

**SCOTTISH BORDERS COUNCIL**

**PLANNING AND BUILDING STANDARDS COMMITTEE**

**4 MARCH 2024**

**APPLICATION FOR PLANNING PERMISSION**

**ITEM:** **REFERENCE NUMBER:** 23/00980/FUL

**OFFICER:** Julie Hayward  
**WARD:** Selkirkshire  
**PROPOSAL:** Alterations and extension to dwellinghouse  
**SITE:** 24 Davidson Place Newtown St Boswells Melrose  
**APPLICANT:** Mrs Elaine Thornton-Nichol  
**AGENT:** Stuart Davidson Architecture

**PLANNING PROCESSING AGREEMENT:**

A Planning Processing Agreement is in place until 4<sup>th</sup> March 2024.

**SITE DESCRIPTION:**

The property is a semi-detached, two storey dwellinghouse situated within a residential part of Newtown St Boswells. The surrounding area is characterised by similar residential properties, the majority of which are finished with rendered walls under a tiled roof. There are semi-detached properties either side and directly opposite as well as a small area of informal off-street parking. The application site includes white UPVC replacement windows and solar panels on the front roof slope. To the rear are dwellings, of a similar style, separated by rear gardens defined by timber fences.

**PROPOSED DEVELOPMENT:**

This application is brought before the Planning and Building Standards Committee under the Council's Scheme of Delegation to the Chief Planning and Housing Officer.

The scheme of delegation allows the appointed officer to determine:

- Any application for planning permission; and
- Any application for consent, agreement or approval required by condition imposed on a grant of planning permission,

being an application, which meets the definition of a local development as specified in the Town and Country Planning (Hierarchy of Developments) (Scotland) regulations 2009. However, there a number of exemptions where the Chief Planning and Housing Officer shall not determine an application. Amongst other criteria, this includes applications submitted by an Elected Member of the Council.

The proposals include:

- A conservatory on the rear elevation of the dwelling. This would have rendered walls, though no details of the material or colour finish of the frame have been provided.
- An extension on the side elevation to provide a vestibule and WC. This would have Cedar panelling and a pressed metal finish for the walls and a flat roof.
- A flat roofed dormer window would be inserted into the rear roof slope. This would have natural slate finish and would enable a staircase to be installed to access to a bedroom that would be formed in the roof space.
- Two roof lights would be inserted into the rear roof slope and the chimney would be removed.

#### **PLANNING HISTORY:**

There is no planning history for this property.

#### **REPRESENTATION SUMMARY:**

No representations have been received.

#### **APPLICANTS' SUPPORTING INFORMATION:**

None.

#### **DEVELOPMENT PLAN POLICIES:**

##### **National Planning Framework 4**

Policy 1: Tackling the Climate and Nature Crises

Policy 2: Climate Mitigation and Adaptation

Policy 14: Design, Quality and Place

##### **Scottish Borders Council Local Development Plan 2016**

Policy PMD1: Sustainability

Policy PMD2: Quality Standards

Policy HD3: Protection of Residential Amenity

Policy IS7: Parking Provisions and Standards

#### **OTHER PLANNING CONSIDERATIONS:**

Supplementary Planning Guidance:

Placemaking and Design 2010

Householder Development (Privacy and Sunlight) 2006

#### **CONSULTATION RESPONSES:**

No consultations were considered necessary.

## **KEY PLANNING ISSUES:**

- Whether the scale, siting and design comply with Development Plan policies.
- Visual impacts.
- Impacts on neighbouring amenity.
- Parking, road safety and access issues.

## **ASSESSMENT OF APPLICATION:**

### Siting, Layout and Design

Policy 14 of National Planning Framework 4 requires development proposals to be designed to improve the quality of an area, whether urban or rural locations and regardless of scale. The policy encourages, promotes and facilitates well designed development that makes successful places by a design-led approach. Proposals will be supported where they are consistent with the 6 qualities of successful places: healthy, pleasant, connected, distinctive, sustainable and adaptable.

Policy PMD2 of the Local Development Plan 2016 requires all development to be of high quality in accordance with sustainability principles, designed to fit in with Borders townscapes and to integrate with its landscape surroundings. The policy contains a number of standards that would apply to all development.

The proposed conservatory would extend across the majority of the rear elevation of the property. However, the size, scale and design is acceptable and appropriate to the host building.

The extension on the side elevation would be small in scale, with a flat roof, finished using contemporary materials inconsistent with existing external materials. This small, side extension would also be an acceptable addition to the host dwelling and the materials would not be unsympathetic.

A condition will secure exact details of the external materials of the conservatory and the side extension.

In terms of the proposed dormer window, consideration must be given to advice contained within the approved Supplementary Planning Guidance Note on Placemaking and Design. The guidance encourages dormer windows to align with ground floor windows and doors; and double width dormers, with a horizontal emphasis to the windows should be avoided. Similarly, box dormers and dormers that rise above the ridge of the roof should also be avoided. The bulk, or mass of larger dormers can be visually reduced by the colour or use of materials to match the existing roof.

It is understood that the proposed dormer extension is required in this position on the rear roof slope to ensure sufficient headroom for the new internal staircase. It would be narrow (2m wide and 2.6m deep), though would extend to ridge level, but not project above. As the dormer would be to the rear, this element of the proposal can be accepted.

The proposal as initially submitted showed the dormer clad in pressed metal, however, the agent has submitted a revised drawing with the front and sides of the dormers finished in natural slate to blend in with the existing roof. The proposal is now considered to be acceptable.

The loss of the chimney is regrettable but not a sufficient reason to recommend refusal of the application.

#### Impact on Visual Amenities

The proposed conservatory would not be visible from the street; the extension on the side elevation would be small in scale and not prominent in the streetscene, especially compared to other modest extensions and garages along the side elevations of other properties locally.

The proposed dormer extension would be visible in oblique angles from the south when looking northwards and would be visible between the houses in Roxburghe Place to the east. However, the change in external materials will help to reduce its prominence, where it will not have an unacceptable adverse impact on the visual amenities of the area or the wider street scene. A condition should secure precise details of all external materials and finishes.

#### Impact on Residential Amenity

Policy HD3 states that development that is judged to have an adverse impact on the amenity of residential areas will not be permitted.

The Council's Supplementary Planning Guidance: Guidance on Householder Developments July 2006 contains guidance on privacy, overlooking and access to light that can be applied when considering planning applications for new developments to ensure that proposals do not adversely affect the residential amenities of occupants of neighbouring properties.

It is proposed to construct a relatively high wall (2.5m) on the side elevation of the conservatory with no.22 to ensure no unacceptable adverse impacts on residential amenity as a result of overlooking or loss of privacy. The wall would also be required to ensure compliance with building standards regulations due to the proximity of the extension to a mutual boundary. In terms of access to light, the agent has provided additional supporting information demonstrating compliance with the Council's approved guidance on the protection of residential amenity. When applying the 45-degree rule to the neighbouring window closest to the mutual boundary between No 22 and No 24 the proposed conservatory does not breach the vertical line when but does breach the horizontal line, indicating potential impacts the amount of light available to the to the ground floor room at the rear of no.22. However, whilst there may be a reduction in natural light to this window, it worth noting that a single storey extension could be erected on the rear elevation of No 24 under permitted development rights which would have a similar effect. In addition, there is an existing boundary fence between the properties which will also impact on the availability of light to this window. Accounting for the existing fence and domestic permitted development rights, it is considered that the proposed conservatory can be supported.

The extension on the side elevation would not result in any loss of light or privacy to no.26 to the south.

The dormer window in the rear elevation would be to the proposed internal staircase, and is unlikely to result in significant overlooking of properties in Roxburghe Place to the rear.

### Parking, Road Safety and Access Issues

Policy IS7 requires that car parking should be provided in accordance with the Council's adopted standards. There would be no loss of on-site parking and no impact on road safety.

### **CONCLUSION**

Subject to compliance with the schedule of conditions, the development will accord with the relevant provisions of the Statutory Development Plan and there are no material considerations that would justify a departure from these provisions.

### **RECOMMENDATION BY CHIEF PLANNING AND HOUSING OFFICER:**

I recommend the application is approved subject the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
Reason: To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997, as amended.
2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans and specifications approved by the Planning Authority.  
Reason: To ensure that the development is carried out in accordance with the approved details.
3. Notwithstanding the description of the materials in the application, no development shall be commenced until precise details of the materials to be used in the construction of the external walls and roofs of the extensions have been submitted to and approved in writing by the Planning Authority, and thereafter no development shall take place except in strict accordance with those details.  
Reason: The materials require further consideration to ensure a satisfactory form of development, which contributes appropriately to its setting.

### DRAWING NUMBERS

P811-PL-LOC A      Location Plan  
P811-PL-001 C      Proposed Floor Plans an Elevations  
P811-PL-002      Existing Floor Plans and Elevations

### **Approved by**

Name	Designation	Signature
Ian Aikman	Chief Planning and Housing Officer	

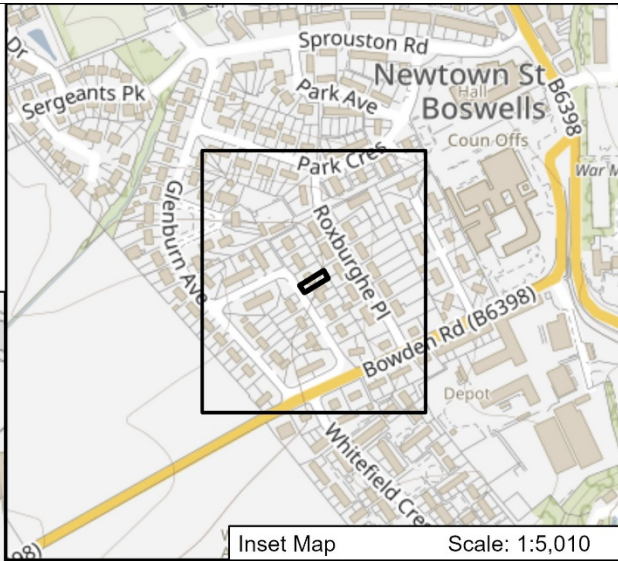
The original version of this report has been signed by the Chief Planning and Housing Officer and the signed copy has been retained by the Council.

### **Author(s)**

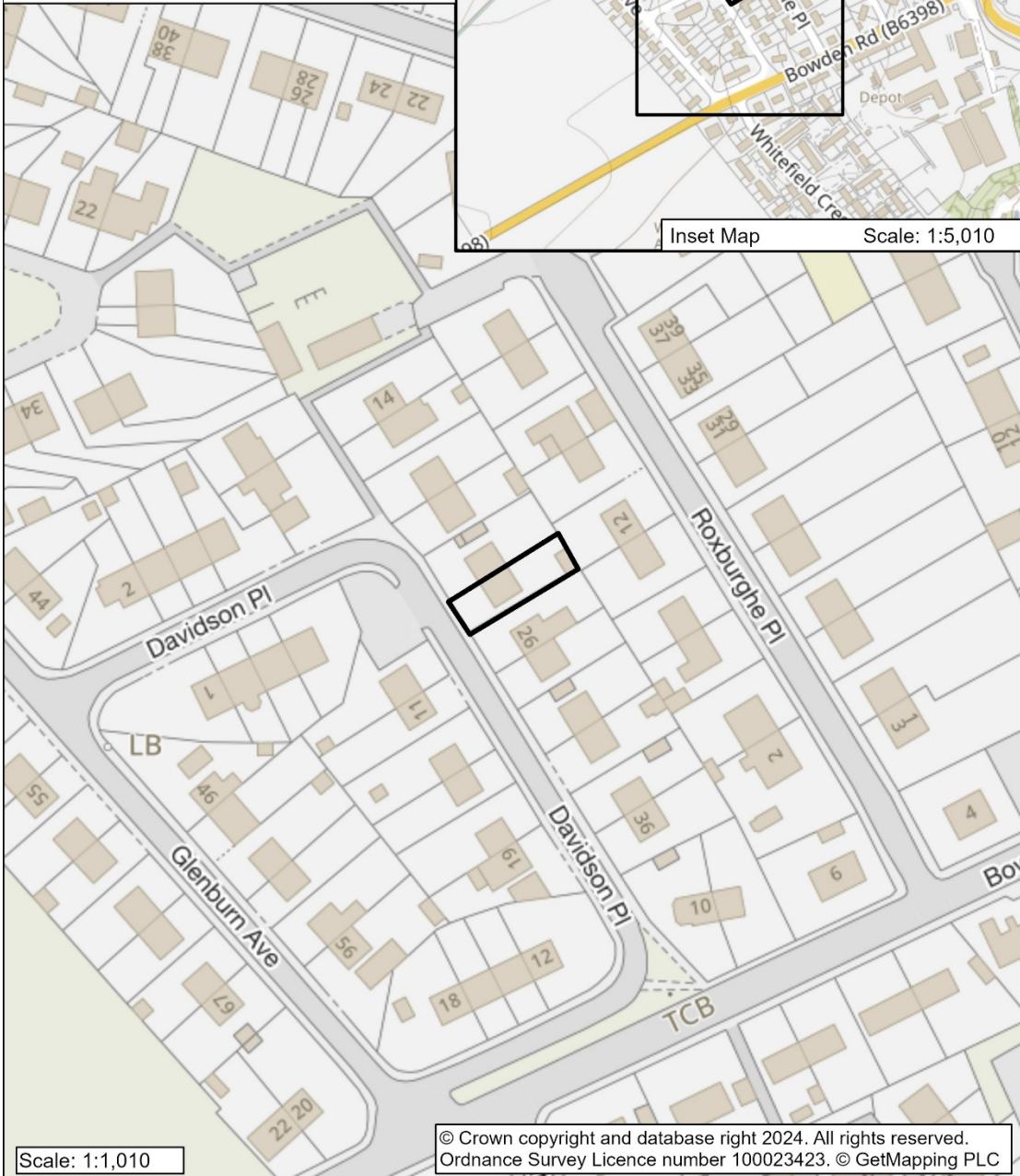
Name	Designation
Julie Hayward	Team Leader Development Management



23/00980/FUL  
24 Davidson Place  
Newtown St Boswells



Inset Map Scale: 1:5,010



Scale: 1:1,010

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