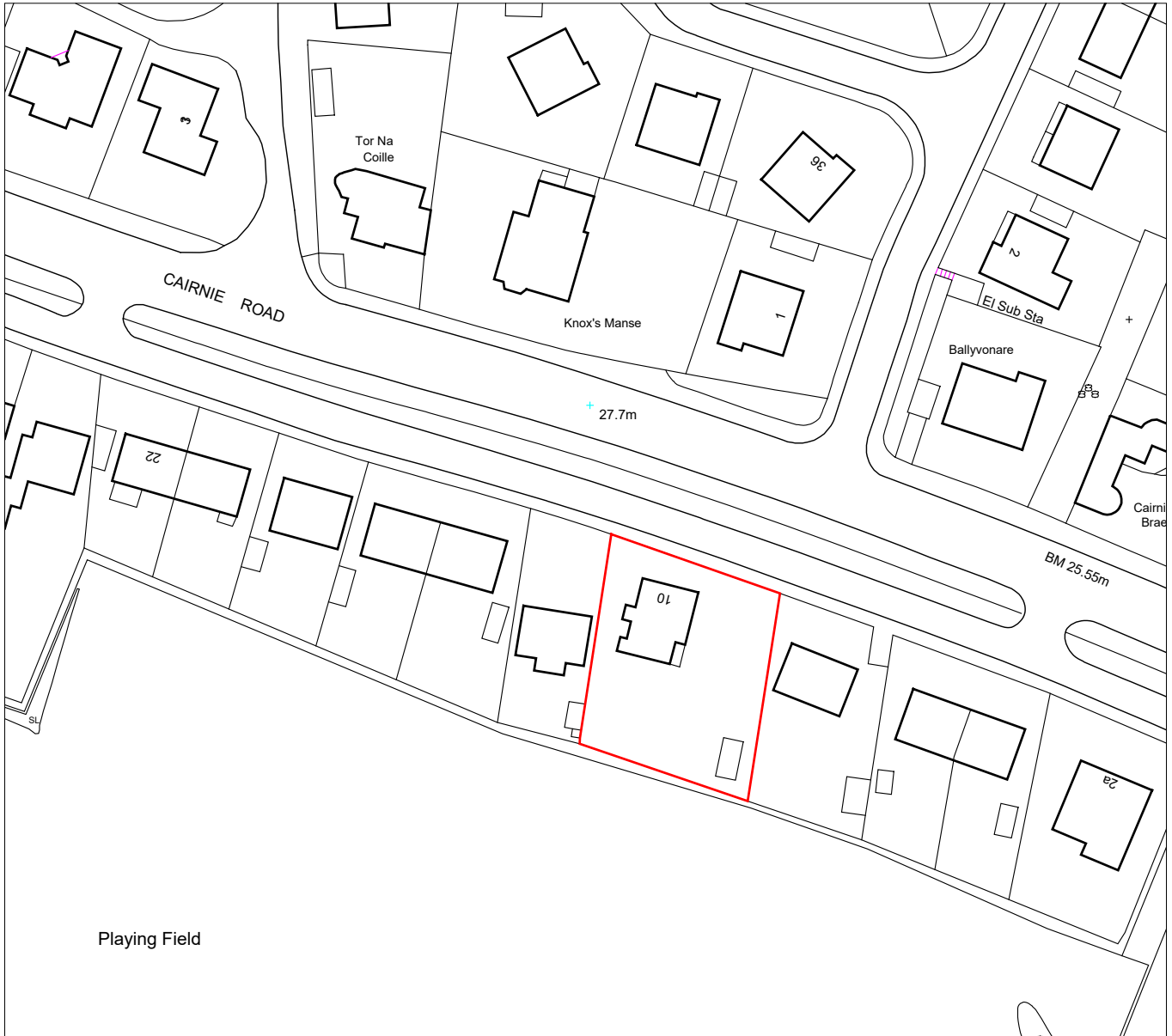
client
Mr & Mrs Wann

date
November 2018

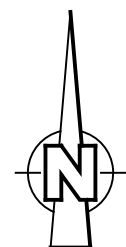
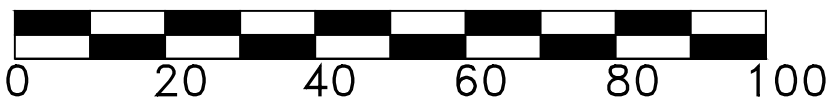
drawing
Location Plan

drg no. rev.
EX-02 -

Rev	Date	Description
-	--	----



Scale in Meters



location plan @ 1:1250

Appendix 2: Relevant Development Plan Policies

Angus Local Development Plan 2016

Policy DS1 : Development Boundaries and Priorities

All proposals will be expected to support delivery of the Development Strategy.

The focus of development will be sites allocated or otherwise identified for development within the Angus Local Development Plan, which will be safeguarded for the use(s) set out. Proposals for alternative uses will only be acceptable if they do not undermine the provision of a range of sites to meet the development needs of the plan area.

Proposals on sites not allocated or otherwise identified for development, but within development boundaries will be supported where they are of an appropriate scale and nature and are in accordance with relevant policies of the ALDP.

Proposals for sites outwith but contiguous* with a development boundary will only be acceptable where it is in the public interest and social, economic, environmental or operational considerations confirm there is a need for the proposed development that cannot be met within a development boundary.

Outwith development boundaries proposals will be supported where they are of a scale and nature appropriate to their location and where they are in accordance with relevant policies of the ALDP.

In all locations, proposals that re-use or make better use of vacant, derelict or under-used brownfield land or buildings will be supported where they are in accordance with relevant policies of the ALDP.

Development of greenfield sites (with the exception of sites allocated, identified or considered appropriate for development by policies in the ALDP) will only be supported where there are no suitable and available brownfield sites capable of accommodating the proposed development.

Development proposals should not result in adverse impacts, either alone or in combination with other proposals or projects, on the integrity of any European designated site, in accordance with Policy PV4 Sites Designated for Natural Heritage and Biodiversity Value.

*Sharing an edge or boundary, neighbouring or adjacent

Policy DS4 : Amenity

All proposed development must have full regard to opportunities for maintaining and improving environmental quality. Development will not be permitted where there is an unacceptable adverse impact on the surrounding area or the environment or amenity of existing or future occupiers of adjoining or nearby properties.

Angus Council will consider the impacts of development on:

- Air quality;
- Noise and vibration levels and times when such disturbances are likely to occur;
- Levels of light pollution;
- Levels of odours, fumes and dust;
- Suitable provision for refuse collection / storage and recycling;
- The effect and timing of traffic movement to, from and within the site, car parking and impacts on highway safety; and
- Residential amenity in relation to overlooking and loss of privacy, outlook, sunlight, daylight and overshadowing.

Angus Council may support development which is considered to have an impact on such considerations, if the use of conditions or planning obligations will ensure that appropriate mitigation and / or compensatory measures are secured.

Applicants may be required to submit detailed assessments in relation to any of the above criteria to the

Council for consideration.

Where a site is known or suspected to be contaminated, applicants will be required to undertake investigation and, where appropriate, remediation measures relevant to the current or proposed use to prevent unacceptable risks to human health.

Policy TC4 : Householder / Domestic Development

Proposals for householder development (including alterations/extensions to houses and flats, development within the curtilage of houses and flats, means of enclosure, satellite antenna and domestic scale microgeneration) will be supported where the siting, design, scale or massing of the proposal, does not:

- adversely affect the residential amenity enjoyed by the house or surrounding domestic properties including, in the case of microgeneration, through noise or shadow flicker;
- detrimentally affect the character and/or appearance of the building, site or surrounding area; and
- result in the overdevelopment of the plot or a loss of garden ground, parking or bin storage.

Further guidance on householder development will be set out in a Householder Development Planning Advice Note.

Householder Development Planning Advice Note - was approved by the Development Standards Committee on 13 September 2016 and represents a material consideration in the determination of this application.