



Glasgow City Council

Planning Local Review Committee

**Report by Executive Director of Neighbourhoods, Regeneration
and Sustainability**

Item 1

29th October 2024

Contact: Sam Taylor Ext: 78654

24/00143/LOCAL – 7 Mossbeath Court, Glasgow

Erection of second storey extension to rear of dwellinghouse

Purpose of Report:

To provide the Committee with a summary of the relevant considerations in the above review.

Recommendations:

That Committee consider the content of this report in coming to their decision.

Ward No(s): 20 - Baillieston

Citywide: N/A

Local member(s) advised: Yes ☐ No ☐ consulted: Yes ☐ No ☐

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1 LOCATION AND DEVELOPMENT PLAN DESIGNATIONS

- 1.1 The proposal site is a two-storey detached dwellinghouse located on a corner plot, fronting onto Mossbeath Court to the east and Mossbeath Gardens to the north. The property is located in a primarily residential area with surrounding properties being of similar scale and design.
- 1.2 The property is constructed of brick with white uPVC window frames and black uPVC rainwater goods. The roof is pitched with concrete roof tiles.
- 1.3 To the front, the property currently has an original garage. To the rear, there is an original single-storey projection with flat roof.
- 1.4 It is proposed to convert the garage into a habitable room, removing the existing garage door and replacing this with a window. At the rear it is proposed to erect another storey onto the flat roof element to create a second storey with a roof profile to mirror the existing rear elevation.
- 1.5 On the rear elevation, the existing small window will be replaced with a larger window to match that of the adjacent room. On the side elevation two new window openings are proposed, one at ground floor level and one at first floor level. There are currently no windows on this side elevation.
- 1.6 The materials and roof design of the extension are proposed to match the existing.

2. DEVELOPMENT PLAN POLICIES

- 2.1 NPF4 was adopted by the Scottish Ministers on 13 February 2023 and is part of the statutory Development Plan. Where there is an area of incompatibility it is expected that the newest policy document will take precedence, which will be NPF4 for the time being.

In this case, the relevant policies from NPF4 are:

- Policy 14: Design, quality and place
- Policy 16: Quality homes

- 2.2 The relevant City Development Plan policies are:
 - CDP1: The Placemaking Principle
- 2.3 The relevant Supplementary Guidance is:
 - SG1: The Placemaking Principle (Part 2)

3 REASONS FOR REFUSAL / RELEVANT CONDITION(S)

- 3.1 The reasons for refusal are set out below:

01. The proposal was not considered to be in accordance with the Development Plan and there were no material considerations which outweighed the proposal's variance with the Development Plan.
02. The development proposal is contrary to NPF4 Policy 14 and 16, and also CDP 1: The Placemaking Principle and SG 1: Placemaking (Part 2, Residential Development - Alterations to Dwellings & Gardens) of the City Development Plan (adopted March 2017) and there is no overriding reason to depart therefrom.
03. The proposed extension would have a detrimental impact on the privacy of both the property itself and a neighbouring property which is contrary to NPF4 Policy 14 and 16, and also CDP 1: The Placemaking Principle and SG 1: Placemaking (Part 2, Residential Development - Alterations to Dwellings & Gardens) of the City Development Plan.

4 APPEAL STATEMENT

- 4.1 A summary of the material points raised in the appeal statement is given below.
01. We have demonstrated that the neighbouring property has one window that will be affected but this window is not in a habitable room. We have also received confirmation from the affected neighbour that they are happy for this application to be granted.
 02. There are several similar properties within this development that have already carried out this same extension.
 03. The applicant has requested that the review be conducted by means of an inspection to which the land relates. Where the Committee decides that the review documents do not provide sufficient information to make a decision, it is for the Committee to determine how further information may be obtained. This can either be by means of further written submissions, the holding of one or more hearing sessions, or a site inspection, or a combination of these, as set out in the Local Review Regulations.

5 REPRESENTATIONS AND CONSULTATIONS

- 5.1 There were no representations to the application.
- 5.2 There were no representations to this Review.

6 COMMITTEE CONSIDERATIONS

- 6.1 Committee should consider if the following are in accordance with NPF4, the relevant City Development Plan policies and Supplementary Guidance, and if

there are material considerations which outweigh the Development Plan considerations.

6.2 The following are the relevant policy considerations:

6.3 **NPF4 Policy 14: Design, quality and place; NPF4 Policy 16: Quality Homes and CDP1/SG1: The Placemaking Principle**

NPF4 Policy 14 Intent: To encourage, promote and facilitate well designed development that makes successful places by taking a design-led approach and applying the Place Principle.

The relevant policy guidance is:

- a) Development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale.
- b) Development proposals will be supported where they are consistent with the six qualities of successful places:
 - Healthy:** Supporting the prioritisation of women's safety and improving physical and mental health.
 - Pleasant:** Supporting attractive natural and built spaces.
 - Connected:** Supporting well connected networks that make moving around easy and reduce car dependency
 - Distinctive:** Supporting attention to detail of local architectural styles and natural landscapes to be interpreted, literally or creatively, into designs to reinforce identity.
 - Sustainable:** Supporting the efficient use of resources that will allow people to live, play, work and stay in their area, ensuring climate resilience, and integrating nature positive, biodiversity solutions.
 - Adaptable:** Supporting commitment to investing in the long-term value of buildings, streets and spaces by allowing for flexibility so that they can be changed quickly to accommodate different uses as well as maintained over time.Further details on delivering the six qualities of successful places are set out in Annex D.
- c) Development proposals that are poorly designed, detrimental to the amenity of the surrounding area or inconsistent with the six qualities of successful places, will not be supported.

NPF4 Policy 16 Intent: To encourage, promote and facilitate the delivery of more high quality, affordable and sustainable homes, in the right locations, providing choice across tenures that meet the diverse housing needs of people and communities across Scotland.

The relevant policy guidance is:

- g) Householder development proposals will be supported where they:

- i. not have a detrimental impact on the character or environmental quality of the home and the surrounding area in terms of size, design and materials; and
- ii. do not have a detrimental effect on the neighbouring properties in terms of physical impact, overshadowing or overlooking.

SG1 (Part 2) includes the following specific policy advice:

Residential Development - Alterations to Dwellings and Gardens

This guidance outlines the criteria that must be met in relation to, for example design and materials, privacy and overlooking and daylighting and sunlight. It seeks to ensure that extensions and alterations to houses and flats are carefully designed, so that the visual amenity of residential buildings and areas is not adversely affected by over-dominant extensions and that residential amenity is not reduced e.g. by the excessive reduction of useable private garden space or a loss of privacy. To ensure the visual amenity of residential streets, the Council will also, where it is able, seek to limit the areas of front gardens given over to car parking.

Design and Materials – The following guidance applies:

- a) the siting, form, scale, proportions, detailed design and use of materials should be in keeping with the existing building and wider area;
- b) high quality innovative design is encouraged where it will complement the property;
- c) extensions and other alterations to dwellings should be designed so they do not dominate the existing building, or neighbouring buildings; and
- d) external materials should reflect the character of the original building and the street and the windows and doors in an extension should match those of the existing property.

Committee should note:

- The extension is proposed to be constructed in materials to match the original dwellinghouse, in accordance with policy.

Committee should consider whether:

- the siting, form, scale, proportions, detailed design and use of materials are in keeping with the existing building and wider area.
- the proposed extensions dominate the existing building or neighbouring buildings.
- the external materials proposed reflect the character of the original building and street and the windows and doors match those of the existing property.

Front to Rear Access – The following guidance applies:

a) extensions should not be built up to a common boundary thereby blocking off the only route around the house for garden equipment and refuse bins. All extensions, garages, etc., should be set back from the side property boundary by at least 900 mm to allow external movement of refuse bins, garden equipment etc from the front to the rear of the property;

Committee should note:

- Front to rear access will be maintained, in compliance with policy.

Useable Private Garden Space

A minimum of 66% of the original useable private garden space (adequately screened land, usually to the rear and side of the property, including decking but excluding driveways, garages and any parking spaces) should be retained in all house plots after extensions, garages, and outbuildings, etc., have been built, to avoid over-development of the site. Adequate car parking shall be maintained within the curtilage of the property after any extension or structure is erected.

Committee should note:

- No changes to the private garden space is proposed.

Privacy and Overlooking – the following guidance applies:

- a) there should be no adverse impact on existing or proposed accommodation;
- b) windows of habitable rooms should not increase direct overlooking into adjacent private gardens or rooms;
- c) at ground floor level, screening of 1.8 metre high will usually be required along boundaries where new windows face neighbouring properties;
- d) above ground floor level, windows of habitable rooms which directly face each other, including dormers, should be at least 18m apart and at least 10m from the site boundary. These distances do not apply to rooflights; and
- e) Obscure glazing in windows of habitable rooms is not considered an acceptable means to mitigate against privacy issues.

Exceptions to these distances may be made in situations where windows are at an angle to each other, or, for ground floor rooms, effective permanent screening either exists, or can be erected.

Committee should note:

- The new rear elevation first floor window will directly face an existing gable window of neighbouring property 14 Mossbeath Gardens. The proposed window is approximately 8.5m from the boundary and 11m to the neighbouring window, contrary to policy.

- Due to the sloping levels of the properties this rear window will also allow for overlooking of the neighbouring garden of 5 Mossbeath Court, contrary to policy.
- The proposed windows on the side elevation do not serve habitable rooms and will not directly face onto neighbouring windows.
- At ground level there is existing screening (timber fencing) of approximately 1.2m high, lower than required by policy.

Committee should consider whether:

- the proposed extension will have an adverse impact on any existing or proposed accommodation and whether it will increase direct overlooking onto adjacent private gardens or rooms.
- Appropriate screening is required and can be erected along the ground floor side boundary.

Daylight and Sunlight

Extensions should not cause a significant loss of daylight to any habitable room of neighbouring properties, or significantly block sunlight to adjacent private gardens. There should be no significant adverse impact on either existing adjacent properties, or the proposed accommodation.

The following assessments are used to assess this impact:

- a) single storey extensions will be assessed using the 45° test. Failure on both the elevation and plan would result in a significant loss of daylight to the habitable rooms in the neighbouring house and will not be acceptable;
- b) two storey extensions, or larger, shall be assessed for their impact on habitable rooms of neighbouring properties using the 'Vertical Sky Component'; and
- c) the impact of extensions on private garden ground should be assessed, where considered necessary, using the 'Calculation of Sun on the Ground' test. Applicants should submit this information where requested using three points in time: 9a.m, 12midday and 3pm, for the Spring Equinox. The impact of the original dwellinghouse must be shown at these times as well as the impact of the proposed extension, to see whether the proposed extension will significantly increase the effect on neighbouring property.

Committee should note:

- The applicant has not provided any assessment, but this was not requested during the application and was not considered to be of significant concern due to the siting and orientation of this property and neighbouring properties.
- Committee should consider whether the proposals will adversely impact neighbouring residents' daylight or sunlight.

Extensions

Extensions should generally have a pitched roof, should not project in front of the building line, should relate to the design of the original dwellinghouse, and should be subordinate to the original dwelling house in scale and design. Flat roofs on single storey extensions, if a high quality modern design, may be considered as long as the scale and design are appropriate for the existing dwelling.

One and a Half and Two Storey Extensions – Rear Extensions

To reduce the dominance of the extension, two storey rear extensions should also have a ridgeline well below the ridge of the existing house and should not generally be deeper than half the depth of the house.

Committee should note:

- The proposed extension has a pitched roof, in compliance with policy. This roofline will mirror the existing design.
- The proposed materials will match the existing dwelling.
- The proposed extension will not alter the existing building line.
- The proposed extension will not alter the existing building footprint.

Committee should consider whether:

- the proposed extension relates to the design of the original dwellinghouse.
- the proposed extension is subordinate to the original dwellinghouse.

Conversion of Garages to Living Accommodation

In general, planning permission is not required to convert garages to habitable rooms. However, in some developments garage conversions are not permitted and householders should check with the planning authority to see whether planning permission will be required in their particular case. The following guidance applies where planning permission is required:

- a) the loss of garage space should not reduce the need for appropriate car parking provision on site;
- b) the frontage alterations should reflect the character and appearance of the house;
- c) conversion of the garage should not block access from the front to the rear of the house; and
- d) the potential cumulative impact on on-street parking should also be considered.

Committee should note:

- The garage conversion would not normally require planning permission, but as this has been included within this application should still be considered.
- The front garden area has a driveway suitable for two vehicles.

- The windows are proposed to match the design of those on the property, and the cill and infill material will match the existing, in compliance with policy.

Committee should consider whether:

- The frontage alterations reflect the design and materials of the dwellinghouse.
- The loss of garage parking will result in an unacceptable loss of parking provision on site or will increase on-street parking pressures.
- The loss of the garage will result in the loss of front-to-rear access.

7 COMMITTEE DECISION

7.1 The options available to the Committee are:

- Grant planning permission, with the same or different conditions from those listed below; or
- Refuse planning permission.
- Continue the review to request further information.

8 Policy and Resource Implications

Resource Implications:

Financial: n/a

Legal: n/a

Personnel: n/a

Procurement: n/a

Council Strategic Plan: n/a

Equality and Socio-Economic Impacts:

Does the proposal support the Council's Equality Outcomes 2021-25? n/a Please specify.

What are the potential equality impacts as a result of this report? no significant impact

Please highlight if the policy/proposal will help address socio-economic disadvantage. n/a

Climate Impacts:

Does the proposal support any Climate Plan actions? Please specify: n/a

What are the potential climate impacts as a result of this proposal? n/a

Will the proposal contribute to Glasgow's net zero carbon target? n/a

Privacy and Data Protection Impacts:

Are there any potential data protection impacts as a result of this report
N

If Yes, please confirm that a Data Protection Impact Assessment (DPIA) has been carried out

9 Recommendations

That Committee consider the content of this report in coming to their decision.