

AGENDA ITEM NO. 2(b)

LOCAL REVIEW BODY

7 NOVEMBER 2018

PLANNING APPLICATION FOR REVIEW

MR P MCELWEE ERECTION OF A CONSERVATORY 38 DUTHIE ROAD, GOUROCK (18/0104/IC)

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1. PLANNING APPLICATION DATED 4 APRIL 2018 TOGETHER WITH PLANS AND LOCATION PLAN

Inverclyde						
Municipal Buildings Clyde Square Greenock PA15 1LY Tel: 01475 717171 Fax: 01475 712 468 Email: devcont.planning@inverclyde.gov.uk						
Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.						
Thank you for completing this application form:						
ONLINE REFERENCE 100089812-001						
The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.						
Description of Proposal						
Please describe accurately the work proposed: * (Max 500 characters)						
Erect Conservatory						
Has the work already been started and/ or completed? *						
X No Yes - Started Yes – Completed						
Applicant or Agent Details						
Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)						

Agent Details									
Please enter Agent details									
Company/Organisation:	CB Smith Clasics								
Ref. Number:		You must enter a Bu	uilding Name or Number, or both: *						
First Name: *	Tony	Building Name: CR Smith Glaziers (Dunfermline) L							
Last Name: *	McGrath	Building Number:							
Telephone Number: *	01383 732181	Address 1 (Street): *	Gardeners Street						
Extension Number:		Address 2:							
Mobile Number:		Town/City: *	Dunfermline						
Fax Number:		Country: *	Scotland						
		Postcode: *	KY12 0RN						
Email Address: *	ross.jeffrey@crsmith.co.uk								
	ual or an organisation/corporate entity? *								
Applicant Det	ails								
Please enter Applicant de	tails								
Title:	Mr	You must enter a Bu	ilding Name or Number, or both: *						
Other Title:		Building Name:							
First Name: *	Р	Building Number:	38						
Last Name: *	McElwee	Address 1 (Street): *	Duthie Road						
Company/Organisation		Address 2:							
Telephone Number: *		Town/City: *	Gourock						
Extension Number:		Country: *	Scotland						
Mobile Number:		Postcode: *	PA19 1XS						
Fax Number:									
Email Address: *									

Site Address Details								
Planning Authority: Inverclyde Council								
Full postal address of the site (including postcode where available):								
Address 1:	38 DUTHIE ROAD							
Address 2:								
Address 3:								
Address 4:								
Address 5:								
Town/City/Settlement:	GOUROCK							
Post Code:	PA19 1XS							
Please identify/describe th	ne location of the site or sites							
Northing	577004	Easting	225078					
Dro Annliactio								
Pre-Applicatio	proposal with the planning authority? *		🗌 Yes 🔀 No					
Trees								
Are there any trees on or adjacent to the application site? *								
If yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.								
Access and Parking								
Are you proposing a new or altered vehicle access to or from a public road? *								
If yes, please describe and show on your drawings the position of any existing, altered or new access points, highlighting the changes you proposed to make. You should also show existing footpaths and note if there will be any impact on these.								
Planning Service Employee/Elected Member Interest								
Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an Yes X No elected member of the planning authority? *								

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT	
PROCEDURE) (SCOTLAND) REGULATION 2013	

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

 Are you/the applicant the sole owner of ALL the land? *
 X Yes
 No

 Is any of the land part of an agricultural holding? *
 Yes
 No

Is any of the land part of an agricultural holding? *

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that -

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

 Signed:
 Tony McGrath

 On behalf of:
 Mr P McElwee

 Date:
 04/04/2018

 Image: Imag

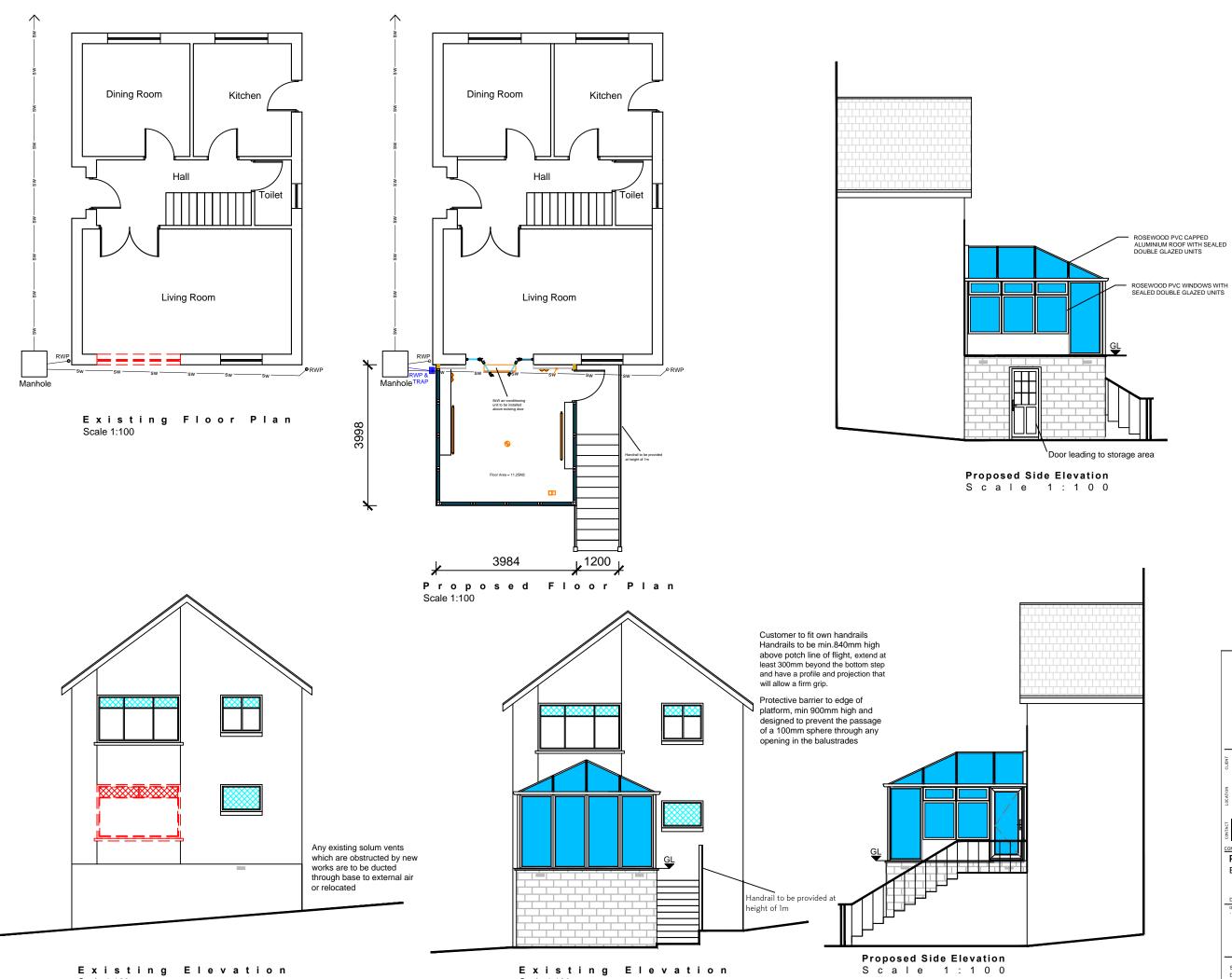
Checklist – Appl	lication for Householder Application	
in support of your application.	complete the following checklist in order to ensure that you have provided all the Failure to submit sufficient information with your application may result in your ap will not start processing your application until it is valid.	
a) Have you provided a writter	a description of the development to which it relates?. *	X Yes 🗌 No
	al address of the land to which the development relates, or if the land in question ription of the location of the land? *	X Yes 🗌 No
c) Have you provided the nam applicant, the name and addre	e and address of the applicant and, where an agent is acting on behalf of the ess of that agent.? *	X Yes No
 d) Have you provided a location land in relation to the locality a and be drawn to an identified s 	on plan sufficient to identify the land to which it relates showing the situation of the ind in particular in relation to neighbouring land? *. This should have a north point scale.	🗙 Yes 🗌 No
e) Have you provided a certific	cate of ownership? *	X Yes No
f) Have you provided the fee p	ayable under the Fees Regulations? *	X Yes 🗌 No
g) Have you provided any othe	er plans as necessary? *	X Yes 🗌 No
Continued on the next page		
A copy of the other plans and (two must be selected). *	drawings or information necessary to describe the proposals	
You can attach these electroni	ic documents later in the process.	
Existing and Proposed ele	evations.	
Existing and proposed flo	or plans.	
Cross sections.		
Site layout plan/Block plan	ns (including access).	
Roof plan.		
Photographs and/or photo	omontages.	
•	ple a tree survey or habitat survey may be needed. In some instances you about the structural condition of the existing house or outbuilding.	Yes X No
	may wish to provide additional background information or justification for your and you should provide this in a single statement. This can be combined with a *	Yes X No
You must submit a fee with yo Received by the planning auth	ur application. Your application will not be able to be validated until the appropriat ority.	e fee has been
Declare – For Ho	ouseholder Application	
I, the applicant/agent certify the Plans/drawings and additional	at this is an application for planning permission as described in this form and the information.	accompanying
Declaration Name:	Mr Ross Jeffrey	

Declaration Date: 04/04/2018

Payment Details

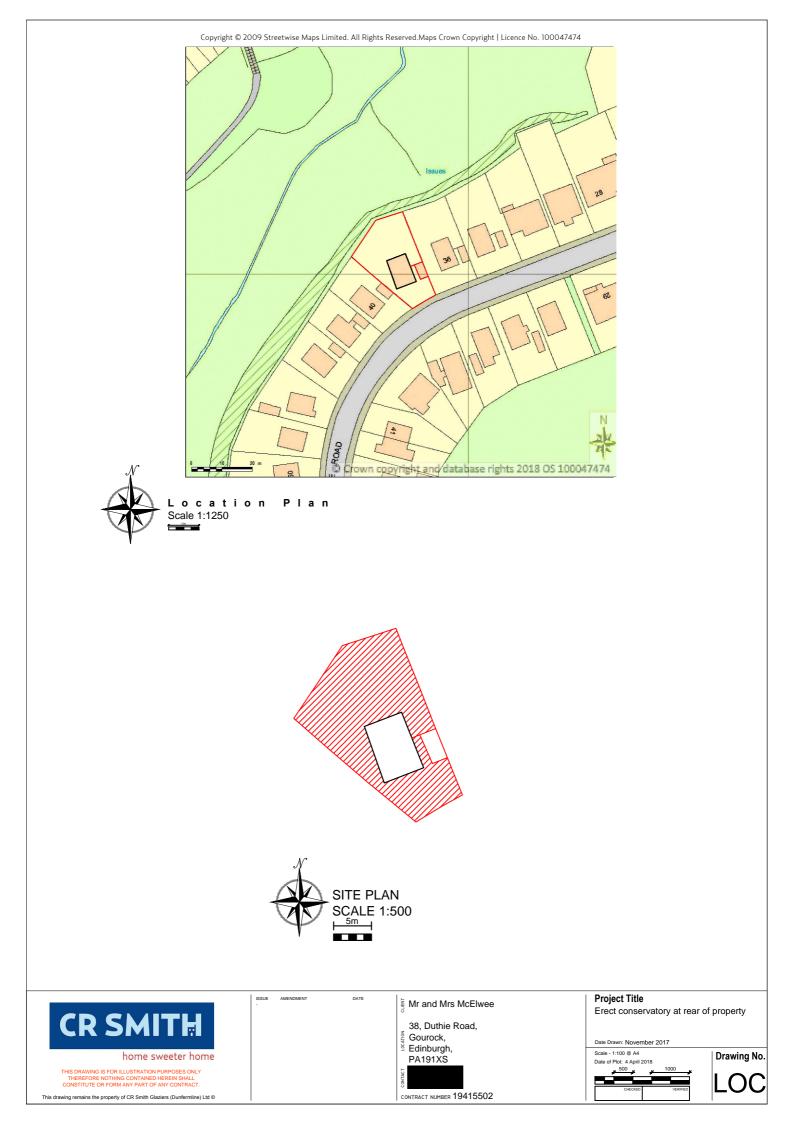
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Scale 1:100

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THIS DRAWING IS FOR ILLUSTRATION PURPOSES ONLY THEREFORE NOTHING CONTAINED HEREIN SHALL CONSTITUTE OR FORM ANY PART OF ANY CONTRACT. This drawing remains the property of CR Smith Glaziers (Durfermline) Ltd ©							
Mr and Mrs McElwee							
Mr and Mrs McElwee 38, Duthie Road, Gourock, Edinburgh, PA191XS <u>Contract NUMBER 19415502</u> Project Title Erect conservatory at rear of property <u>Date Drawn: 4 April 2018</u> <u>Drawn By: Ross Jeffrey</u> <u>ISUE</u> <u>AMENDMENT</u> DATE							
Scale - 1:100 @ A3	Drawing No.						
Scale - 1:100 @ A3 Date of Plot: 4 April 2018							
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ross.jeffrey@crsmith.co.uk	I						



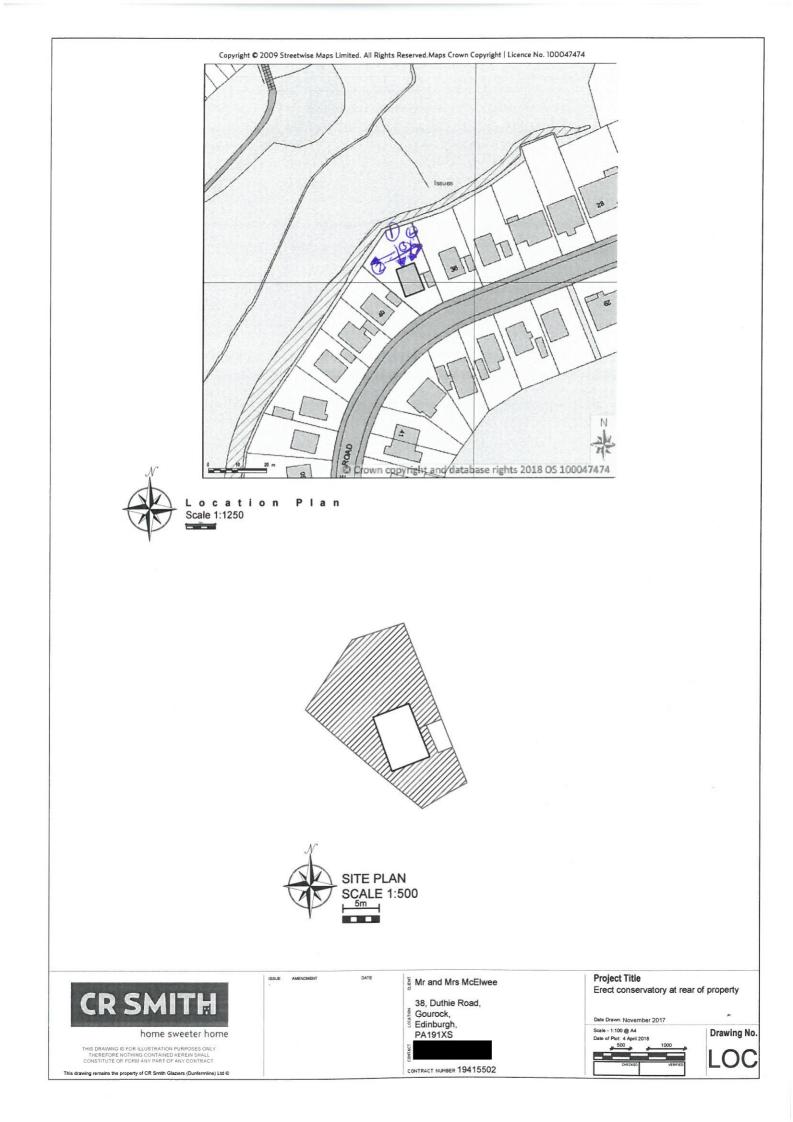
2. APPOINTED OFFICER'S SITE PHOTOGRAPHS TOGETHER WITH LOCATION PLAN (PHOTOGRAPHS TAKEN ON 2 MAY 2018)











3. APPOINTED OFFICER'S REPORT OF HANDLING DATED 6 JULY 2018



REPORT OF HANDLING								
Report By:	Fiona Milne	Report No:	18/0104/IC					
			Local Application Development					
Contact Officer:	01475 712412	Date:	6 th July 2018					
Subject:	Erection of a conservatory at 38 Duthie Road, Gourock							

SITE DESCRIPTION

The application relates to a detached two storey dwellinghouse located on the north side of Duthie Road, Gourock. The building is finished primarily in red facing brick, grey drycast render and a weathered concrete tile roof. Dwellinghouses of a similar design theme lie adjacent, with an area of woodland to the rear.

PROPOSAL

Planning permission is sought for the erection of a conservatory to the rear of the property. This will be 5.3 metres high and extend 4.0 metres from the existing rear wall, covering 16 square metres. The floor level of the conservatory is the same as that of the house, raised approximately 2.3 metres above ground level. This will create an underbuilding that will be used as a storage area accessed from the garden by a door located on the north east elevation.

The conservatory will be accessed internally by a new double door, which will replace a window from the living room and externally by a door on the south-west elevation leading to an external flight of stairs down to the garden. The stair will be 1.2 metres wide and project approximately 4.3 metres into the rear garden, with a 1 metre high handrail on the south west side. The conservatory and stairs will be set back approximately 0.1 metres from the north-east elevation and 1.1 metres from the south-west elevation.

The conservatory will be finished with a rosewood uPVC capped aluminium roof and rosewood uPVC windows to match the existing dwelling.

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.

Planning Application Advice Note (PAAN) 4 on "House Extensions" applies.

PROPOSED DEVELOPMENT PLAN POLICIES

Policy 1 - Creating Successful Places

Invercive Council requires all development to have regard to the six qualities of successful places. In preparing development proposals, consideration must be given to the factors set out in Figure 3. Where relevant, applications will also be assessed against the Planning Application Advice Notes Supplementary Guidance.

Policy 20 - Residential Areas

Proposals for development within residential areas will be assessed with regard to their impact on the amenity, character and appearance of the area. Where relevant, assessment will include reference to the Council's Planning Application Advice Notes Supplementary Guidance.

Proposed Planning Application Advice Note (PAAN) 4 on "House Extensions" applies.

CONSULTATIONS

None required.

PUBLICITY

The nature of the proposal did not require advertisement.

SITE NOTICES

The nature of the proposal did not require a site notice.

PUBLIC PARTICIPATION

No representations were received.

ASSESSMENT

The material considerations in the assessment of this application are the adopted Inverclyde Local Development Plan and proposed Inverclyde Local Development Plan, both the adopted and proposed Planning Application Advice Note (PAAN) 4s on "House Extensions", the visual impact of the proposal and the impact on the amenity of neighbouring residents.

The site is located within the residential area where Policies RES1 and RES5 of the adopted Plan and Policy 20 of the proposed Plan apply. Policy RES1 and proposed Policy 20 safeguard the character and amenity of residential areas and Policy RES5 advises on alterations to existing residential properties. Policy 1 of the proposed Plan requires development to have regard to the six qualities of successful places, taking account of the factors set out in Figure 3. In this case, the relevant factor relates to avoiding conflict with adjacent uses.

As the proposal is for a residential related development within an established residential area, it accords in principle with Policy RES1 and Policy 20. Considering design, the proposal is best assessed against the criteria set out in Policy RES5, together with both versions of PAAN4.

Policy RES5 indicates that proposals for the alteration or extension to residential properties require to 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. The extension is located to the rear southern side of the curtilage and will be screened from public view by the existing dwelling and boundary wall. In considering neighbour amenity, neighbouring properties at 36 and 40 Duthie Road will have a view of the proposal to the east and west of the application site respectively. Views from 40 Duthie Road are limited by the distance between the property and the proposed conservatory, but there will be clear views from 36 Duthie Road due to the proximity of the proposed conservatory to the boundary and its overall height. On these grounds, I consider that the proposal has the potential to have a negative impact on the character and amenity of neighbouring properties (criterion (a)) but a negligible impact on the streetscape (criterion (b)). The extension will be finished in materials compatible with the existing house. The materials and colour of the underbuilding and door has not been stated, but I am content that this can be dealt with by the inclusion of a condition relating to these matters. The proposal will therefore have a negligible impact on the character of the existing property (criterion (c)).

Both PAAN4s seek to achieve a balance between those wishing to extend their property whilst protecting the amenity of neighbouring residents. It is this which guides the impact on neighbouring property. The conservatory will be located approximately 6.2 metres from the rear boundary, thus not encroaching within the 5.5 metre minimum distance requirement. It will not result in more than 25% (50% in the proposed PAAN4) of the rear garden area being developed or cause any unacceptable loss of light to the neighbouring properties. The windows on the side elevations will offer a direct view of neighbouring rear/private gardens at 36 Duthie Road due to the height of the floor level above ground level and the position of the conservatory approximately 3.5 metres from the common boundary, contrary to the guidance in both PAAN4s and therefore criteria (d) of Policy RES5. The applicant was offered the option of installing opaque glazing to the side elevations of the proposed conservatory as a means to mitigate the impact on neighbouring properties, which was declined. It is recognised that there are examples of balconies and decks in neighbouring properties however these by nature follow incidental use, whereas a conservatory provides year long use.

In conclusion, the proposal is contrary to both the adopted and proposed PAAN4 as it offers a direct view of neighbouring rear/private gardens. It is not appropriate to attach a condition relating to boundary screening in this instance, as any screening would exceed 2.5 metres and therefore be contrary to the advice in the adopted and proposed PAAN4. As it is contrary to PAAN4, the proposal is also contrary to criteria (d) of Policy RES5. The overlooking created by the proposal means it will create a conflict with neighbouring uses and have a negative impact on neighbouring

amenity, meaning it is also contrary to criteria (a) of Policy RES5 of the adopted Plan and Policies 1 and 20 of the proposed Plan. Accordingly, I am not in a position to give the proposal my support.

RECOMMENDATION

That the application be refused for the following reasons:

 That due to overlooking from the proposed conservatory, it will create a potential privacy conflict with neighbouring properties to the detriment of their amenity and therefore cannot be justified in terms of Policy RES5 of the adopted Inverclyde Local Development Plan; it cannot be justified in terms of Policies 1 and 20 of the proposed Inverclyde Local Development Plan; and is contrary to the guidance within the adopted and proposed Planning Application Advice Notes 4 on "House Extensions" as it will offer a direct view of neighbouring rear garden areas.

Signed:

Case Officer: Fiona Milne

Stuart Jamieson Head of Regeneration and Planning

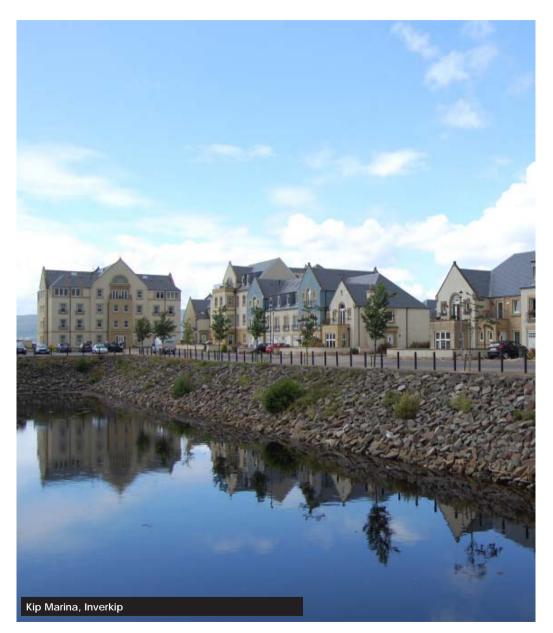
4. INVERCLYDE LOCAL DEVELOPMENT PLAN 2014 SUPPLEMENTARY GUIDANCE ON PLANNING APPLICATION ADVICE NOTES (PAANS)



SUPPLEMENTARY GUIDANCE on PLANNING APPLICATION ADVICE NOTES (PAANS)

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- 3.0 The PAANs
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 - 4 House Extensions
 - 5 Balconies and Garden Decking
 - 6 Dormer Windows
 - 7 Window Replacement in Conservation Areas and in Listed Buildings
 - 8 Siting and Design of New Houses in the Countryside
 - 9 Siting and Design of New Farm Buildings
 - **10** Signage and Advertisements
 - **11** Shopfront Design



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1.0 Purpose and Background

1.1 The purpose of this Supplementary Guidance (SG) is to supplement certain policies and proposals in the LDP. The policies that are most affected and require this additional advice are outlined in Section 2.0 and relate mainly to residential development proposals.

1.2 The SG is a material consideration for the Council in the assessment of all relevant planning applications under the policies listed in Section 2.0. It should be read in conjunction with other relevant policies of the adopted LDP.

1.3 The Council receives between 450 and 500 planning applications each year, including those for listed building and advertisement consent.

1.4 Considerable delays can result when applicants present their development proposals without having consulted the Planning Service first. Pre-application discussions are strongly encouraged in order to make applicants aware of the advice that is available to them, which should help to speed-up the planning process.

1.5 Eleven PAANs have been prepared for this purpose, providing detailed advice on the most common planning applications, which if followed should assist applicants wishing to undertake development and works of this kind and submit proposals that are more likely to be acceptable and approved.

1.6 The PAANs are designed to assist applicants to submit their proposals without having to amend them later on in the assessment process. Without

having first discussed the advice available with officers, proposals are likely to require amendment leading to applicants facing additional expense preparing revised plans and re-notifying neighbours.

1.7 The PAANs should not only assist applicants receive planning permission, but also within a reasonable timeframe.

1.8 It is acknowledged that there may be additional requirements or new issues that may arise requiring review and amendments to the existing PAANs or the preparation of new ones. If considered necessary, this will be done and any changes or new PAANs would have the same status as those currently approved PAANs within this adopted SG.

2.0 Relationship to Local Development Plan

2.1 The PAAN Nos. 1-11 are designed to supplement the policy content of the LDP. The PAANs are referenced in the LDP under a number of policies, in particular in Chapter 6 and to a lesser extent, chapters 7 and 9.

2.2 The relevant policies are:

Chapter 6: Policy RES1 – PAAN Nos. 1; 2 & 3

Chapter 6: Policy RES5 – PAAN Nos. 4; 5; 6 & 7

Chapter 6: Policy RES7 – PAAN Nos. 8 & 9

Chapter 7: Policy TCR7 – PAAN Nos. 10 & 11

Chapter 8: Policy ENV2 - PAAN No. 8

Chapter 9: Policies HER1 and HER4 – PAAN No. 7

3.0 The PAANs

3

Planning Application Advice Note No. 1

BACKLAND and TANDEM RESIDENTIAL DEVELOPMENT

Backland sites are areas of ground which do not have a direct street frontage. They are linked to the road via an access between buildings which themselves have direct road frontages. Pressure for backland development comes in many forms; a new house within the rear garden of an existing house and the development of hidden sites accessed via a narrow lane between buildings are typical examples.

Tandem development is where a house is sited beside an existing house and it shares a common drive.

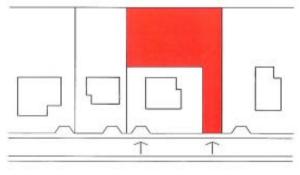
This Advice Note provides a guide to the issues that are considered in determining planning applications for these types of development. Applications for backland residential development will be considered with reference to the following:

• The impact of traffic generation and movement on the amenity of adjacent houses or flats.

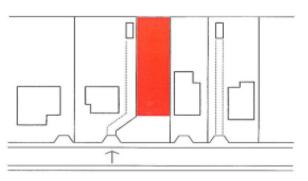
The position of the site access and the location of any parking areas with particular reference to the proximity of existing residential buildings, the position of habitable rooms and windows within adjacent buildings, and the impact on areas of existing private garden ground will be assessed. Proposals will only be supported where the resultant impact is considered to be comparable to or better than established levels of amenity evident in the immediate locality.

• The impact on traffic safety.

Vehicles and pedestrians must be able to enter and leave the site safely without danger to others. In this respect appropriate visibility sightlines must be provided at the entrance to the site. The access link may require to provide for vehicles passing dependent upon the length of the access and the number of houses being developed.



Backland Development



Tandem Development

• The shape of the site and its ability to be developed without unacceptable impact on adjacent houses or flats.

Considerations will include an assessment of the proximity between existing and proposed residential buildings, the relationship between windows within adjacent buildings (see window intervisibility guidance), the impact on daylight in adjacent houses or flats and the impact of shadow and disturbance on areas of existing private garden ground. Proposals will only be supported where the resultant impact is considered to be comparable to or better than established levels of amenity evident in the immediate locality.

• <u>Compatibility with established development</u>. The proposed development must be able to provide buildings and gardens comparable with and complementary to those in the immediate locality.

Applications for tandem residential development will be considered with reference to the following:

• <u>The impact of traffic generation and</u> movement on the amenity of adjacent houses or flats.

The position of the common drive and the location of any parking areas with particular reference to the proximity of existing residential buildings, the position of habitable rooms and windows within adjacent buildings, and the impact on areas of existing private garden ground will be assessed. Proposals will only be supported where the resultant impact is considered to be comparable to or better than established levels of amenity evident in the immediate locality.

5

• The impact on traffic safety.

Vehicles and pedestrians must be able to use the common drive safely. In this respect the common drive may require to provide for vehicles passing dependent upon the length of the access.

• <u>The shape of the site and its ability to be</u> <u>developed without unacceptable impact on</u> <u>adjacent houses or plots.</u>

The proposed development must be able to be developed without unacceptable impact on adjacent houses or flats. Considerations will include an assessment of the proximity between existing and proposed residential buildings, the relationship between windows within adjacent buildings (see window intervisibilty guidance), the impact on daylight in adjacent houses or flats and the impact of shadow and disturbance on areas of existing private garden ground. Proposals will only be supported where the resultant impact is considered to be comparable to or better than established levels of amenity evident in the immediate locality.

• <u>Compatibility with established development.</u> Provide buildings and gardens comparable with and complementary to those in the immediate locality.

Applications in conservation areas

The Greenock West End and Kilmacolm Conservation Areas are characterised by substantial villas set in large gardens. Understandably, there has been pressure for backland residential development in these areas. Historic Scotland's Scottish Historic Environment Policy explains the Government's position. The Scottish Government require the historic environment to be cared for, protected and enhanced. Development which does not respect the scale, design and detailing of existing buildings will not generally be supported.

Applications in the grounds of listed buildings

New development within the grounds of listed buildings must have regard to the following:

• The listed building should be maintained as the visually prominent building.

• The principal elevations of the listed building should remain visible from all key viewpoints. New building should not breach any close formal relationship between the listed building and traditional outbuildings.

- Formal gardens should not be affected.
- Developments in front gardens which damage buildings to street relationships will not be supported.

• If a listed building is proposed to be upgraded as part of any development, work requires to be implemented to the listed building as the first stage or as part of an agreed phasing scheme.

Trees

Some backland and tandem sites require tree felling to enable development. The Town and Country Planning (Tree Preservation Orders and Trees in Conservation Areas) (Scotland) Regulations 2010 deem that in all but exceptional circumstances, the consent of the Council is required to fell or lop any tree covered by a TPO (Tree Preservation Order) or within a Conservation Area. The promotion of TPOs is an ongoing process and, in assessing applications for development, the Council has a duty to consider the visual impact which would result if tree felling is required.

Window intervisibility

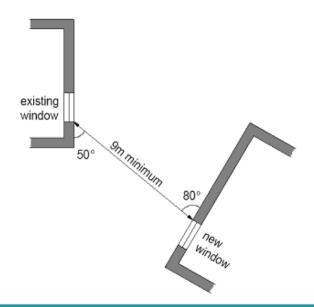
Angle at window of any other house not

The table below details acceptable levels of window to window intervisibility. The distances are taken from the shortest point between the windows.

Minimum Window to Window Distances (metres)

Angle at window of house/extension etc. to be erected not more than:

	erected not more than.										
		90°	80°	70°	60°	50°	40°	30°	20°	10°	0°
	90°	18	18	18	18	13	9	6	4	3	2
	80°	18	18	18	13	9	6	4	3	2	-
	70°	18	18	13	9	6	4	3	2	-	-
	60°	18	13	9	6	4	3	2	-	-	-
	50°	13	9	6	4	3	2	-	-	-	-
	40°	9	6	4	3	2	-	-	-	-	-
	30°	6	4	3	2	-	-	-	-	-	-
more than:	20°	4	3	2	-	-	-	-	-	-	-
ret	10°	3	2	-	-	-	-	-	-	-	-
Ĕ	0°	2	-	-	-	-	-	-	-	-	-



Before you submit your application you may contact us for free advice and guidance on **01475 712418** or email **devcont.planning@inverclyde.gov.uk** Our officers will be pleased to offer you advice on your proposal before you submit your application.

Planning Application Advice Note No. 2

SINGLE PLOT RESIDENTIAL DEVELOPMENT

There is a constant demand to erect single houses, often within the grounds of large private gardens and occasionally on small derelict or undeveloped areas of ground. These developments are often beneficial, providing additional housing in sustainable locations and removing derelict and untidy sites from the streetscene.

This Advice Note provides guidance on the issues that are considered in determining planning applications for this type of development.

Infill plots will be considered with reference to the following:

- The plot size should reflect those in the immediate locality.
- The proportion of the built ground to garden ground should reflect that in the immediate locality.
- The distance of the building to garden boundaries should reflect that in the immediate locality.
- The established street front building line should be followed.
- The proposed building height, roof design, use of materials and colours should reflect those in the immediate locality.

- Ground level window positions should comply with the window intervisibility guidance. Windows on side elevations should be avoided where they offer a direct view of neighbouring rear/private gardens, but bathroom windows fitted with obscure glazing will be acceptable. Boundary screening of appropriate height may be considered where the design and impact on neighbouring residential amenity is deemed acceptable.
- Windows of habitable rooms above ground level should comply with the window intervisibility guidance. Windows on side elevations will only be permitted if the distance to the nearest boundary exceeds 9.0 metres, if there is no direct view of neighbouring rear/private gardens or if it is a bathroom window fitted with obscure glazing.
- The level of on site car parking should be comparable with the established pattern in the street and be capable of being implemented without detriment to road safety.

Applications in Conservation Areas

The Greenock West End and Kilmacolm Conservation Areas are characterised by substantial villas set in large gardens. Understandably, there has been pressure for infill residential development in these areas. Historic Scotland's Scottish Historic Environment Policy explains the Government's position. The Scottish Government requires the historic environment to be cared for, protected and enhanced. Development which does not respect the scale, design and detailing of existing buildings will not generally be supported.

Applications in the grounds of listed buildings

New development within the grounds of listed buildings must have regard to the following:

- The listed building should be maintained as the visually prominent building.
- The principal elevations of the listed building should remain visible from all key viewpoints. New building should not breach any close formal relationship between the listed building and traditional outbuildings.
- Formal gardens should not be affected.
- Developments in front gardens which damage buildings to street relationships will not be supported.
- If a listed building is proposed to be upgraded as part of any development, work requires to be implemented to the listed building as the first stage or as part of an agreed phasing scheme.

Trees

Some infill sites require tree felling to enable development. The Town and Country Planning (Tree Preservation Orders and Trees in Conservation Areas) (Scotland) Regulations 2010 deem that in all but exceptional circumstances, the consent of the Council is required to fell or lop any tree covered by a TPO (Tree Preservation Order) or within a Conservation Area. The promotion of TPOs is an ongoing process and, in assessing applications for development, the

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Council has a duty to consider the visual impact which would result if tree felling is required.

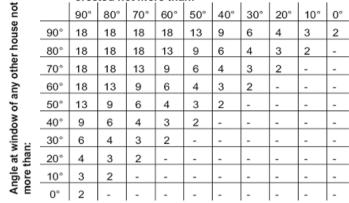
Window intervisibility

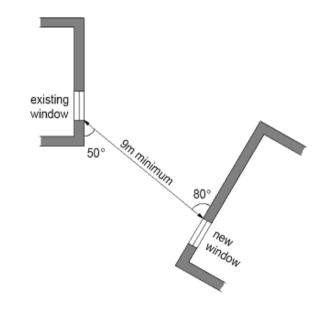
The table to the right details acceptable levels of window to window intervisibility. The distances are taken from the shortest point between the windows.



Minimum Window to Window Distances (metres)

Angle at window of house/extension etc. to be erected not more than:





Before you submit your application you may contact us for free advice and guidance on 01475 712418 or email devcont.planning@inverclyde.gov.uk Our officers will be pleased to offer you advice on your proposal before you submit your application.

Planning Application Advice Note No. 3

PRIVATE and PUBLIC OPEN SPACE PROVISION in NEW RESIDENTIAL DEVELOPMENT

Open space provides two important functions; it contributes to "Placemaking", providing space around and setting for buildings helping to establish the impression of an area, and it can be used to provide areas for outdoor leisure.

This Advice Note provides guidance on the required levels of public open space and private garden ground that should be included in new residential developments.

Types of development

No two sites are the same and residential development can range from the single house to sites in excess of 100 units. The standards required vary depending upon the scale of the development. The following definitions apply:

SMALL SCALE INFILL, INCLUDING SINGLE PLOTS

• 10 houses or fewer in a vacant / redevelopment site within a built up area.

LARGE SCALE INFILL

• more than 10 houses in a vacant / redevelopment site within a built up area.

GREENFIELD / EDGE OF TOWN

• the development of a site on the edge of or outside a town or village.

FLATTED INFILL

• the development of a block of flats, irrespective of number of units, on a vacant / redevelopment site within a built up area.

FLATTED DEVELOPMENT WITHIN A LARGE SCALE INFILL OR GREENFIELD / EDGE OF TOWN SITE

• the development of a block of flats, irrespective of number of units, as part of a larger infill development within a town or village, or on a greenfield / edge of town or village site.

Private Garden Ground

SMALL SCALE INFILL DEVELOPMENTS, INCLUDING SINGLE PLOTS

• new development should accord with the established density and pattern of development in the immediate vicinity with reference to front and rear garden sizes and distances to plot boundaries.

FLATTED INFILL DEVELOPMENTS

• flats should reflect the existing scale of buildings and townscape in the immediate environs. Open space need only be provided where surplus land is available following the provision of any off-street parking required.

LARGE SCALE (INFILL) OR GREENFIELD / EDGE OF SETTLEMENT SITE

- the following minimum sizes shall apply:
- Rear / private garden depth 9 metres, although where the rear garden does not back onto residential property, this may be reduced if an area of screened side garden of size equivalent

to a rear garden with a 9 metre depth can be provided.

- Front / public garden depth 6 metres.
- Distance from house to side boundary 2 metres.

- Distance from house to side boundary when the house has an attached garage - 3 metres.

FLATTED WITHIN A LARGE SCALE INFILL OR GREENFIELD / EDGE OF SETTLEMENT SITE

• 10 square metres per bedspace based upon an occupancy rate of two persons per double bedroom and one person per single bedroom.

Public Open Space

In developments other than small scale and flatted infill sites, public open space is required to be provided to achieve both an appropriate landscape setting for the development and play space.

In such circumstances the following criteria will apply:

- Public open space should be provided at the indicative ratio of 1.64 ha per 1000 population. Population estimates are based upon occupancy rates of two persons per double bedroom and one person per single bedroom.
- It will be the responsibility of the developer to equip the play areas. Children's play areas and kickabout areas should comprise 0.32 ha per 1000 population.

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• Developers may request that the Council take over maintenance of the open space and play areas. The decision is at the discretion of the Council, and will require the following criteria to be achieved:

- The design and layout of play equipment and safety surface shall be of a design agreed with the Council as part of the planning application process.

- That an accredited play area inspector confirm the conformity of the design and installation to the relevant standard prevailing at the time.

- 12 months defects liabilities and warranties shall apply.

- The land and any associated assets are disponed to the Council free of any charges or fees.

- That a sum equal to 10 years maintenance of the site is paid to the Council in advance.

• Where the developer selects not to pass maintenance to the Council, it will be a requirement for the obtaining of planning permission that the developer passes ownership and maintenance of all open space and play equipment to a management company. A bond to cover the cost of maintenance and replacement over a 10 year period will also require to be provided.

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Location of Play Areas

• Play areas should be located to ensure that they are overlooked, but at the same time must be positioned at least 10 metres distant from the boundary of the nearest residence.

• Where developments are located in close proximity to established parks or play areas, the Council may, in appropriate cases, consider as an alternative to on-site provision of play equipment the supplementing, at the expense of the developer, of existing play equipment in the nearby park or play area. This, however, will not absolve the developer of the requirement to provide amenity landscaped areas to enhance the setting of the development. Toddler play provision may not be required when the developer provides flat rear/private garden ground in excess of 9 metres.



Planning Application Advice Note No. 4

HOUSE EXTENSIONS

Not all house extensions require planning permission. For works that do require planning permission, this advice note offers guidance on how a house can be extended by achieving a reasonable balance between the interests of those wishing to extend and the interests of their neighbours.

Rear extensions

• Single storey extensions should be designed so as not to cross a 45 degree line from the mid point of the nearest ground floor window of the adjoining house, or extend to a maximum of 4.5 metres from the rear wall of the existing house, whichever is the greater.

• Two storey extensions will be considered on individual merit. They must not result in unacceptable loss of light to a room in a neighbouring house. The Council will use the Building Research Establishment publication "Site Layout Plqnning for daylight and sunlight: A guide to good practice" in making this assessment.

• Where the other half of a semi-detached house has already been extended and that extension exceeds 3.5 metres (two storeys) or 4.5 metres (single storey) then the house may be extended to equal size.

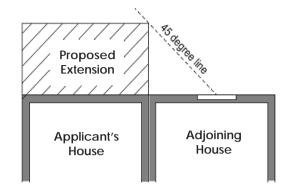
• An extension should not result in more than 25% of the rear garden area being developed. In all cases an extension should not encroach within 5.5 metres of the rear garden boundary.

 Ground level window positions should comply with the window intervisibility guidance. Windows on side elevations should be avoided where they offer a direct view of neighbouring rear/private gardens, but bathroom windows fitted with obscure glazing will be acceptable. Boundary screening of appropriate height may be considered where the design and impact on neighbouring residential amenity is deemed acceptable. Where screening is required, it must either not exceed 2.5 metres or itself result in an unacceptable loss of light to a room in a neighbouring house. The Council will use the Building Research Establishment publication "Site Layout Planning for daylight and sunlight: A guide to good practice" in making this assessment.

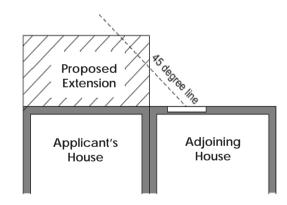
• Windows of habitable rooms above ground level should comply with the window intervisibility guidance. Windows on side elevations will only be permitted if the distance to the nearest boundary exceeds 9.0 metres, if there is no direct view of neighbouring rear/private gardens or if it is a bathroom window fitted with obscure glazing.

• The extension should be finished in materials to match those of the existing house.

• The off street parking requirements of the Council's Roads Development Guide shall be met.



Extension not encroaching 45 degree line: Acceptable



Extension encroaching 45 degree line: Inappropriate

Side extensions

• Windows on side elevations should be avoided where they offer a direct view of neighbouring rear/private gardens, but bathroom windows fitted with obscure glazing will be acceptable. Boundary screening of appropriate height may be considered where the design and impact on neighbouring residential amenity is deemed acceptable. Where screening is required, it must either not exceed 2.5 metres or itself result in an unacceptable loss of light to a room in a neighbouring house. The Council will use the Building Research Establishment publication "Site Layout Planning for daylight and sunlight: A guide to good practice" in making this assessment.

• Ground level window positions should comply with the window intervisibilty guidance. Windows of habitable rooms above ground level should comply with the window intervisibilty guidance. Windows on side elevations will only be permitted if the distance to the nearest boundary exceeds 9.0 metres, if there is no direct view of neighbouring rear/private gardens or if it is a bathroom window fitted with obscure glazing.

• Windows which are visible from public areas shall match the scale, proportions and materials of those on the existing house.

• The roof over extensions should match the existing house roof. Extensions should be set back at least 1.0 metre from the site boundary.

• The off street parking requirements of the Council's Roads Development Guide shall be met.

Conservatories and sun rooms

• Conservatories and sun rooms should be designed so as not to cross a 45 degree line from the mid point of the nearest ground floor window of the adjoining house, or extend to a maximum of 4.5 metres from the rear wall of the existing house, whichever is the greater.

• Where the other half of a semi-detached house has already been ex-tended and that extension exceeds 3.5 metres (two storeys) or 4.5 metres (single storey) then the conservatory or sun room may extend to equal size.

• A conservatory or sun room should not result in more than 25% of the rear garden area being developed. In all cases a conservatory or sun room should not encroach within 5.5 metres of the rear garden boundary.

• Ground level window positions should comply with the window intervisibility guidance. Windows on side elevations should be avoided where they offer a direct view of neighbouring rear/private gardens. Boundary screening of appropriate height may be considered where the design and impact on neighbouring residential amenity is deemed acceptable. Where screening is required, it must not exceed 2.5 metres or it may itself result in an unacceptable loss of light to a room in a neighbouring house. The Council will use the Building Research Establishment publication "Site Layout Planning for daylight and sunlight: A guide to good practice" in making this assessment.

Front porches

• Where applicable, porches should be pitch roofed to match the existing roof.

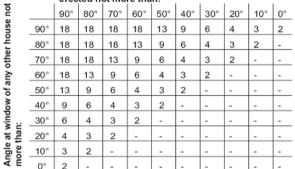
• Base courses should be finished in materials to match the existing house.

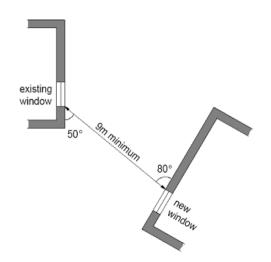
Window intervisibility

The table below details acceptable levels of window to window intervisibility. The distances are taken from the shortest point between the windows.

Minimum Window to Window Distances (metres)

Angle at window of house/extension etc. to be erected not more than:





Planning Application Advice Note No. 5

BALCONIES and GARDEN DECKING

The topography of Inverclyde provides many houses with spectacular views over the Firth of Clyde. Inland there are often opportunities to view open countryside. There is no objection in principle to balconies being erected, but they must take account of privacy and the impact it may have on neighbours' enjoyment of their gardens.

Garden decking is becoming increasingly popular, and similarly there is no objection to this being erected, but again it must take account of privacy and the impact it may have on neighbours enjoyment of their gardens.

This Advice Note provides a guide to the issues that are considered in determining applications for planning permission.

Balconies

• The balcony should be restricted in size to allow for limited seating and the enjoyment of wider views. Unless obscured from view from neighbouring housing, it should not be of a size that will afford residents the opportunity of undertaking a wide range of activities over extensive periods of day and evening to the extent that regular and/or continuous activity may impinge upon the enjoyment of neighbouring gardens.

• Where a balcony is positioned within 9 metres of the garden boundary and where there is a view of the neighbouring private/rear garden area, the erection of screening shall generally be required. Screening may not be required in cases where the balcony does not increase or intensify the intervisibility between and the overlooking of neighbours. Where screening is required and it is in excess of 2.5 metres high within 2 metres of a boundary or will itself result in an unacceptable loss of light to a room in a neighbouring house, then the proposed balcony will not be supported. The Council will use the Building Research Establishment publication "Site Layout Planning for daylight and sunlight: A guide to good practice" in making this assessment.

• The design and position of the balcony shall be appropriate to the architectural design of the house.



Garden Decking

• The position of decking should respect the rights of neighbours to enjoy their gardens without being the subject of intrusive overlooking. If raised, it should not be of a size that will afford residents the opportunity of undertaking a wide range of activities over extensive periods of day and evening to the extent that regular and/or continuous activity may impinge upon the enjoyment of neighbouring gardens.

• Where decking is positioned within 9 metres of the garden boundary and where there is a view of the neighbouring private/rear garden area, the erection of screening, either at the decking edge or the garden boundary shall generally be required. Screening may not be required in cases where the decking does not increase or intensify the intervisibility between and the overlooking of neighbours. Where screening is required and it is in excess of 2.5 metres high, within 2 metres of a boundary or will itself result in an unacceptable loss of light to a room in a neighbouring house, then the proposed decking will not be supported. The Council will use the Building Research Establishment publication "Site Layout Planning for daylight and sunlight: A guide to good practice" in making this assessment.

• The design and position of the decking shall be appropriate to the architectural design of the house.



Planning Application Advice Note No. 6

DORMER WINDOWS

It is appreciated that many households require additional accommodation and that, in many cases, the most cost effective way is to use attic space. Dormer windows can help to maximise the floorspace.

This Advice Note provides a guide to the issues that are considered in determining applications for planning permission.



Design Principles

• Dormers should, preferably, be located at the rear of the house where they will be less conspicuous.

• A dormer should be subordinate to the existing roof in terms of its shape and size and should be set back from the wall head, be below the ridge line of the roof and be set back from the gable ends.

• Exposed fascia boarding on dormers should be used sparingly and should be painted to match the colour of the dormer faces rather than the window frames.

• Where practical the external cladding of the dormer should be similar to that of the original roof.

• Dormers on the hipped gable of a roof should be avoided.

• The window openings of the dormer should, where practical, follow the style, proportion and alignment of door and window openings in the existing house.

• On a building of traditional design, a pitched or sloping roof over each dormer should reflect the architectural style of the building.

Planning Application Advice Note No. 7

WINDOW REPLACEMENT in CONSERVATION AREAS and in LISTED BUILDINGS

The appearance of a building and the impressions of a street and area can be impacted greatly by detailed features such as windows. Where windows are replaced in a piecemeal manner, resulting in a variety of different materials, profiles, colours and methods of opening, the quality of the building can be significantly reduced.

The Council seeks to ensure that the general quality of Inverclyde's built environment is improved to the benefit of all and is required to introduce policies and practice aimed at improving and enhancing the quality of Conservation Areas and Listed Buildings. Planning Permission is required for replacement windows in a Conservation Area unless the replacement is an exact replica with reference to materials, proportion, method of glazing and method of opening. Listed Building Consent is required if it is proposed to replace windows in a building listed as being of Historical or Architectural Interest.

This Advice Note provides a guide to the issues that are considered in determining applications for planning permission and listed building consent.

Proposals which accord with the following principle will be recommended for approval.

Listed Buildings (Category A and B)

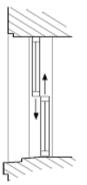
• Replacement windows should match the design of the original windows. For example, if the building was originally fitted with sash and case

windows, traditional timber sash and case windows (top and bottom sashes should slide vertically to open) should be used in all elevations.

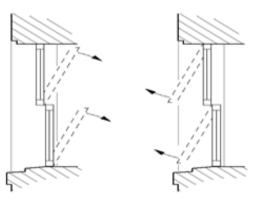
- Windows should be painted to accord with the original colour.
- Where appropriate, glazing bars should match the original in position and size.
- If sash and case windows are required, the bottom sash should be capable of opening inwards.

Listed Buildings (Category C)

• Replacement windows should match the design of the original windows, although variations to the method of opening will be considered. For example, if the building was originally fitted with sash and case windows, traditional timber sash and



Sliding sash & casement window



Tilting sash & casement: Acceptable for Category 'C' Listed Buildings and in Conservation Areas

Glazing bars: Important to match original

case windows (top and bottom sashes should slide vertically to open) or tilting sash windows manufactured in either timber, uPVC or aluminium with a plasticated wood grain effect finish are acceptable options.

- Windows should be painted to accord with the original colour.
- Where appropriate, glazing bars should match the original in position and size.



Conservation Areas

The following replacement windows are acceptable :

• Windows should match the design of the original windows, although variations to the method of opening will be considered.

• Traditional timber sliding sash and case (painted in the original colour).

- uPVC sliding sash and case (finished in the original colour).
- Aluminium with a plasticated wood grain effect finish sash and case (finished in the original colour).
- Tilting sash windows in timber, uPVC or aluminium with a plasticated wood grain finish (finished in the original colour).
- Stepped windows with a combination of sliding, tilting or side opening in timber, uPVC or aluminium with a plasticated woodgrain finish (finished in the original colour).
- In all cases glazing bars should match the original in position and size. Bars inserted into double glazed window units are inappropriate.

Planning Application Advice Note No. 8

SITING and DESIGN of NEW HOUSES in the COUNTRYSIDE

Inverclyde's countryside is a valuable resource. Much of it is within the Clyde Muirshiel Regional Park and, in general, development is sparse. It is important that the character of the countryside is retained and that where development occurs it merges into the landscape. Where policies permit the development of new houses, the following design principles apply.

Siting of New Housing

• Prominent positions on skylines, ridgelines and hill tops and, where in silhouette the buildings will break the landform, are inappropriate.

• Buildings should be set into the landform with excavation or infill minimised.

• Sites adjacent to or within groups of other buildings will be favoured.

• Tree belts and wooded areas can be used as a backdrop to a house to minimise the visual impact.

Design of New Housing

EXTERNAL WALL FINISH

• Natural stone or wet dash render are traditional to the Inverclyde countryside and should be used.

BASECOURSES

• Where a traditional wet dash finish is used, it is expected that this will be applied down to ground level.

• Where a basecourse is used, this should be minimal and finished in a smooth cement render.

UNDERBUILDING

• Excessive underbuilding should be avoided.

WINDOWS AND DOORS

• All windows should have a vertical emphasis and be surrounded by a smooth cement margin.

• Doors should similarly be surrounded by a cement margin.

ROOF

• A minimum pitch of 35 degrees should be achieved.

• The roof should be finished in natural slate or a synthetic slate look-a-like tile which reflects the size, colour and edge detail of a natural slate.

EAVES / SKEWS

• Boxed eaves, with large fascia boards and barge boards should be avoided.

ROOFLIGHTS

• When required, they should be located at the rear roof plane, have a vertical emphasis and be flush fitted with secret guttering.

DORMERS

• The design of dormer windows should accord with the design guidance contained in **Planning Application Advice Note No. 6** on dormer windows. They should be positioned on the roof to vertically line with windows and / or doors on the facade below and be symmetrical.

PORCHES

• If required, these should be designed as an integral part of the building.

• Wall finishes, windows, roofs and eaves / skews should reflect the remainder of the building.

Roof minimum 35 degree pitch		
Dormer lines up with windows below		
Windows & doors		
with vertical emphasis and smooth cement margins		
Natural stone or		
wet dash render		
Traditional porch		
No doorstep		
No basecourse		2

Converting Buildings to Residential Use

The conversion or re-use of existing buildings in the countryside for residential use will be acceptable subject to the following :

- The building should be structurally sound, largely intact and capable of conversion without substantial demolition and rebuild.
- A structural survey of the property may require to be submitted to accompany any planning application.

• The original scale, character, proportion and architectural integrity of the building shall remain intact and any extension shall require, at all times, to be subsidiary to the original building.

• Where a traditional building, the detail of design shall follow the criteria specified previously under the heading "Design of New Housing".



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Extending Existing Residential Buildings

Residential buildings are of a variety of shapes and sizes and it is important that alterations to such buildings ensure that their original character is maintained. In this respect, any extension to an existing residential building shall require the following:

- To be subsidiary in scale and position to the original dwellinghouse
- To follow the design details specified in the "Design of New Housing" in the case of traditional buildings.

Planning Application Advice Note No. 9

SITING and DESIGN of NEW FARM BUILDINGS

Inverclyde's countryside is a valuable resource. Much of it is within the Clyde Muirshiel Regional Park and, in general, development is sparse. It is important that the character of the countryside is retained and that where development occurs it merges into the landscape.

Siting of New Buildings

• Prominent positions on skylines, ridgelines and hill tops and, where in silhouette the buildings will break the landform, are inappropriate.

• Buildings should be set into the landform with excavation or infill minimised.

• Sites adjacent to or within groups of other buildings will be favoured

• Tree belts and wooded areas can be used as a backdrop to a house to minimise the visual impact.

Design of New Buildings

ROOFS

• Where traditional roofing material is proposed a minimum 35 degree pitch should be achieved using a natural slate or a synthetic slate look-alike tile which reflects the size, colour and edge detail of a natural slate. On large buildings requiring wide roof spans, high pitch roofs would

have a significant impact. Also many buildings, for economic reasons, will propose the use of modern materials. Under such circumstances roofs should seek to blend in with the landscape or be finished in a colour to match the farm buildings in the immediate vicinity. Where large buildings use modern materials a low pitch roof should be used. Flat roofs are not appropriate.



ukeston Farm, Bridge of Weir

WALLS

 Natural stone or wet dash render are traditional to the Inverclyde countryside and are acceptable. Where steel framed buildings are proposed, they should seek to blend in with the landscape or be finished in a colour to match other farm buildings in the immediate vicinity.

Planning Application Advice Note No. 10

SIGNAGE & ADVERTISEMENTS

Signs and advertisements are an integral feature in towns and make an important contribution to the visual appearance of an area. This Advice Note offers guidance on acceptable levels of signage aimed at achieving the balance between traffic safety, visual amenity and the requirement to advertise the presence of a business.

Hoardings

As part of an overall display including, where appropriate, fencing, landscape displays and seating, hoardings can make a positive contribution where used to screen visually prominent industrial and commercial sites, construction sites and vacant / derelict land. Except where applications will lead to a proliferation of hoardings along a street or within an area, proposals which bring about environmental improvement by screening commercial sites and vacant / derelict land will be supported.

Application for hoardings can only be considered with reference to amenity and public safety. As such, applications for hoardings will not generally be supported in the following circumstances:

- rural locations.
- predominantly residential areas.

• on the gables and walls of roadside buildings where the size and siting of a hoarding is considered not to be in keeping with the scale and character of the area.



Advance Directional Signs

Advance directional signs for commercial properties will not generally be supported other than in the exceptional circumstance of being necessary in the interests of road safety. Where appropriate, advance signage should be incorporated within the network of national road signage. Advance directional signage solely for the purpose of advertisement will not generally be permitted and in such circumstances proprietors should consider other means (e.g. the use of newspaper and radio advertisement) as a method of attracting business.

Hotels, Bed & Breakfast, Restaurants and Public Houses

The level of signage permitted will have regard to the location and nature of the premises. In predominantly residential areas signs should be restricted to a single non-illuminated sign. In commercial areas signage will generally be limited to one sign per gable per establishment. Incidental menu boards and directional signs (e.g. Lounge Bar / Restaurant etc.) at appropriate entrances may be acceptable provided they do not lead to clutter. Totem signs are generally only acceptable as an alternative to signage on the building and/ or where the building and its function is not clearly evident.

Petrol Filling Stations

It is recognised that petrol brands and prices are important considerations to many motorists. Signage, however, shall generally be limited to positions on the canopy and the kiosk fascia and to a single pole sign. Incidental signage on pumps and around valeting facilities will be acceptable provided they do not lead to clutter. Illumination of signage, where considered to adversely affect nearby residential property or road safety, will not be permissable.

Car Sales

Due to the size of car sales premises sites can, on occasion, be the subject of excessive signage which can present an image of clutter. Signage will be permissable on the same level as petrol filling stations (canopy signage, building fascia

signage and a single totem sign). In addition, incidental advertisement on sale vehicles will also be acceptable. Illumination of signage, where considered to adversely affect nearby residential property or road safety, will not be permitted. The use of flags, flywheels and balloons will not generally be supported.



Free-standing Display Signs / Bus Shelter Signage

Support will generally be given to bus shelter signage when there are no road safety issues. Similarly free-standing display signs, when incorporated in the public facilities (e.g. public toilet / payphones) will generally be supported. All such proposals which fail to preserve or enhance the character or appearance of Conservation Areas, or which adversely affect the setting of a Listed Building will be opposed.

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Temporary Event Signs / Flyposting

These will be opposed. Where such signage relates to events within Council property consideration will be given to cancelling lets. In all other cases the Council will give due consideration to seeking prosecution.

Shop Signage

Signage should be limited to one fascia sign and one projecting sign per shop frontage subject to the following criteria :

• Signage should in all cases be limited to the upper fascia.

• In listed buildings and in conservation areas, fascia advertising shall generally be limited to the name of the business with no extraneous logos permitted. Any non-timber fascia panels should have a matt non-reflective finish. Illumination will generally only be permitted by way of individual internally illuminated letters or by appropriately designed downlighters.

• Projecting signs should be positioned at upper fascia level.

• In listed buildings and in conservation areas projecting signs should be top hung from a traditional wrought iron bracket. They should have a maximum dimension of 600mm. Internal illumination is not generally permitted. External illumination may be by trough light.

Planning Application Advice Note No. 11

SHOPFRONT DESIGN

Shopfronts are an important element in the streetscape. Their design can have a significant impact on the appearance of buildings and streets and on the image of a shopping area.

This Advice Note provides a guide to good design features that can enhance the image of the retailer.

Design and Proportion

The design and proportion of the shopfront is based on the framing of the window and door around the fascia board, stallrisers and pilasters. It is inappropriate to consider the shopfront in isolation, as it should reflect the other shopfronts both within the building (if in a tenement or parade of shops) and the street. Replacement shopfronts should comply with following design criteria:

• New shopfronts should either retain or reintroduce traditional high level windowheads and shallow fascias.

- Where alterations have resulted in lowered internal ceilings behind lowered secondary fascias, the high level fascias should be re-introduced with the lower level fascia replaced by mirrored glass.
- Stallriser heights may vary in depth, but are generally between 400 500mm. The finish of the stallriser should reflect the overall design on the building and shopfront.
- Pilasters act to delineate each shop and should run the full height of the shopfront through the stallriser, window height and fascia.
- The door and window positions and design should reflect the original design of the shopfront and building and the vertical emphasis.
- There are a variety of different materials available including stone, timber, aluminium, granite, marble and uPVC. Where a shopfront is in a listed building or a conservation area, the material should reflect the status of the building and utilise traditional materials.
- Shopfronts should be finished in any B Range matt or eggshell colour.



Canopies and Awnings

The re-introduction of traditional awnings, recessed at the base of the fascia, will be supported. Awnings should be matt finished canvas or cloth in a colour to reflect the shopfront. Gloss, plastic, or static canopies will not generally be supported.

Security

Shop window displays make an important contribution to the vibrancy and interest of shopping areas. This contribution is significant during the evenings when shop front displays are illuminated. This guide is aimed at ensuring that window displays continue to make a contribution while at the same time recognising the need for security.

In listed buildings and in conservation areas roller shutter blinds should comply with the following criteria:

- The shutter should be lattice grilled.
- The shutter should be positioned behind the shop window and / or door.
- The shutter box should be recessed behind the fascia.

• Where external security grilles are required, side hung grille panels, which may be removed daily at the commencement of trade, may be acceptable. Recessed doors may be protected by an appropriately designed security gate.



In all other cases, roller shutters which protect the glazing will be permitted providing:

- The shutter should be latticed grilled.
- The shutter box should be recessed behind the fascia or, subject to appropriate design, a sub-fascia.

• In isolated shop units and in exceptional circumstances where evidence recognises a high level of vandalism and burglary, solid external security shutters may be permitted.

• Shutters and grilles should be painted to match shopfront.

Alarm boxes are acceptable in all cases subject to appropriate consideration of their design, size, colour and position.

Signage

Signage should be limited to one fascia sign and one projecting sign per shopfront, subject to the following criteria:

- Signage should in all cases be limited to the upper fascia. Lettering and advertising shall not generally be permitted on any lower fascia or on pilasters.
- In listed buildings and in conservation areas, fascia advertising shall generally be limited to the name of the business with no extraneous logos permitted. Any non-timber fascia panels should have a matt nonreflective finish. Illumination will generally only be permitted by way of individual internally illuminated letters or by appropriately designed downlighters.
- Projecting signs should be positioned at upper fascia level.
- In listed buildings and in conservation areas projecting signs should be top hung from a traditional wrought iron bracket. They should have a maximum dimension of 600mm. Internal illumination is not generally permitted. External illumination may be by trough light.

Inverclyde

Regeneration and Planning Inverclyde Council

Municipal Buildings Clyde Square Greenock PA15 1LY

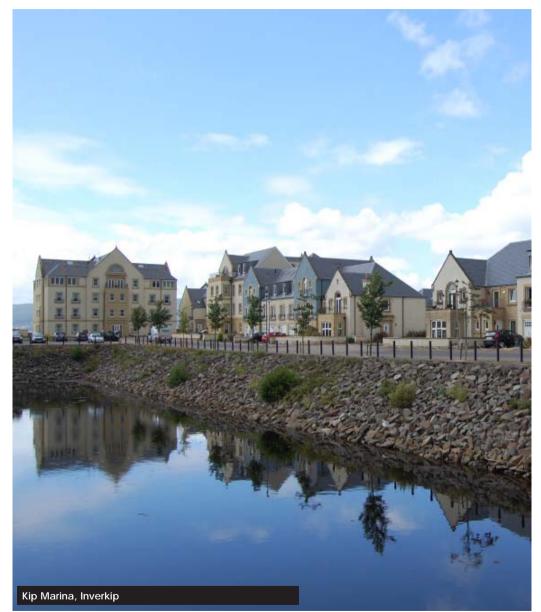
Tel:	01475 717171
E-mail:	ldp@inverclyde.gov.uk
Web:	www.inverclyde.gov.uk/ldp

5. INVERCLYDE COUNCIL LOCAL DEVELOPMENT PLAN PROPOSED PLAN 2018 SUPPLEMENTARY GUIDANCE ON PLANNING APPLICATION ADVICE NOTES (PAANS)



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- **&0** The PAANs
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 - 2 Single Plot Residential Development
 - 3 Private and Public Open Space Provision in New Residential Development
 - 4 House Extensions
 - 5 Outdoor Seating Areas
 - 6 Dormer Windows
 - 7 Window Replacement in Conservation Areas and in Listed Buildings
 - 8 Siting and Design of New Houses in the Green Belt and the Countryside
 - 9 Siting and Design of New Farm Buildings
 - **10** Signage and Advertisements
 - 11 Shopfront Design



1.0 Purpose and Background

1.1 The purpose of this Supplementary Guidance (SG) is to supplement certain policies and proposals in the LDP. The policies that are most affected and require this additional advice are outlined in Section 2.0 and relate mainly to residential development proposals.

1.2 The SG is a material consideration for the Council in the assessment of all relevant planning applications under the policies listed in Section 2.0. It should be read in conjunction with other relevant policies of the adopted LDP.

1.3 The Council receives between 450 and 500 planning applications each year, including those for listed building and advertisement consent.

1.4 Considerable delays can result when applicants present their development proposals without having consulted the Planning Service first. Pre-application discussions are strongly encouraged in order to make applicants aware of the advice that is available to them, which should help to speed-up the planning process.

1.5 Eleven PAANs have been prepared for this purpose, providing detailed advice on the most common planning applications, which if followed should assist applicants wishing to undertake development and works of this kind and submit proposals that are more likely to be acceptable and approved.

1.6 The PAANs are designed to assist applicants to submit their proposals without having to amend them later on in the assessment process. Without

having first discussed the advice available with officers, proposals are likely to require amendment leading to applicants facing additional expense preparing revised plans and re-notifying neighbours.

1.7 The PAANs should not only assist applicants receive planning permission, but also within a reasonable timeframe.

1.8 It is acknowledged that there may be additional requirements or new issues that may arise requiring review and amendments to the existing PAANs or the preparation of new ones. If considered necessary, this will be done and any changes or new PAANs would have the same status as those currently approved PAANs within this adopted SG.

&0 The PAANs

3

Planning Application Advice Note No. 1

BACKLAND and TANDEM RESIDENTIAL DEVELOPMENT

Backland sites are areas of ground which do not have a direct street frontage. They are linked to the road via an access between buildings which themselves have direct road frontages. Pressure for backland development comes in many forms; a new house within the rear garden of an existing house and the development of hidden sites accessed via a narrow lane between buildings are typical examples.

Tandem development is where a house is sited beside an existing house and it shares a common drive.

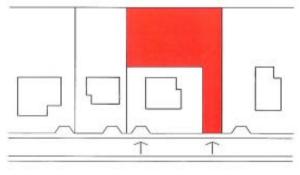
This Advice Note provides a guide to the issues that are considered in determining planning applications for these types of development. Applications for backland residential development will be considered with reference to the following:

• The impact of traffic generation and movement on the amenity of adjacent houses or flats.

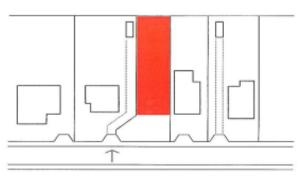
The position of the site access and the location of any parking areas with particular reference to the proximity of existing residential buildings, the position of habitable rooms and windows within adjacent buildings, and the impact on areas of existing private garden ground will be assessed. Proposals will only be supported where the resultant impact is considered to be comparable to or better than established levels of amenity evident in the immediate locality.

• <u>The impact on traffic safety.</u>

Vehicles and pedestrians must be able to enter and leave the site safely without danger to others. In this respect appropriate visibility sightlines must be provided at the entrance to the site. The access link may require to provide for vehicles passing dependent upon the length of the access and the number of houses being developed.



Backland Development



Tandem Development

• The shape of the site and its ability to be developed without unacceptable impact on adjacent houses or flats.

Considerations will include an assessment of the proximity between existing and proposed residential buildings, the relationship between windows within adjacent buildings (see window intervisibility guidance), the impact on daylight in adjacent houses or flats and the impact of shadow and disturbance on areas of existing private garden ground. Proposals will only be supported where the resultant impact is considered to be comparable to or better than established levels of amenity evident in the immediate locality.

• <u>Compatibility with established development</u>. The proposed development must be able to provide buildings and gardens comparable with and complementary to those in the immediate locality.

Applications for tandem residential development will be considered with reference to the following:

• <u>The impact of traffic generation and</u> movement on the amenity of adjacent houses or flats.

The position of the common drive and the location of any parking areas with particular reference to the proximity of existing residential buildings, the position of habitable rooms and windows within adjacent buildings, and the impact on areas of existing private garden ground will be assessed. Proposals will only be supported where the resultant impact is considered to be comparable to or better than established levels of amenity evident in the immediate locality.

• The impact on traffic safety.

Vehicles and pedestrians must be able to use the common drive safely. In this respect the common drive may require to provide for vehicles passing dependent upon the length of the access.

• <u>The shape of the site and its ability to be</u> <u>developed without unacceptable impact on</u> <u>adjacent houses or plots.</u>

The proposed development must be able to be developed without unacceptable impact on adjacent houses or flats. Considerations will include an assessment of the proximity between existing and proposed residential buildings, the relationship between windows within adjacent buildings (see window intervisibilty guidance), the impact on daylight in adjacent houses or flats and the impact of shadow and disturbance on areas of existing private garden ground. Proposals will only be supported where the resultant impact is considered to be comparable to or better than established levels of amenity evident in the immediate locality.

• <u>Compatibility with established development.</u> Provide buildings and gardens comparable with and complementary to those in the immediate locality.

Applications in conservation areas

The Greenock West End and Kilmacolm Conservation Areas are characterised by substantial villas set in large gardens. Understandably, there has been pressure for backland residential development in these areas. Historic Environment Scotland's Policy Statement explains the Government's position. The Scottish Government require the historic environment to be cared for, protected and enhanced. Development which does not respect the scale, design and detailing of existing buildings will not generally be supported.

Applications in the grounds of listed buildings

New development within the grounds of listed buildings must have regard to the following:

• The listed building should be maintained as the visually prominent building.

• The principal elevations of the listed building should remain visible from all key viewpoints. New building should not breach any close formal relationship between the listed building and traditional outbuildings.

- Formal gardens should not be affected.
- Developments in front gardens which damage buildings to street relationships will not be supported.

• If a listed building is proposed to be upgraded as part of any development, work requires to be implemented to the listed building as the first stage or as part of an agreed phasing scheme.

Trees

Some backland and tandem sites require tree felling to enable development. The Town and Country Planning (Tree Preservation Orders and Trees in Conservation Areas) (Scotland) Regulations 2010 deem that in all but exceptional circumstances, the consent of the Council is required to fell or lop any tree covered by a TPO (Tree Preservation Order) or within a Conservation Area. The promotion of TPOs is an ongoing process and, in assessing applications for development, the Council has a duty to consider the visual impact which would result if tree felling is required.

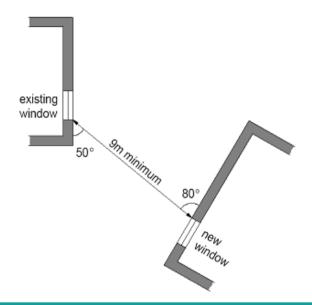
Window intervisibility

The table below details acceptable levels of window to window intervisibility. The distances are taken from the shortest point between the windows.

Minimum Window to Window Distances (metres)

Angle at window of house/extension etc. to be erected not more than:

-	elected not more than.										
not		90°	80°	70°	60°	50°	40°	30°	20°	10°	0°
Angle at window of any other house more than:	90°	18	18	18	18	13	9	6	4	3	2
rhc	80°	18	18	18	13	9	6	4	3	2	-
othe	70°	18	18	13	9	6	4	3	2	-	-
λ Ω	60°	18	13	9	6	4	3	2	-	-	-
ofa	50°	13	9	6	4	3	2	-	-	-	-
Ň	40°	9	6	4	3	2	-	-	-	-	-
ind.	30°	6	4	3	2	-	-	-	-	-	-
e at wi than:	20°	4	3	2	-	-	-	-	-	-	-
Angle more t	10°	3	2	-	-	-	-	-	-	-	-
an Mo	0°	2	-	-	-	-	-	-	-	-	-



Before you submit your application you may contact us for free advice and guidance on 01475 712418 or email devcont.planning@inverclyde.gov.uk Our officers will be pleased to offer you advice on your proposal before you submit your application.

Planning Application Advice Note No. 2

SINGLE PLOT RESIDENTIAL DEVELOPMENT

There is a constant demand to erect single houses, often within the grounds of large private gardens and occasionally on small derelict or undeveloped areas of ground. These developments are often beneficial, providing additional housing in sustainable locations and removing derelict and untidy sites from the streetscene.

This Advice Note provides guidance on the issues that are considered in determining planning applications for this type of development.

Infill plots will be considered with reference to the following:

- The plot size should reflect those in the immediate locality.
- The proportion of the built ground to garden ground should reflect that in the immediate locality.
- The distance of the building to garden boundaries should reflect that in the immediate locality.
- The established street front building line should be followed.
- The proposed building height, roof design, use of materials and colours should reflect those in the immediate locality.

• Ground level window positions should comply with the window intervisibility guidance. Windows on side elevations should be avoided where they offer a direct view of neighbouring rear/private gardens, but bathroom windows fitted with obscure glazing will be acceptable. Boundary screening of appropriate height may be considered where the design and impact on neighbouring residential amenity is deemed acceptable.

- Windows of habitable rooms above ground level should comply with the window intervisibility guidance. Windows on side elevations will only be permitted if the distance to the nearest boundary exceeds 9.0 metres, if there is no direct view of neighbouring rear/private gardens or if it is a bathroom window fitted with obscure glazing.
- The level of on site car parking should be comparable with the established pattern in the street and be capable of being implemented without detriment to road safety.

Applications in Conservation Areas

The Greenock West End and Kilmacolm Conservation Areas are characterised by substantial villas set in large gardens. Understandably, there has been pressure for infill residential development in these areas. Historic Environment Scotland's Policy Statement explains the Government's position. The Scottish Government requires the historic environment to be cared for, protected and enhanced. Development which does not respect the scale, design and detailing of existing buildings will not generally be supported.

Applications in the grounds of listed buildings

New development within the grounds of listed buildings must have regard to the following:

- The listed building should be maintained as the visually prominent building.
- The principal elevations of the listed building should remain visible from all key viewpoints. New building should not breach any close formal relationship between the listed building and traditional outbuildings.
- Formal gardens should not be affected.
- Developments in front gardens which damage buildings to street relationships will not be supported.
- If a listed building is proposed to be upgraded as part of any development, work requires to be implemented to the listed building as the first stage or as part of an agreed phasing scheme.

Trees

Some infill sites require tree felling to enable development. The Town and Country Planning (Tree Preservation Orders and Trees in Conservation Areas) (Scotland) Regulations 2010 deem that in all but exceptional circumstances, the consent of the Council is required to fell or lop any tree covered by a TPO (Tree Preservation Order) or within a Conservation Area. The promotion of TPOs is an ongoing process and, in assessing applications for development, the

*

Council has a duty to consider the visual impact which would result if tree felling is required.

Window intervisibility

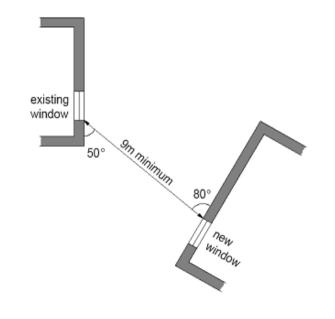
The table to the right details acceptable levels of window to window intervisibility. The distances are taken from the shortest point between the windows.



Minimum Window to Window Distances (metres)

Angle at window of house/extension etc. to be erected not more than:

-											
not		90°	80°	70°	60°	50°	40°	30°	20°	10°	0°
other house	90°	18	18	18	18	13	9	6	4	3	2
rho	80°	18	18	18	13	9	6	4	3	2	-
othe	70°	18	18	13	9	6	4	3	2	-	-
Ŋ,	60°	18	13	9	6	4	3	2	-	-	-
Angle at window of any more than:	50°	13	9	6	4	3	2	-	-	-	-
ŇO	40°	9	6	4	3	2	-	-	-	-	-
ind	30°	6	4	3	2	-	-	-	-	-	-
e at wi than:	20°	4	3	2	-	-	-	-	-	-	-
gle re t	10°	3	2	-	-	-	-	-	-	-	-
Angle	0°	2	-	-	-	-	-	-	-	-	-



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Planning Application Advice Note No. 3

PRIVATE and PUBLIC OPEN SPACE PROVISION in NEW RESIDENTIAL DEVELOPMENT

Open space provides two important functions; it contributes to "Placemaking", providing space around and setting for buildings helping to establish the impression of an area, and it can be used to provide areas for outdoor leisure.

This Advice Note provides guidance on the required levels of public open space and private garden ground that should be included in new residential developments.

Types of development

No two sites are the same and residential development can range from the single house to sites in excess of 100 units. The standards required vary depending upon the scale of the development. The following definitions apply:

SMALL SCALE INFILL, INCLUDING SINGLE PLOTS

• 10 houses or fewer in a vacant / redevelopment site within a built up area.

LARGE SCALE INFILL

• more than 10 houses in a vacant / redevelopment site within a built up area.

GREENFIELD / EDGE OF TOWN

• the development of a site on the edge of or outside a town or village.

FLATTED INFILL

• the development of a block of flats, irrespective of number of units, on a vacant / redevelopment site within a built up area.

FLATTED DEVELOPMENT WITHIN A LARGE SCALE INFILL OR GREENFIELD / EDGE OF TOWN SITE

• the development of a block of flats, irrespective of number of units, as part of a larger infill development within a town or village, or on a greenfield / edge of town or village site.

Private Garden Ground

SMALL SCALE INFILL DEVELOPMENTS, INCLUDING SINGLE PLOTS

• new development should accord with the established density and pattern of development in the immediate vicinity with reference to front and rear garden sizes and distances to plot boundaries.

FLATTED INFILL DEVELOPMENTS

• flats should reflect the existing scale of buildings and townscape in the immediate environs. Open space need only be provided where surplus land is available following the provision of any off-street parking required.

LARGE SCALE (INFILL) OR GREENFIELD / EDGE OF SETTLEMENT SITE

- the following minimum sizes shall apply:
- Rear / private garden depth 9 metres, although where the rear garden does not back onto residential property, this may be reduced if an area of screened side garden of size equivalent

to a rear garden with a 9 metre depth can be provided.

- Front / public garden depth 6 metres.
- Distance from house to side boundary 2 metres.

- Distance from house to side boundary when the house has an attached garage - 3 metres.

FLATTED WITHIN A LARGE SCALE INFILL OR GREENFIELD / EDGE OF SETTLEMENT SITE

• 10 square metres per bedspace based upon an occupancy rate of two persons per double bedroom and one person per single bedroom.

Public Open Space

In developments other than small scale and flatted infill sites, public open space is required to be provided to achieve both an appropriate landscape setting for the development and play space.

In such circumstances the following criteria will apply:

- Public open space should be provided at the indicative ratio of 1.64 ha per 1000 population. Population estimates are based upon occupancy rates of two persons per double bedroom and one person per single bedroom.
- It will be the responsibility of the developer to equip the play areas. Children's play areas and kickabout areas should comprise 0.32 ha per 1000 population.

• Developers may request that the Council take over maintenance of the open space and play areas. The decision is at the discretion of the Council, and will require the following criteria to be achieved:

- The design and layout of play equipment and safety surface shall be of a design agreed with the Council as part of the planning application process.

- That an accredited play area inspector confirm the conformity of the design and installation to the relevant standard prevailing at the time.

- 12 months defects liabilities and warranties shall apply.

- The land and any associated assets are disponed to the Council free of any charges or fees.

- That a sum equal to 10 years maintenance of the site is paid to the Council in advance.

• Where the developer selects not to pass maintenance to the Council, it will be a requirement for the obtaining of planning permission that the developer passes ownership and maintenance of all open space and play equipment to a management company. A bond to cover the cost of maintenance and replacement over a 10 year period will also require to be provided.

Location of Play Areas

• Play areas should be located to ensure that they are overlooked, but at the same time must be positioned at least 10 metres distant from the boundary of the nearest residence.

• Where developments are located in close proximity to established parks or play areas, the Council may, in appropriate cases, consider as an alternative to on-site provision of play equipment the supplementing, at the expense of the developer, of existing play equipment in the nearby park or play area. This, however, will not absolve the developer of the requirement to provide amenity landscaped areas to enhance the setting of the development. Toddler play provision may not be required when the developer provides flat rear/private garden ground in excess of 9 metres.



Planning Application Advice Note No. 4

HOUSE EXTENSIONS

Not all house extensions require planning permission. For works that do require planning permission, this advice note offers guidance on how a house can be extended by achieving a reasonable balance between the interests of those wishing to extend and the interests of their neighbours.

Rear extensions

• Single storey extensions should be designed so as not to cross a 45 degree line from the mid point of the nearest ground floor window of the adjoining house, or extend to a maximum of 4.5 metres from the rear wall of the existing house, whichever is the greater.

• Two storey extensions will be considered on individual merit. They must not either extend 3.5 metres or result in unacceptable loss of light to a room in a neighbouring house. The Council will use the Building Research Establishment publication "Site Layout Planning for daylight and sunlight: A guide to good practice" in making this assessment.

• Where the other half of a semi-detached house has already been extended and that extension exceeds 3.5 metres (two storeys) or 4.5 metres (single storey) then the house may be extended to equal size.

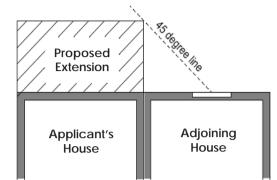
• An extension should not result in more than 50% of the rear garden area being developed. In all cases an extension should not encroach within 5.5 metres of the rear garden boundary.

 Ground level window positions should comply with the window intervisibility guidance. Windows on side elevations should be avoided where they offer a direct view of neighbouring rear/private gardens, but bathroom windows fitted with obscure glazing will be acceptable. Boundary screening of appropriate height may be considered where the design and impact on neighbouring residential amenity is deemed acceptable. Where screening is required, it must either not exceed 2.5 metres or itself result in an unacceptable loss of light to a room in a neighbouring house. The Council will use the Building Research Establishment publication "Site Layout Planning for daylight and sunlight: A guide to good practice" in making this assessment.

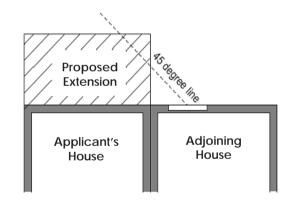
• Windows of habitable rooms above ground level should comply with the window intervisibility guidance. Windows on side elevations will only be permitted if the distance to the nearest boundary exceeds 9.0 metres, if there is no direct view of neighbouring rear/private gardens or if it is a bathroom window fitted with obscure glazing.

• The extension should be finished in materials to match those of the existing house.

• The off street parking requirements of the Council's Roads Development Guide shall be met.



Extension not encroaching 45 degree line: Acceptable



Extension encroaching 45 degree line: Inappropriate

Side extensions

• Windows on side elevations should be avoided where they offer a direct view of neighbouring rear/private gardens, but bathroom windows fitted with obscure glazing will be acceptable. Boundary screening of appropriate height may be considered where the design and impact on neighbouring residential amenity is deemed acceptable. Where screening is required, it must either not exceed 2.5 metres or itself result in an unacceptable loss of light to a room in a neighbouring house. The Council will use the Building Research Establishment publication "Site Layout Planning for daylight and sunlight: A guide to good practice" in making this assessment.

• Ground level window positions should comply with the window intervisibilty guidance. Windows of habitable rooms above ground level should comply with the window intervisibilty guidance. Windows on side elevations will only be permitted if the distance to the nearest boundary exceeds 9.0 metres, if there is no direct view of neighbouring rear/private gardens or if it is a bathroom window fitted with obscure glazing.

• Windows which are visible from public areas shall match the scale, proportions and materials of those on the existing house.

• The roof over extensions should match the existing house roof. Extensions should be set back at least 1.0 metre from the site boundary.

• The off street parking requirements of the Council's Roads Development Guide shall be met.

Conservatories and sun rooms

• Conservatories and sun rooms should be designed so as not to cross a 45 degree line from the mid point of the nearest ground floor window of the adjoining house, or extend to a maximum of 4.5 metres from the rear wall of the existing house, whichever is the greater.

• Where the other half of a semi-detached house has already been extended and that extension exceeds 3.5 metres (two storeys) or 4.5 metres (single storey) then the conservatory or sun room may extend to equal size.

• A conservatory or sun room should not result in more than 50% of the rear garden area being developed. In all cases a conservatory or sun room should not encroach within 5.5 metres of the rear garden boundary.

• Ground level window positions should comply with the window intervisibility guidance. Windows on side elevations should be avoided where they offer a direct view of neighbouring rear/private gardens. Boundary screening of appropriate height may be considered where the design and impact on neighbouring residential amenity is deemed acceptable. Where screening is required, it must not exceed 2.5 metres or it may itself result in an unacceptable loss of light to a room in a neighbouring house. The Council will use the Building Research Establishment publication "Site Layout Planning for daylight and sunlight: A guide to good practice" in making this assessment.

Front porches

• Where applicable, porches should be pitch roofed to match the existing roof.

• Base courses should be finished in materials to match the existing house.

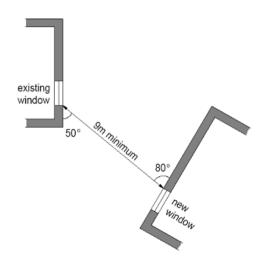
Window intervisibility

The table below details acceptable levels of window to window intervisibility. The distances are taken from the shortest point between the windows.

Minimum Window to Window Distances (metres)

Angle at window of house/extension etc. to be erected not more than:

		erected not more than:									
not		90°	80°	70°	60°	50°	40°	30°	20°	10°	0°
nse	90°	18	18	18	18	13	9	6	4	3	2
rho	80°	18	18	18	13	9	6	4	3	2	-
othe	70°	18	18	13	9	6	4	3	2	-	-
ĥ	60°	18	13	9	6	4	3	2	-	-	-
ofa	50°	13	9	6	4	3	2	-	-	-	-
ŇO	40°	9	6	4	3	2	-	-	-	-	-
vind	30°	6	4	3	2	-	-	-	-	-	-
e at wi than:	20°	4	3	2	-	-	-	-	-	-	-
Angle at window of any other house more than:	10°	3	2	-	-	-	-	-	-	-	-
Ā	0°	2	-	-	-	-	-	-	-	-	-



Planning Application Advice Note No. 5

OUTDOOR SEATING AREAS

The topography of Inverclyde provides many houses with spectacular views over the Firth of Clyde. Inland there are often opportunities to view open countryside. There is no objection in principle to balconies being erected, but they must take account of privacy and the impact it may have on neighbours' enjoyment of their gardens.

Outdoor seating areas are becoming increasingly popular, but must take account of privacy and the impact these may have on neighbours enjoyment of their gardens.

This Advice Note provides a guide to the issues that are considered in determining applications for planning permission.

Balconies & Roof Terraces

• The balcony should be restricted in size to allow for limited seating and the enjoyment of wider views. Unless obscured from view from neighbouring housing, it should not be of a size that will afford residents the opportunity of undertaking a wide range of activities over extensive periods of day and evening to the extent that regular and/or continuous activity may impinge upon the enjoyment of neighbouring gardens.

• Where a balcony is positioned within 9 metres of the garden boundary and where there is a view of the neighbouring private/rear garden area, the erection of screening shall generally be required. Screening may not be required in cases where the balcony does not increase or intensify the intervisibility between and the overlooking of neighbours. Where screening is required and it is in excess of 2.5 metres high within 2 metres of a boundary or will itself result in an unacceptable loss of light to a room in a neighbouring house, then the proposed balcony will not be supported. The Council will use the Building Research Establishment publication "Site Layout Planning for daylight and sunlight: A guide to good practice" in making this assessment.

• The design and position of the balcony shall be appropriate to the architectural design of the house.



Garden Decking & Raised Platforms

 Decking and platforms should be restricted in size to allow for limited seating and the enjoyment of wider views.

• The position of decking should respect the rights of neighbours to enjoy their gardens without being the subject of intrusive overlooking. If raised, it should not be of a size that will afford residents the opportunity of undertaking a wide range of activities over extensive periods of day and evening to the extent that regular and/or continuous activity may impinge upon the enjoyment of neighbouring gardens.

PLANNING APPLICATION ADVICE NOTES

 Where decking is positioned within 9 metres of the garden boundary and where there is a view of the neighbouring private/rear garden area, the erection of screening, either at the decking edge or the garden boundary shall generally be required. Screening may not be required in cases where the decking does not increase or intensify the intervisibility between and the overlooking of neighbours. Where screening is required and it is in excess of 2.5 metres high within 2 metres of a boundary or will itself result in an unacceptable loss of light to a room in a neighbouring house, then the proposed decking will not be supported. The Council will use the Building Research Establishment publication "Site Layout Planning for daylight and sunlight: A guide to good practice" in making this assessment.

• The design and position of the decking shall be appropriate to the architectural design of the house.



Planning Application Advice Note No. 6

DORMER WINDOWS

It is appreciated that many households require additional accommodation and that, in many cases, the most cost effective way is to use attic space. Dormer windows can help to maximise the floorspace.

This Advice Note provides a guide to the issues that are considered in determining applications for planning permission.



Design Principles

• Dormers should, preferably, be located at the rear of the house where they will be less conspicuous.

• A dormer should be subordinate to the existing roof in terms of its shape and size and should be set back from the wall head, be below the ridge line of the roof and be set back from the gable ends.

- Exposed fascia boarding on dormers should be used sparingly and should be painted to match the colour of the dormer faces rather than the window frames.
- Where practical the external cladding of the dormer should be similar to that of the original roof.
- Dormers on the hipped gable of a roof should be avoided.
- The window openings of the dormer should, where practical, follow the style, proportion and alignment of door and window openings in the existing house.

• On a building of traditional design, a pitched or sloping roof over each dormer should reflect the architectural style of the building.

Planning Application Advice Note No. 7

WINDOW REPLACEMENT in CONSERVATION AREAS and in LISTED BUILDINGS

The appearance of a building and the impressions of a street and area can be impacted greatly by detailed features such as windows. Where windows are replaced in a piecemeal manner, resulting in a variety of different materials, profiles, colours and methods of opening, the quality of the building can be significantly reduced.

The Council seeks to ensure that the general quality of Inverclyde's built environment is improved to the benefit of all and is required to introduce policies and practice aimed at improving and enhancing the quality of Conservation Areas and Listed Buildings. Planning Permission is required for replacement windows in a Conservation Area unless the replacement is an exact replica with reference to materials, proportion, method of glazing and method of opening. Listed Building Consent is required if it is proposed to replace windows in a building listed as being of Historical or Architectural Interest.

This Advice Note provides a guide to the issues that are considered in determining applications for planning permission and listed building consent.

Proposals which accord with the following principle will be recommended for approval.

Listed Buildings (Category A and B)

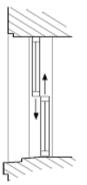
• Replacement windows should match the design of the original windows. For example, if the building was originally fitted with sash and case

windows, traditional timber sash and case windows (top and bottom sashes should slide vertically to open) should be used in all elevations.

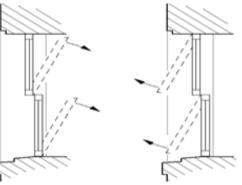
- Windows should be painted to accord with the original colour.
- Where appropriate, glazing bars should match the original in position and size.
- If sash and case windows are required, the bottom sash should be capable of opening inwards.

Listed Buildings (Category C)

• Replacement windows should match the design of the original windows, although variations to the method of opening will be considered. For example, if the building was originally fitted with sash and case windows, traditional timber sash and



Sliding sash & casement window



Tilting sash & casement: Acceptable for Category 'C' Listed Buildings

and in Conservation Areas

Glazing bars: Important to match original

1

case windows (top and bottom sashes should slide vertically to open) or tilting sash windows manufactured in either timber, uPVC or aluminium with a plasticated wood grain effect finish are acceptable options.

- Windows should be painted to accord with the original colour.
- Where appropriate, glazing bars should match the original in position and size.



Conservation Areas

1)

The following replacement windows are acceptable :

• Windows should match the design of the original windows, although variations to the method of opening will be considered.

- Traditional timber sliding sash and case (painted in the original colour).
- uPVC sliding sash and case (finished in the original colour).
- Aluminium with a plasticated wood grain effect finish sash and case (finished in the original colour).
- Tilting sash windows in timber, uPVC or aluminium with a plasticated wood grain finish (finished in the original colour).
- Stepped windows with a combination of sliding, tilting or side opening in timber, uPVC or aluminium with a plasticated woodgrain finish (finished in the original colour).
- In all cases glazing bars should match the original in position and size. Bars inserted into double glazed window units are inappropriate.

Planning Application Advice Note No. 8

SITING and DESIGN of NEW HOUSES in the **GREEN BELT** and the COUNTRYSIDE

Inverclyde's countryside is a valuable resource. Much of it is within the Clyde Muirshiel Regional Park and, in general, development is sparse. It is important that the character of the countryside is retained and that where development occurs it merges into the landscape. Where policies permit the development of new houses, the following design principles apply.

Siting of New Housing

• Prominent positions on skylines, ridgelines and hill tops and, where in silhouette the buildings will break the landform, are inappropriate.

• Buildings should be set into the landform with excavation or infill minimised.

• Sites adjacent to or within groups of other buildings will be favoured.

• Tree belts and wooded areas can be used as a backdrop to a house to minimise the visual impact.

Design of New Housing

EXTERNAL WALL FINISH

• Natural stone or wet dash render are traditional to the Inverclyde countryside and should be used.

BASECOURSES

• Where a traditional wet dash finish is used, it is expected that this will be applied down to ground level.

• Where a basecourse is used, this should be minimal and finished in a smooth cement render.

UNDERBUILDING

• Excessive underbuilding should be avoided.

WINDOWS AND DOORS

• All windows should have a vertical emphasis and be surrounded by a smooth cement margin.

• Doors should similarly be surrounded by a cement margin.

ROOF

• A minimum pitch of 35 degrees should be achieved.

• The roof should be finished in natural slate or a synthetic slate look-a-like tile which reflects the size, colour and edge detail of a natural slate.

EAVES / SKEWS

• Boxed eaves, with large fascia boards and barge boards should be avoided.

ROOFLIGHTS

• When required, they should be located at the rear roof plane, have a vertical emphasis and be flush fitted with secret guttering.

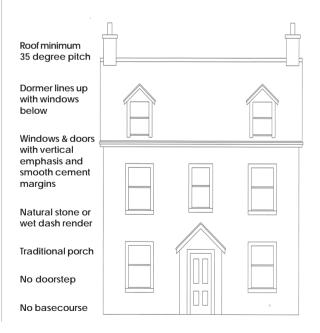
DORMERS

• The design of dormer windows should accord with the design guidance contained in **Planning Application Advice Note No. 6** on dormer windows. They should be positioned on the roof to vertically line with windows and / or doors on the facade below and be symmetrical.

PORCHES

• If required, these should be designed as an integral part of the building.

• Wall finishes, windows, roofs and eaves / skews should reflect the remainder of the building.



Converting Buildings to Residential Use

The conversion or re-use of existing buildings in the countryside for residential use will be acceptable subject to the following :

• The building should be structurally sound, originally constructed of brick or stone with a slate roof or similar and must be largely intact and capable of conversion without substantial demolition and rebuild.

• A structural survey of the property has to be submitted to accompany any planning application.

• The original scale, character, proportion and architectural integrity of the building shall remain intact and any extension shall require, at all times, to be subsidiary to the original building.

• Where a traditional building, the detail of design shall follow the criteria specified previously under the heading "Design of New Housing".

Extending Existing Residential Buildings

Residential buildings are of a variety of shapes and sizes and it is important that alterations to such buildings ensure that their original character is maintained. In this respect, any extension to an existing residential building shall require the following:

• To be subsidiary in scale and position to the original dwellinghouse

• To follow the design details specified in the "Design of New Housing" in the case of traditional buildings.



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Planning Application Advice Note No. 9

SITING and DESIGN of NEW FARM and FORESTRY BUILDINGS

Inverclyde's countryside is a valuable resource. Much of it is within the Clyde Muirshiel Regional Park and, in general, development is sparse. It is important that the character of the countryside is retained and that where development occurs it merges into the landscape.

Siting of New Buildings

• Prominent positions on skylines, ridgelines and hill tops and, where in silhouette the buildings will break the landform, are inappropriate.

• Buildings should be set into the landform with excavation or infill minimised.

• Sites adjacent to or within groups of other buildings will be favoured.

• Tree belts and wooded areas can be used as a backdrop to a house to minimise the visual impact.

Design of New Buildings

ROOFS

• Where traditional roofing material is proposed a minimum 35 degree pitch should be achieved using a natural slate or a synthetic slate look-alike tile which reflects the size, colour and edge detail of a natural slate. On large buildings requiring wide roof spans, high pitch roofs would have a significant impact. Also many buildings, for economic reasons, will propose the use of modern materials. Under such circumstances roofs should seek to blend in with the landscape or be finished in a colour to match the farm buildings in the immediate vicinity. Where large buildings use modern materials a low pitch roof should be used. Flat roofs are not appropriate.



ukesion rann, bhuge or we

WALLS

• Natural stone or wet dash render are traditional to the Inverclyde countryside and are acceptable. Where steel framed buildings are proposed, they should seek to blend in with the landscape or be finished in a colour to match other farm buildings in the immediate vicinity.

Planning Application Advice Note No. 10

SIGNAGE & ADVERTISEMENTS

Signs and advertisements are an integral feature in towns and make an important contribution to the visual appearance of an area. This Advice Note offers guidance on acceptable levels of signage aimed at achieving the balance between traffic safety, visual amenity and the requirement to advertise the presence of a business.

Hoardings

As part of an overall display including, where appropriate, fencing, landscape displays and seating, hoardings can make a positive contribution where used to screen visually prominent industrial and commercial sites, construction sites and vacant / derelict land. Except where applications will lead to a proliferation of hoardings along a street or within an area, proposals which bring about environmental improvement by screening commercial sites and vacant / derelict land will be supported.

Application for hoardings can only be considered with reference to amenity and public safety. As such, applications for hoardings will not generally be supported in the following circumstances:

• rural locations.

%

• predominantly residential areas.

• on the gables and walls of roadside buildings where the size and siting of a hoarding is considered not to be in keeping with the scale and character of the area.



Advance Directional Signs

Advance directional signs for commercial properties will not generally be supported other than in the exceptional circumstance of being necessary in the interests of road safety. Where appropriate, advance signage should be incorporated within the network of national road signage. Advance directional signage solely for the purpose of advertisement will not generally be permitted and in such circumstances proprietors should consider other means (e.g. the use of newspaper and radio advertisement) as a method of attracting business.

Forecourt Signage

Forecourt signage can lead to unnecessary visual clutter and should be kept to the minimum necessary to inform customers or clients.

Totem Signs

Totem signs can have a significant impact on amenity. Where possible, signage should be added to an existing nearby totem sign. A new totem sign will generally only be considered where it is located within the development site boundary.

Hotels, Bed & Breakfast, Restaurants and Public Houses

The level of signage permitted will have regard to the location and nature of the premises. In predominantly residential areas signs should be restricted to a single non-illuminated sign. In commercial areas signage will generally be limited to one sign per gable per establishment. Incidental menu boards and directional signs (e.g. Lounge Bar / Restaurant etc.) at appropriate entrances may be acceptable provided they do not lead to clutter. Totem signs are generally only acceptable as an alternative to signage on the building and/ or where the building and its function is not clearly evident.

Petrol Filling Stations

It is recognised that petrol brands and prices are important considerations to many motorists. Signage, however, shall generally be limited to positions on the canopy and the kiosk fascia and to a single pole sign. Incidental signage on pumps and around valeting facilities will be acceptable provided they do not lead to clutter. Illumination of signage, where considered to adversely affect nearby residential property or road safety, will not be permissable.

Car Sales

Due to the size of car sales premises sites can, on occasion, be the subject of excessive signage which can present an image of clutter. Signage will be permissable on the same level as petrol filling stations (canopy signage, building fascia signage and a single totem sign). In addition, incidental advertisement on sale vehicles will also be acceptable. Illumination of signage, where considered to adversely affect nearby residential property or road safety, will not be permitted. The

use of flags, flywheels and balloons will not generally be supported.

Free-standing Display Signs / Bus Shelter Signage

Support will generally be given to bus shelter signage when there are no road safety issues. Similarly free-standing display signs, when incorporated in the public facilities (e.g. public toilet / payphones) will generally be supported. All such proposals which fail to preserve or enhance the character or appearance of Conservation Areas, or which adversely affect the setting of a Listed Building will be opposed.



Temporary Event Signs / Flyposting

These will be opposed. Where such signage relates to events within Council property consideration will be given to cancelling lets. In all other cases the Council will give due consideration to seeking prosecution.

Shop Signage

Signage should be limited to one fascia sign and one projecting sign per shop frontage subject to the following criteria :

• Signage should in all cases be limited to the upper fascia. Lettering and advertising shall not generally be permitted on any lower fascia or other pilasters.

• In listed buildings and in conservation areas, fascia advertising shall generally be limited to the name of the business with no extraneous logos permitted. Any non-timber fascia panels should have a matt non-reflective finish. Illumination will generally only be permitted by way of individual internally illuminated letters or by appropriately designed downlighters.

- Projecting signs should be positioned at upper fascia level.
- In listed buildings and in conservation areas projecting signs should be top hung from a traditional wrought iron bracket. They should have a maximum dimension of 600mm. Internal illumination is not generally permitted. External illumination may be by trough light.

PLANNING APPLICATION ADVICE NOTES

Planning Application Advice Note No. 11

SHOPFRONT DESIGN

Shopfronts are an important element in the streetscape. Their design can have a significant impact on the appearance of buildings and streets and on the image of a shopping area.

This Advice Note provides a guide to good design features that can enhance the image of the retailer.

Design and Proportion

The design and proportion of the shopfront is based on the framing of the window and door around the fascia board, stallrisers and pilasters. It is inappropriate to consider the shopfront in isolation, as it should reflect the other shopfronts both within the building (if in a tenement or parade of shops) and the street. Replacement shopfronts should comply with following design criteria:

• New shopfronts should either retain or reintroduce traditional high level windowheads and shallow fascias.

- Where alterations have resulted in lowered internal ceilings behind lowered secondary fascias, the high level fascias should be re-introduced with the lower level fascia replaced by mirrored glass.
- Stallriser heights may vary in depth, but are generally between 400 500mm. The finish of the stallriser should reflect the overall design on the building and shopfront.
- Pilasters act to delineate each shop and should run the full height of the shopfront through the stallriser, window height and fascia.
- The door and window positions and design should reflect the original design of the shopfront and building and the vertical emphasis.
- There are a variety of different materials available including stone, timber, aluminium, granite, marble and uPVC. Where a shopfront is in a listed building or a conservation area, the material should reflect the status of the building and utilise traditional materials.
- Shopfronts should be finished in any B Range matt or eggshell colour.



Canopies and Awnings

The re-introduction of traditional awnings, recessed at the base of the fascia, will be supported. Awnings should be matt finished canvas or cloth in a colour to reflect the shopfront. Gloss, plastic, or static canopies will not generally be supported.

Security

Shop window displays make an important contribution to the vibrancy and interest of shopping areas. This contribution is significant during the evenings when shop front displays are illuminated. This guide is aimed at ensuring that window displays continue to make a contribution while at the same time recognising the need for security.

In listed buildings and in conservation areas roller shutter blinds should comply with the following criteria:

- The shutter should be lattice grilled.
- The shutter should be positioned behind the shop window and / or door.
- The shutter box should be recessed behind the fascia.

• Where external security grilles are required, side hung grille panels, which may be removed daily at the commencement of trade, may be acceptable. Recessed doors may be protected by an appropriately designed security gate.

PLANNING APPLICATION ADVICE NOTES



In all other cases, roller shutters which protect the glazing will be permitted providing:

- The shutter should be latticed grilled.
- The shutter box should be recessed behind the fascia or, subject to appropriate design, a sub-fascia.

• In isolated shop units and in exceptional circumstances where evidence recognises a high level of vandalism and burglary, solid external security shutters may be permitted.

• Shutters and grilles should be painted to match shopfront.

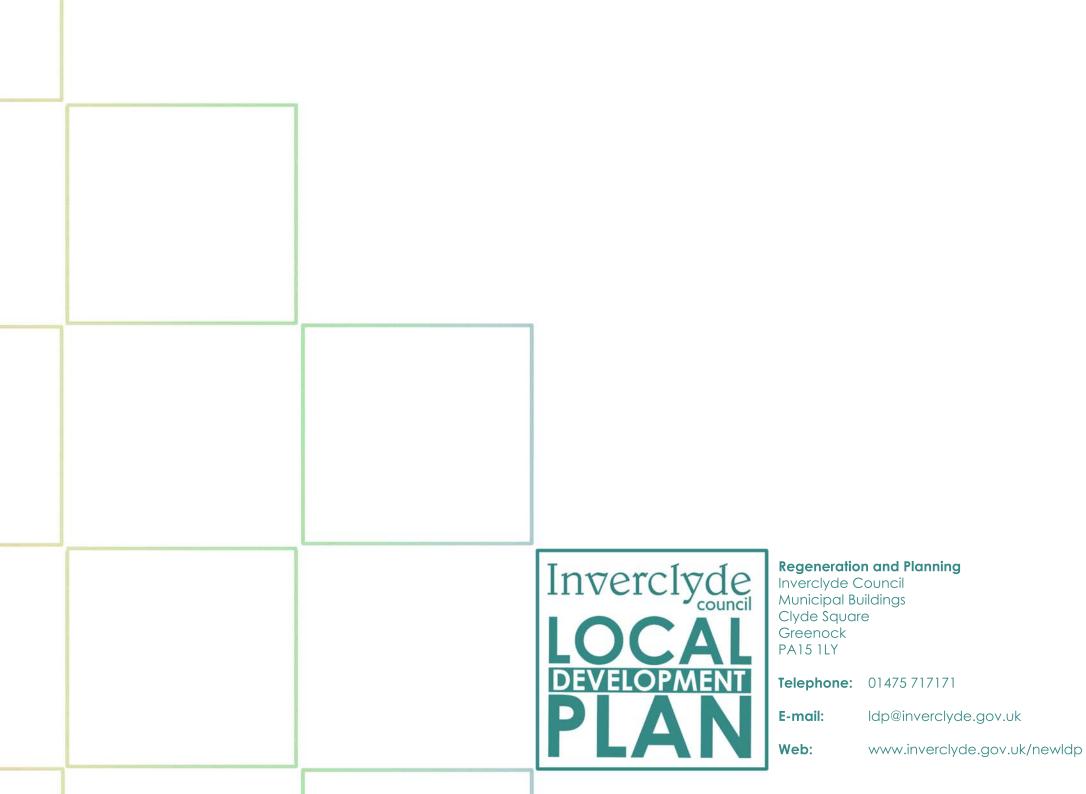
Alarm boxes are acceptable in all cases subject to appropriate consideration of their design, size, colour and position.

Signage

Signage should be limited to one fascia sign and one projecting sign per shopfront, subject to the following criteria:

- Signage should in all cases be limited to the upper fascia. Lettering and advertising shall not generally be permitted on any lower fascia or on pilasters.
- In listed buildings and in conservation areas, fascia advertising shall generally be limited to the name of the business with no extraneous logos permitted. Any non-timber fascia panels should have a matt nonreflective finish. Illumination will generally only be permitted by way of individual internally illuminated letters or by appropriately designed downlighters.
- Projecting signs should be positioned at upper fascia level.

• In listed buildings and in conservation areas projecting signs should be top hung from a traditional wrought iron bracket. They should have a maximum dimension of 600mm. Internal illumination is not generally permitted. External illumination may be by trough light.



6. DECISION NOTICE DATED 12 JULY 2018 ISSUED BY HEAD OF REGENERATION AND PLANNING

DECISION NOTICE

Inverclyde

Refusal of Planning Permission Issued under Delegated Powers

Regeneration and Planning Municipal Buildings Clyde Square Greenock PA15 1LY

Planning Ref: 18/0104/IC

Online Ref:100089812-001

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND)REGULATIONS 2013

Mr P McElwee 38 Duthie Road GOUROCK PA19 1XS CR Smith Glaziers Tony McGrath CR Smith Glaziers (Dunfermline) Ltd. Gardeners Street DUNFERMLINE KY12 0RN

With reference to your application dated 4th April 2018 for planning permission under the above mentioned Act and Regulation for the following development:-

Erection of a conservatory at

38 Duthie Road, Gourock, PA19 1XS

Category of Application Local Application Development

The INVERCLYDE COUNCIL in exercise of their powers under the abovementioned Act and Regulation hereby refuse planning permission for the said development.

The reasons for the Council's decision are:-

1. That due to overlooking from the proposed conservatory, it will create a potential privacy conflict with neighbouring properties to the detriment of their amenity and therefore cannot be justified in terms of Policy RES5 of the adopted Inverclyde Local Development Plan; it cannot be justified in terms of Policies 1 and 20 of the proposed Inverclyde Local Development Plan; and is contrary to the guidance within the adopted and proposed Planning Application Advice Notes 4 on "House Extensions" as it will offer a direct view of neighbouring rear garden areas.

The reason why the Council made this decision is explained in the attached Report of Handling.

Dated this 12th day of July 2018







- 1 If the applicant is aggrieved by the decision of the Planning Authority to refuse permission for or approval required by condition in respect of the proposed development, or to grant permission or approval subject to conditions, he may seek a review of the decision within three months beginning with the date of this notice. The request for review shall be addressed to The Head of Legal and Administration, Inverclyde Council, Municipal Buildings, Greenock, PA15 1LY.
- 2 If permission to develop land is refused or granted subject to conditions, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the planning authority a purchase notice requiring the purchase of his interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997

Refused Plans: Can be viewed Online at http://planning.inverclyde.gov.uk/Online/

Drawing No:	Version:	Dated:	
LOC		04.04.2018	
001	· · · · · · · · · · · · · · · · · · ·	04.04.2018	

7. NOTICE OF REVIEW FORM DATED 15 AUGUST 2018

NOTICE OF REVIEW

UNDER SECTION 43A(8) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED)IN RESPECT OF DECISIONS ON LOCAL DEVELOPMENTS

THE TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL REVIEW PROCEDURE) (SCOTLAND) REGULATIONS 2013

THE TOWN AND COUNTRY PLANNING (APPEALS) (SCOTLAND) REGULATIONS 2013

IMPORTANT: Please read and follow the guidance notes provided when completing this form. Failure to supply all the relevant information could invalidate your notice of review.

Use BLOCK CAPITALS if completing in manuscript

Applicant(s	s)		Agent (if an	y)		
Name	Peter McElwe	e	Name			
Address	38 Duthie Roa Gourock	d	Address			
Postcode	PA19 1XS		Postcode			
Contact Te Contact Te Fax No			Contact Te Contact Te Fax No			
E-mail*				box to confir s represent		act should be
* Do you ag	ree to correspo	ndence regarding your r	eview being se	nt by e-mai	l? Yes	
Planning au	thority		Inverc	lyde		
Planning au	thority's applica	tion reference number	18/01	04/IC		
Site address	8	38 Duthie Road, Gourd	ock, PA19 1XS			
Description developmen		Erection of a Conserva	itory			
Date of appl	lication 4 th A	pril 2018	Date of decision	n (if any)	12 th	July 2018

<u>Note.</u> This notice must be served on the planning authority within three months of the date of the decision notice or from the date of expiry of the period allowed for determining the application.

Yes

YES

No

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Nature of application

- 1. Application for planning permission (including householder application)
- 2. Application for planning permission in principle
- 3. Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission; and/or modification, variation or removal of a planning condition)
- 4. Application for approval of matters specified in conditions

Reasons for seeking review

- 1. Refusal of application by appointed officer X
- 2. Failure by appointed officer to determine the application within the period allowed for determination of the application
- 3. Conditions imposed on consent by appointed officer

Review procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may tick more than one box if you wish the review to be conducted by a combination of procedures.

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- 1. Further written submissions
- 2. One or more hearing sessions
- 3. Site inspection X
- 4 Assessment of review documents only, with no further procedure

If you have marked box 1 or 2, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing are necessary:

Site inspection

In the event that the Local Review Body decides to inspect the review site, in your opinion:

- 1. Can the site be viewed entirely from public land?
- 2 Is it possible for the site to be accessed safely, and without barriers to entry?

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

NO

Statement

You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. <u>Note</u>: you may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

If the Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

Many properties in the Duthie Road/ Oxford Avenue and Cambridge Avenue area have been developed without the requirement for additional screening or opaque glazing of decks, balconies and conservatories. In fact a 2017 development at No 34 Duthie Road, which includes a raised deck (2 metres above garden level), provides a clear and uninhibited overlook of No 36 and our own property at No 38 Duthie Road. There are numerous other examples including an exit platform at No 42 which provides a clear and uninhibited view of No 40. In addition our neighbours at No 42 have recently submitted plans (18/0226/IC) for construction of a new raised deck at floor level. The plans do not include screening. Our neighbours at No 36 have constructed a raised deck on the property boundary which provides a clear and uninhibited view of our garden. There are numerous additional examples which I can provide including a conservatory at No 40 Oxford Avenue which provides an overlook of No 42. An extension at 55 Oxford Avenue provides a clear and unrestricted overlook of No 57.

I'd be surprised if the planning dept disputed any of these facts.

If I spent another hour looking at specific developments in our small neighbourhood I could identify at least 10 examples of overlook from an elevated position without having to access any properties.

The final sentence of the planning assessment (18/0104/IC) includes the following words.

'It is recognised that there are examples of balconies and decks in neighbouring properties however these by nature follow incidental use, however a conservatory provides year long use'.

The principle of an overlook being acceptable in some situations seems to have been conceded by the Planning Dept with the incidence of usage being the key factor.

The reality of the situation is that decks and balconies are used mainly at times when the weather is good. This tends to coincide with periods when residents are using their gardens. In reality conservatories are mainly used when the weather is inclement and residents tend not to use their gardens. It is the case that our conservatory will be used mainly in Autumn and Winter. This is the time when neighbours will not be using their gardens. Decks and balconies are used in Summer when gardens are busy and the opportunity for upsetting neighbours is actually much greater. It should also be noted that we have a west facing patio at the side of our property and we tend to use this on a nice day. It should also be noted that our neighbours at No's 34,36,40 and 42 have not objected to the development.

I would ask that the Local Review Body visit our property to get a better understanding of the local situation.

Finally I would like to advise that we do not object to any of the many developments that have taken place in our neighbourhood. These have raised the overall standard of housing in the area and that can only be a good thing.

P McElwee, 15.8.2018

Have you raised any matters which were not before the appointed officer at the time the determination on your application was made? No

Yes		No		

If yes, you should explain in the box below, why you are raising new material, why it was not raised with the appointed officer before your application was determined and why you consider it should now be considered in your review.

List of documents and evidence

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review.

I would be happy to provide photographic evidence regarding neighbouring properties but that may be inappropriate and an invasion of privacy, hence my request for a Site Inspection.

We'll be on vacation until September 5th, it would be best to schedule the Site inspection for a later date.

<u>Note.</u> The planning authority will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at an office of the planning authority until such time as the review is determined. It may also be available on the planning authority website.

Checklist

Please mark the appropriate boxes to confirm you have provided all supporting documents and evidence relevant to your review:

∐x ∏x Full completion of all parts of this form

Statement of your reasons for requiring a review

All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

<u>Note.</u> Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice from that earlier consent.

Declaration

I the applicant/agent [delete as appropriate] hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents.

Signed	P McElwee	Date	15.8.2018	

8. SUGGESTED CONDITION SHOULD PLANNING PERMISSION BE GRANTED ON REVIEW

ERECTION OF CONSERVATORY 38 DUTHIE ROAD, GOUROCK (18/0104/IC)

Suggested condition should planning permission be granted on review

Condition:

1. That prior to the conservatory hereby permitted being brought into use, obscured glazing shall be fitted to the east elevation and shall be maintained in perpetuity.

Reason:

1. To prevent overlooking and protect the amenity of neighbouring properties.