

Report To: The Planning Board

Date: 3 August 2016

Report By: Head of Regeneration and Planning

**Report No: 16/0116/IC
Plan 08/16**

**Local Application
Development**

Contact Officer: James McColl

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**Subject: Proposed formation of roof balcony and dormer window together with new rooflight windows at
Flat 3-1, 77A Octavia Terrace, Greenock**

SITE DESCRIPTION

The application relates to a top floor flat within a three and a half storey flatted block situated on the southern side of Octavia Terrace, Greenock. Externally the building is finished in white drycast render with lower level yellow reconstituted stone and grey cladding at the attic flat level. The roof covering is slate. A variety of houses and flats lie adjacent on Octavia Terrace with the Greenock Wanderers playing fields and clubhouse adjoining the site to the south and east. The site is located within the Greenock West End Conservation Area.



SUMMARY

- The proposal accords with the Inverclyde Development Plan.
- Eleven letters of objection have been received. Issues include the impact on common parts of the building, on the flat below and on the appearance of the building.
- The recommendation is to GRANT PLANNING PERMISSION subject to conditions.

PROPOSAL

It is proposed to form a dormer window and small balcony in the rear roof slope facing the playing fields. The dormer is designed with a slate roof, grey cladding panels to the dormer face and white uPVC fascias, soffits and patio doors. The balcony, with a floor area of around 8.5 square metres, will feature a white panelled balustrade to match those found to the front of the building.

It is further proposed to install four rooflight windows in the rear roof slope.

DEVELOPMENT PLAN POLICIES

Policy RES1 - Safeguarding the Character and Amenity of Residential Areas

The character and amenity of residential areas, identified on the Proposals Map, will be safeguarded and where practicable, enhanced. Proposals for new residential development will be assessed against and have to satisfy the following criteria:

- (a) compatibility with the character and amenity of the area;
- (b) details of proposals for landscaping;
- (c) proposals for the retention of existing landscape or townscape features of value on the site;
- (d) accordance with the Council's adopted roads guidance and Designing Streets, the Scottish Government's policy statement;
- (e) provision of adequate services; and
- (f) having regard to Supplementary Guidance on Planning Application Advice Notes.

Policy RES5 - Proposals for Changes to Properties for Residential Use

Proposals for the change of use, sub-division or conversion to properties to create new additional dwelling units, and for the alteration or extension to residential properties, will be assessed against and have to satisfy where appropriate, the following criteria:

- (a) the character and amenity of neighbouring properties;
- (b) impact on the streetscape;
- (c) impact on the character of the existing property;
- (d) accordance with the Council's adopted roads guidance; and having regard to Supplementary Guidance on Planning Application Advice Notes.

Policy HER1 - Development which Affects the Character of Conservation Areas

Development proposals which affect conservation areas will be acceptable where they are sympathetic to the character, pattern of development and appearance of the area. Such proposals will be assessed having regard to Historic Scotland's SHEP and "Managing Change in the Historic Environment" guidance note series.

Planning Application Advice Note (PAAN) 5 on "Balconies and Garden Decking" applies.

Planning Application Advice Note (PAAN) 6 on "Dormer Windows" applies.

CONSULTATIONS

None required.

PUBLICITY

The application was advertised in the Greenock Telegraph on 27th May 2016 as development affecting a conservation area.

SITE NOTICES

A site notice was posted on 27th May 2016 for development affecting a conservation area.

PUBLIC PARTICIPATION

Eleven letters of objection (all in a standard format) from sixteen individuals have been received.

The concerns raised can be summarised as follows:

- The open area with a flat outdoor space will have a detrimental effect on the structure of the building leading to additional problems, including water ingress, on an already exposed roof.
- The roof terrace will have the effect of bringing an exposed external flat space within the internal area of the block. The terrace is directly above ceilings of rooms in the flat below making those ceilings part of the roof. This will lead to roofing and water penetration problems.
- The replacement of the two small roof windows by four larger roof windows together with the roof terrace will materially impair the shelter provided by the roof.
- The proposed roof terrace is not in keeping with the pattern of the development. It will lead to noise, reduced privacy and have a detrimental impact on neighbours.
- The proposed external materials are not in keeping with the existing building, for example the use of uPVC rather than timber.
- The approval of this application would set a precedent which could result in a variety of ad-hoc design changes to the building.
- The proposal affects common parts of the building including the roof and roof space which are jointly owned by all 14 properties within the building. There will be no agreement for the works to be undertaken.
- Internally, rooms are being enlarged by incorporating part of the common attic into the flat.

I will consider these concerns in my assessment.

ASSESSMENT

The determining factor is whether this application complies with the Inverclyde Local Development Plan (LDP), Planning Application Advice Notes (PAAN) 5 on "Balconies and Garden Decking" and 6 on "Dormer Windows", Historic Environment Scotland's Policy Statement and "Managing Change in the Historic Environment" guidance notes and, if it does, whether there are other material considerations to suggest that planning permission should be refused contrary to policy.

LDP Policy HER1 seeks to ensure that new development is sympathetic to the character, pattern of development and appearance of the Conservation Area. It is noted that proposals should have regard to Historic Environment Scotland's SHEP (now replaced by Historic Environment Scotland's Policy Statement) and "Managing Change in the Historic Environment" guidance note series. LDP Policy RES5 advises on alterations and extensions to residential properties. PAAN5 and PAAN6 provide the criteria for the assessment of proposals for balconies and dormer windows respectively. LDP Policy RES1 seeks to safeguard residential amenity.

Assessing the proposed dormer window I note this building, whilst within the Conservation Area, was constructed this century and is of a contemporary design following the continuing evolution of the built form within this part of the Conservation Area. Consideration must be given to ensure that the proposed dormer window is not at odds with the design of the building. Assessing the design against PAAN6, the dormer is located to the rear roof slope, is set back from the wall head and gable ends and is set below the ridge. The slope of the dormer roof is also consistent with the building's hip ended roof slope. The dormer roof will be finished in slate to match the main roof of the building and the face of the dormer will be finished in grey cladding. Not only will this match the cladding found to the front of the building at attic level, the grey colour when viewed against the slate roof will ensure the dormer is not a prominent feature. The existing lift shaft will remain as the most visually dominant feature to the rear elevation, and I am satisfied that the dormer will be a subordinate feature to the existing roof.



Considering the use of uPVC frames for the proposed patio doors, I note the concerns raised that this is at odds with the original timber windows. The patio doors are within the dormer and at the attic level. I do not consider that, even when viewed from the ground adjacent to the building, the use of white uPVC would have any adverse visual impact. It is also recognised that current Council supplementary planning guidance on replacement windows within conservation areas permits the use of uPVC, subject to design, within unlisted buildings. Overall, I consider that the design of the proposed dormer window is acceptable with reference to the guidance within PAAN6.



The roof lights proposed will be subordinate features to the rear roof slope. Whilst larger than the two current rooflights, I am satisfied that subject to an appropriate design and appearance with reference to the conservation area location, they will be visually acceptable. The specification can be addressed by condition.

Assessing the balcony to be formed in conjunction with the dormer, the balustrade matches those on existing balconies within the building, again ensuring consistency in design and an acceptable visual impact. The modest balcony floor area ensures that it will allow for limited seating in good weather. It is not of a size that will afford residents the opportunity of undertaking a wide range of functions over extensive periods of the day and evening to the extent that this regular or continuous activity could be to the detriment of the amenity of other residents within the building. I do not consider that the balcony will lead to any loss of privacy. Overall I am satisfied that the balcony is acceptable in terms of the guidance within PAAN5.

The design and visual impact of the dormer and balcony are considered appropriate with reference to PAANs 5 and 6 and consequently overall are acceptable with reference to LDP

Policies RES1 and RES5. As the impact on the building design is acceptable I further consider the effect on the Conservation Area is similar and presents no conflict with LDP Policy HER1 or Historic Environment Scotland's policy and guidance.

I am satisfied that the proposal complies with the Local Development Plan and National policy and guidance it rests to consider if there are any other factors that would persuade refusal against policy.

Considering the outstanding points raised in the objection letters, the applicant has completed the appropriate certificate on the application form to indicate that he does not wholly own the application site. He has also certified that he has notified all other part owners of the application site. While it is noted that other residents may wish to exercise rights as joint owners of the building, this cannot prejudice the determination of a planning application that complies with planning policy. The granting of planning permission is only one of a number of permissions that may be required before development may be undertaken and does not imply that development will occur.

With regard to structural concerns and the potential for the proposal to impact adversely on the fabric of the building, the building warrant process will ensure the proposal complies with the Building (Scotland) Regulations.

Whilst I note the concern that this proposal may set a precedent for future development on an ad-hoc basis, all planning applications are considered on their individual merit.

Finally, the internal works to the flat together with the occupation of part of the roof space does not require planning permission.

Overall, there are no material planning considerations which would warrant determination of the application contrary to policy.

RECOMMENDATION

That the application be granted subject to the following conditions:

1. Prior to the commencement of works on site, samples of all dormer and balcony external materials shall be submitted to and approved in writing by the Planning Authority. Works shall then proceed utilising the approved materials or any alternative agreed in writing by the Planning Authority.
2. Prior to the commencement of works on site, the full specification of the proposed rooflight windows shall be submitted to and approved in writing by the Planning Authority. Works shall then proceed as approved unless any alternative agreed in writing by the Planning Authority.

Reasons

1. To ensure the proposed external dormer and balcony materials are appropriate for the building, in the interest of visual amenity within the Greenock West End Conservation Area.
2. To ensure the proposed rooflights are appropriate for the building, in the interest of visual amenity within the Greenock West End Conservation Area.

Stuart Jamieson
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