

LOCAL REVIEW BODY

2 MARCH 2022

PLANNING APPLICATION FOR REVIEW

**MRS ANNE GRAHAM
ERECTION OF A 1500MM FENCE AND GATE NEAR TO THE FRONT SITE
BOUNDARY
LEADENE, DUNVEGAN AVENUE, GOUROCK (21/0260/IC)**

Contents

- 1. Planning Application dated 7 July 2021 together with Existing and Proposed Site Plans, Elevations and Specifications**
- 2. Appointed Officer's Report of Handling dated 21 October 2021**
- 3. Inverclyde Local Development Plan 2019 Policy Extracts**

To view the Inverclyde Local Development Plan see:

<https://www.inverclyde.gov.uk/planning-and-the-environment/planning-policy/development-planning/ldp>

- 4. Inverclyde Local Development Plan 2019 Map Extract**
- 5. Representations in relation to Planning Application**
- 6. Decision Notice dated 19 November 2021 issued by Head of Regeneration & Planning**
- 7. Notice of Review Form dated 9 December 2021 with Supporting Statement**
- 8. Further Representation submitted following receipt of Notice of Review**
- 9. Document received from Richard Robb Architects in response to Further Representation**

Note: Inverclyde Proposed Local Development Plan 2021 has been attached to the rear of the agenda papers as supplementary content.

**1. PLANNING APPLICATION DATED 7 JULY 2021
TOGETHER WITH EXISTING AND PROPOSED SITE
PLANS, ELEVATIONS AND SPECIFICATIONS**

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 100442668-003

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.

Type of Application

What is this application for? Please select one of the following: *

- Application for planning permission (including changes of use and surface mineral working).
- Application for planning permission in principle.
- Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- Application for Approval of Matters specified in conditions.

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

Erection of a 1500mm fence and gate near to the front site boundary.

Is this a temporary permission? *

Yes No

If a change of use is to be included in the proposal has it already taken place?

Yes No

(Answer 'No' if there is no change of use.) *

Has the work already been started and/or completed? *

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)

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	Richard Robb Architects		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Richard	Building Name:	
Last Name: *	Robb	Building Number:	75-77
Telephone Number: *	01475 630877	Address 1 (Street): *	Albert Road
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Gourock
Fax Number:		Country: *	UK
		Postcode: *	PA19 1NJ
Email Address: *	info@scotlandarchitects.co.uk		

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Mrs	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	Leadene
First Name: *	Anne	Building Number:	9
Last Name: *	Graham	Address 1 (Street): *	9 Dunvegan Avenue
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Gourock
Extension Number:		Country: *	UK
Mobile Number:		Postcode: *	PA19 1AE
Fax Number:			
Email Address: *	[REDACTED]		

Site Address Details

Planning Authority:

Inverclyde Council

Full postal address of the site (including postcode where available):

Address 1:

LEADENE

Address 2:

DUNVEGAN AVENUE

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

GOUROCK

Post Code:

PA19 1AE

Please identify/describe the location of the site or sites

Northing

676429

Easting

221644

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Pre-Application Discussion Details Cont.

In what format was the feedback given? *

Meeting Telephone Letter Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) * (max 500 characters)

revise site boundary line and clarify position of gate and fence

Title:

Mr

Other title:

First Name:

David

Last Name:

Sinclair

Correspondence Reference Number:

Date (dd/mm/yyyy):

23/08/2021

Note 1. A Processing agreement involves setting out the key stages involved in determining a planning application, identifying what information is required and from whom and setting timescales for the delivery of various stages of the process.

Site Area

Please state the site area:

1500.00

Please state the measurement type used:

Hectares (ha) Square Metres (sq.m)

Existing Use

Please describe the current or most recent use: * (Max 500 characters)

Dwelling house

Access and Parking

Are you proposing a new altered vehicle access to or from a public road? *

Yes No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? *

Yes No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?

4

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? *

4

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? *

Yes No

Do your proposals make provision for sustainable drainage of surface water?? * (e.g. SUDS arrangements) *

Yes No

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? *

- Yes
 No, using a private water supply
 No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

Assessment of Flood Risk

Is the site within an area of known risk of flooding? *

Yes No Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? *

Yes No Don't Know

Trees

Are there any trees on or adjacent to the application site? *

Yes No

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.

Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? *

Yes No

If Yes or No, please provide further details: * (Max 500 characters)

No change to storage or collection.

Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? *

Yes No

All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? *

Yes No

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013) *

Yes No Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

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 elected member of the planning authority? *

Yes No

Certificates and Notices

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? *

Yes No

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

Yes No

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: Richard Robb

On behalf of: Mrs Anne Graham

Date: 24/08/2021

Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

Yes No Not applicable to this application

b) If this is an application for planning permission or planning permission in principal where there is a crown interest in the land, have you provided a statement to that effect? *

Yes No Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? *

Yes No Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *

Yes No Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? *

Yes No Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *

Yes No Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

Site Layout Plan or Block plan.

Elevations.

Floor plans.

Cross sections.

Roof plan.

Master Plan/Framework Plan.

Landscape plan.

Photographs and/or photomontages.

Other.

If Other, please specify: * (Max 500 characters)

Sketches and Specifications

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *

Yes N/A

A Design Statement or Design and Access Statement. *

Yes N/A

A Flood Risk Assessment. *

Yes N/A

A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). *

Yes N/A

Drainage/SUDS layout. *

Yes N/A

A Transport Assessment or Travel Plan

Yes N/A

Contaminated Land Assessment. *

Yes N/A

Habitat Survey. *

Yes N/A

A Processing Agreement. *

Yes N/A

Other Statements (please specify). (Max 500 characters)

Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Mr Richard Robb

Declaration Date: 07/07/2021

Payment Details

Telephone Payment Reference:

Created: 24/08/2021 14:10

SCALE 1:2500 0 25 50 100 150 200 250 300 350 400 450 500 550 600 650 700 750 800 850 900 950 1000
 SCALE 1:1250 0 10 20 30 40 50 60 70 80 90 100 110 120 130 140 150 160 170 180 190 200
 SCALE 1:500 0 10 20 30 40 50 60 70 80 90 100 110 120 130 140 150 160 170 180 190 200
 SCALE 1:250 0 5 10 15 20 25 30 35 40 45 50 55 60 65 70 75 80 85 90 95 100
 SCALE 1:100 0 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20
 SCALE 1:50 0 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20
 SCALE 1:20 0 0.5 1 1.5 2 2.5 3 3.5 4 4.5 5 5.5 6 6.5 7 7.5 8 8.5 9 9.5 10

turn out size to boundary

6300

LEADENE

1500

fence

sliding vehicle access gate

fence

GATE AND FENCE ELEVATIONS

- NOTES**
- All scale bars shown on this drawing are in metres
 - Do not scale from drawing (Planning Department accepted)
 - Cross check all appropriate drawings
 - Any discrepancies to be notified to Architect
 - All dimensions to be confirmed on site prior to ordering any materials or commencing work
 - If in doubt - Ask!

A gate arrangement confirmed 27/07/21 SM

REVISIONS

SCALE 1:20@A3 DATE JUL 2021 DRAWN SM

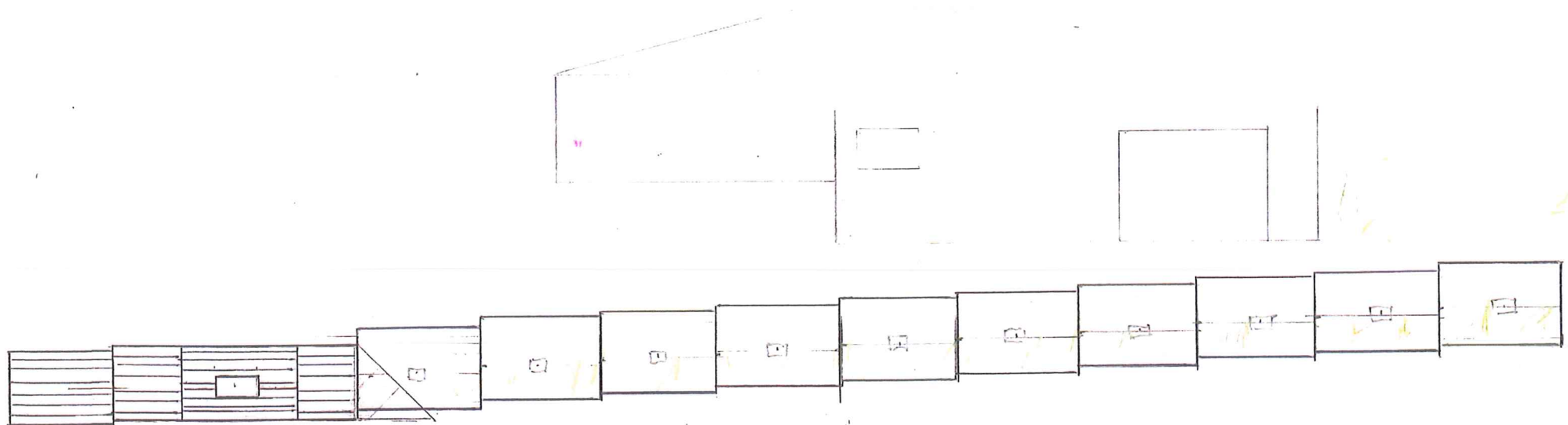
PROJECT
 1500MM FENCE AND GATE @
 9 DUNVEGAN AVENUE,
 GOUROCK,
 PA19 1AE,
 FOR ANNE GRAHAM

DRAWING
 GATE AND FENCE ELEVATIONS

Richard Robb
 ARCHITECTS

75/77 ALBERT ROAD, GOUROCK, PA19 1NJ
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 07092 807195
 robb@scotlandarchitects.co.uk
 www.scotlandarchitects.co.uk

DRAWING NO. STATUS
 946A/ELEV/01 PLANNING



SKETCH B/1
MR & MRS GRAHAM
SCALE APPROX 1:100
AUTOCATES SCOTLAND



NOTES

- All scale bars shown on this drawing are in metres
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A site boundary confirmed 23/08/21 SM

REVISIONS		
SCALE	DATE	DRAWN
1:1250@A4	SEPT 20	CM

PROJECT
**PROPOSED LEISURE FACILITIES
 FOR MR & MRS GRAHAM.
 9 DUNVEGAN AVENUE,
 GOUROCK,
 INVERCLYDE,
 PA19 1AE.**

DRAWING
LOCATION PLAN

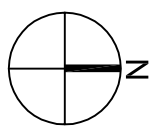
Richard Robb
 ARCHITECTS

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 ☎ 07092 807195
 @ rrobb@scotlandarchitects.co.uk
 🌐 www.scotlandarchitects.co.uk

DRAWING NO. STATUS
946/LOC/01 PLANNING

Crown Copyright License No. 100020449
LOCATION PLAN 1:1250

SCALE 1:2500 0 25 50 100 150
SCALE 1:1250 0 10 20 30 40 50 60 70 80 90 100
SCALE 1:500 0 10 20 30 40 50 60 70 80 90 100
SCALE 1:200 0 0.5 1 1.5 2 2.5 3 3.5 4 4.5 5 5.5 6 6.5 7 7.5 8 8.5 9 9.5 10



- NOTES**
- All scale bars shown on this drawing are in meters
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D boundary updated 23/08/21 SM

A boundary confirmed 27/07/21 SM
 REVISIONS
 SCALE 1:200@A3 DATE JUL 21 DRAWN CM
 PROJECT

1500MM FENCE AND GATE @
 9 DUNVEGAN AVENUE,
 GOUROCK,
 PA19 1AE,
 FOR ANNE GRAHAM

DRAWING
 SITE PLAN AS EXISTING
 GATES AND FENCE

Richard Robb
 ARCHITECTS

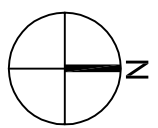
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DRAWING NO. 946A/SP/01 STATUS PLANNING

SITE PLAN AS EXISTING 1:200

SCALE 1:100 0 1 2 3 4 5 6 7 8 9 10
SCALE 1:50 0 0.5 1 1.5 2 2.5 3 3.5 4 4.5 5 5.5 6 6.5 7 7.5 8 8.5 9 9.5 10
SCALE 1:20 0 0.5 1 1.5 2 2.5 3 3.5 4 4.5 5 5.5 6 6.5 7 7.5 8 8.5 9 9.5 10

SCALE 1:500 0 25 50 100 150
SCALE 1:250 0 10 20 30 40 50
SCALE 1:300 0 10 20 30 40 50
SCALE 1:200 0 5 10 15 20 25 30 35 40 45 50



- NOTES**
- All scale bars shown on this drawing are in meters
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SITE PLAN AS PROPOSED 1:200

SCALE 1:100 0 1 2 3 4 5
SCALE 1:50 0 1 2 3 4 5
SCALE 1:20 0 0.5 1 1.5 2 2.5 3 3.5 4 4.5 5

E	Boundary updated	23/09/21	SM
B	Fence and gates updated	27/07/21	SM
A	Fence and gates updated	23/07/21	SM
REVISIONS			
SCALE	DATE	DRAWN	
1:200@A3	JUL 2021	CM	
PROJECT			
1500MM FENCE AND GATE @			
9 DUNVEGAN AVENUE,			
GOUROCK,			
PA19 1AE,			
FOR ANNE GRAHAM			

DRAWING
SITE PLAN AS PROPOSED
GATES AND FENCE

Richard Robb
ARCHITECTS

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robb@scotlandarchitects.co.uk
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DRAWING NO. 946A/SP/02 STATUS PLANNING

1. One cantilever 6.3m long sliding gate as per sketch drawings complete with all necessary sliding brackets and toothed racking and plates to be fixed to the subframe.
2. Gate manufactured from 100mm x 50mm bottom and sides, 50mm x50mm top section, infills of 50 x 25mm ERW steel laid on the broad horizontal.
3. Design of gate to as near as possible dimension wise to the scaled drawing B/2, supplied by us with the name "LEADENE" as a feature in the centre of the gate.
4. Thirty meters (30m) of matching fence to run up the side of the roadway to create the "stepped" effect shown in our drawing B/1.
5. Approx 7m of matching fencing to run up the slope on the opposite border of your property, and level out for approx 1.5m to the lampost area.
6. One small matching pedestrian gate in this area with suitable locking mechanism.
7. One small matching pedestrian gate at front door patio area complete with new posts.
8. All metal work galvanised and powder coated to be chosen by RAL number.

1. One FAAC™ electronic sliding gate operator welded to sub-frame, complete with electronic slowdown on open and closed positions.
2. One FAAC™ radio receiver at 868MHz.
3. One master and four FAAC™ remote radio controls.
4. One pair of FAAC™ safety photocells*. (These will help to ensure gates do not close on stopped or stalled vehicles.)
5. All electrical installations by Auto Gates Scot Ltd carried out to the current IEE REGULATIONS (18TH Edition).
6. Motorized gates must confirm to the current European Standards and directives including EN12604 and EN12605.
7. One VIDEX™ GSM intercom complete with keypad, new sim and fully programmed.

NOTES

- All scale bars shown on this drawing are in metres
- Do not scale from drawing (Planning Department accepted)
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- All dimensions to be confirmed on site prior to ordering any materials or commencing work
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REVISIONS	SCALE	DATE	DRAWN
	1:200@A3	JUL 2021	CM

PROJECT
1500MM FENCE AND GATE @
9 DUNVEGAN AVENUE,
GOUROCK,
PA19 1AE,
FOR ANNE GRAHAM

DRAWING
GATES AND FENCE
SPECIFICATION SHEET 01

Richard Robb
ARCHITECTS

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DRAWING NO. STATUS
946A/SPEC/01 PLANNING

SCALE 1:2000 0 25 50 100 SCALE 1:1200 0 10 20 SCALE 1:600 0 10 20 SCALE 1:300 0 10 20

SCALE 1:100 0 1 2 3 4 5 6 7 8 9 10 SCALE 1:50 0 1 2 3 4 5 6 7 8 9 10 SCALE 1:20 0 1 2 3 4 5 6 7 8 9 10

2. APPOINTED OFFICER'S REPORT OF HANDLING DATED 21 OCTOBER 2021

REPORT OF HANDLING

Report By: David Sinclair

Report No: 21/0260/IC

**Local Application
Development**

**Contact
Officer:** 01475 712436

Date: 21st October 2021

Subject: Erection of a 1500mm fence and gate near to the front site boundary at
Leadene, Dunvegan Avenue, Gourock.

SITE DESCRIPTION

The application site comprises a detached dwellinghouse located on the north side of Dunvegan Avenue, Gourock. Covering just over 0.15 hectares, the site is positioned on a steep north-facing slope, with gradients as steep as 1 in 5 and the main dwellinghouse roof being level with Dunvegan Avenue. The dwellinghouse is single storey towards the front and two storey towards the rear with a basement level. The building is finished with a brown tiled roof; buff brick walls; and dark brown uPVC windows, doors, fasciae and rainwater goods. The dwellinghouse is accessed from a block paved driveway that adjoins Dunvegan Avenue in the south-west corner of the site, which slopes downwards behind a red brick retaining wall topped with grey concrete blocks within the site in an easterly direction.

The front garden contains an infill patio adjacent to the dwellinghouse, with a grass embankment between the patio and driveway. An area containing a mixture of planting between 1 and 2.5 metres in height sits along the southern boundary of the site, to the east of the driveway entrance. The site contains boundary hedging along the sides and rear, with timber fencing in front of the hedging in the rear garden. Outwith the site, Dunvegan Avenue contains a grass strip between the road and front garden boundary, with a footway being provided on the far side of Dunvegan Avenue.

The site is bound by smaller detached bungalows to the south, two storey detached dwellings to the south-east and a similar sized detached dwellinghouse to the south-west. Neighbouring boundary treatments include a timber fence to the east; a post and wire fence to the west and a black metal railing fence to the south, all of which are around 1 metre in height. The site is located within the Dunvegan Avenue Tree Preservation Order (TPO IC 12), which also covers the sites directly to the north-east and south-west.

PROPOSAL

Planning permission is sought for the installation of a boundary fence and a sliding gate on the driveway which provides vehicular and pedestrian access to the plot. The fence is proposed to cover the entire front boundary length and the first 7 metres of the west side boundary up to the boundary hedge. Both the fence and gate are proposed to measure 1.5 metres in height and will be made from galvanised steel bars, with the outer frame of each post measuring 50mm across and horizontal bars measuring 25mm vertically, with spacings between 125 and 150mm in between each bar. The fence and gate are to be powder coated, however details of the choice of finish have yet to be confirmed.

The proposal does not involve any tree works.

ADOPTED 2019 LOCAL DEVELOPMENT PLAN POLICIES

Policy 1 – Creating Successful Places

Inverclyde 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.

in Figure 3. Where relevant, applications will also be assessed against the Planning Application Advice Notes Supplementary Guidance.

Policy 34 – Trees, Woodland and Forestry

The Council supports the retention of ancient and semi-natural woodland, trees covered by Tree Preservation Orders and other trees and hedgerows, which have significant amenity, historical, ecological, landscape or shelter value. Where the removal of such woodland, trees or hedgerows is proposed as part of a planning application, this will not be supported unless:

- it can be clearly demonstrated that the development cannot be achieved without removal;
- the public benefits of the proposal outweigh the loss of trees/hedgerows; and
- compensatory planting will be provided, to a standard agreed by the Council.

Development affecting trees will be assessed against Supplementary Guidance to be prepared by the Council. This will also cover the protection of ancient woodlands and the management and protection of existing and new trees during and after the construction phase.

Proposals for new forestry/woodland planting will be assessed with regard to the Supplementary Guidance to be prepared in association with the Clydeplan Strategic Development Plan, and the UK Forestry Standard.

PROPOSED 2021 LOCAL DEVELOPMENT PLAN POLICIES

Policy 1 – Creating Successful Places

Inverclyde Council requires all development to have regard to the six qualities of successful places. In preparing and assessing development proposals, consideration must be given to the factors set out in Figure 2 and demonstrated in a design-led approach. Where relevant, applications will also be assessed against the Planning Application Advice Notes and Design Guidance for New Residential Development Supplementary Guidance. When assessing proposals for the development opportunities identified by this Plan, regard will also be had to the mitigation and enhancement measures set out in the Strategic Environmental Assessment Environmental Report.

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.

Policy 35 – Trees, Woodland and Forestry

The Council supports the retention of trees, including ancient and semi-natural woodland, trees covered by Tree Preservation Orders and other trees and hedgerows, which have significant amenity, historical, ecological, landscape or shelter value. Where the removal of such woodland, trees or hedgerows is proposed as part of a planning application, this will not be supported unless:

- a) it can be clearly demonstrated that the development cannot be achieved without removal; or
- b) the public benefits of the proposal outweigh the loss of trees/hedgerows; and
- c) compensatory planting will be provided, to a standard agreed by the Council.

Development affecting trees will be assessed against Supplementary Guidance to be prepared by the Council.

Proposals for new forestry/woodland planting will be assessed with regard to the policies of this Plan and the Forestry and Woodland Strategy for the Glasgow City Region.

CONSULTATIONS

Head of Service – Roads and Transportation – Comments were made as follows:

- Applicant to demonstrate that the visibility splay of 2.2m x 20.0m x 1.05m from the driveway on to Dunvegan Avenue can be retained when the fence is erected.

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

The application was the subject of neighbour notification. Three objections from four individuals were received. Reasons for objection were raised as follows:

Amenity concerns

- Concerns over excessive noise with the opening and closing of a large industrial sized gate.
- Concerns over the gate being situated on an open hillside, causing noise pollution from being blown by strong winds.
- Increased pollution from vehicle engines idling while waiting on the gate.
- Concerns over the fence causing reflective glare onto neighbouring houses.

Design concerns

- The proposal would be out of character with the neighbourhood.
- The proposed plans would give the appearance of an industrial compound and completely alien to every other house in this estate.
- The proposal would result in neighbouring properties looking at a large barricade.
- Even if the actual gate is 5' high, it will require to be considerably higher from ground level to accommodate the terrain.
- The proposal is not in keeping with fences in area or adjacent properties in height or design for front of properties.
- Fence too high from sketch provided and will increase in height as gradient goes uphill.
- Appearance of gate and fence looks more like a perimeter fence seen round a yard or building site.

Traffic concerns

- The proposal will greatly restrict the view of vehicles accessing Dunvegan Avenue from the driveway.
- The east end of the proposed structure will restrict the view to cars travelling up Dunvegan Avenue as they approach the blind corner.

- Concerns over road safety as the school bus picks up and drops off primary school children at the corner of Stirling Drive.
- While vehicles are on Dunvegan Avenue, waiting on entry to the property, other road users will be forced onto the wrong side of the road while approaching a blind corner.

Other concerns

- Mygov.scotland regulations state that no fence, wall or gate in front of a house can be constructed when facing a road. There is no footpath in front of this house, and the edge of the property where the structure is planned is right next to the road.
- Concerns over the accuracy of the OS plans submitted.
- If the proposed fence was at other side of established bushes it would appear lower and not intrusive and the gate would be further off road.

ASSESSMENT

The material considerations in determination of this application are the adopted Inverclyde Local Development Plan (LDP); the proposed Local Development Plan (LDP); the consultation response; and the representations received.

The proposal is located within an existing residential area where Policy 1 of the adopted LDP and Policies 1 and 20 of the proposed LDP apply. As the site lies within the Dunvegan Avenue TPO, Policy 34 of the adopted LDP and Policy 35 of the proposed LDP require consideration. Policy 1 of both LDPs require all development to have regard to the six qualities of successful places and the Planning Application Advice Note Supplementary Guidance. There are no guidance notes relevant to this proposal. The relevant qualities to this application are being 'Distinctive'; 'Safe and Pleasant'; and 'Welcoming'. In the adopted LDP, the relevant factor of being 'Distinctive' is whether the proposal reflects local architecture and urban form. In the proposed LDP, the relevant factors are whether the proposal respects landscape setting and character, and urban form and reflects local vernacular/architecture and materials. To meet the quality of being 'Safe and Pleasant', the proposal should avoid conflict with adjacent uses and minimise the impact of traffic and parking on the street scene. To meet the quality of being 'Welcoming', the proposal should create a sense of arrival and attractive and active streets.

Policies 34 of the adopted LDP and 35 of the proposed LDP relate to woodland and the retention of trees covered by TPOs. Whilst the site is located within a TPO, I note that the proposal does not involve the loss of or works to any trees. As such I am satisfied the proposal is acceptable with regard to these Policies.

However, the proposed gate and fence are to be located along the principal site boundary on Dunvegan Avenue and will form a new feature in the streetscene. In terms of impacts on the amenity of neighbouring properties (Policy 20 of the proposed LDP), I note the concerns raised over noise from the proposed gate, increased pollution from vehicles idling and reflective glare on neighbouring houses. In considering noise from the proposed gate, controls over noise nuisance are covered by other legislation, however, I consider it unlikely that the proposed gate would result in excessive levels of noise and disturbance to neighbouring properties which would be detrimental enough to warrant refusal of the application on these grounds. Concerns over increased pollution are speculative in nature and therefore cannot be considered as a material planning consideration. Regarding concerns over glare on neighbouring houses, the proposed fence is to be square shaped, with vertical and horizontal edges. With a vertical edge, reflective glare deflects downwards at an angle inverse to the angle which the sun is in the sky. I note that the top of the proposed gate and fence are to be positioned at a lower height than the window sills of the neighbouring houses across Dunvegan Avenue and as such, the proposal would not cause reflective glare into any neighbouring properties.

Nevertheless, it is the case that the proposal will impact on urban form. In this regard, I note that the frontages onto Dunvegan Avenue either do not contain any formal boundary treatments, or contain low boundaries including both adjoining properties at 7 and 11 Dunvegan Avenue, which comprise a post and wire fence and a timber fence respectively, and directly across the road at 2 Stirling Drive, which comprises a black metal framed fence. I note that all of

these are around 1 metre in height. The proposal introduces a 1.5 metres high fence which is to sit forwards of the existing planting that runs along the front boundary, forming a prominent feature on the frontage which will be notably taller than any other front boundary treatments facing onto Dunvegan Avenue and thus contrary to the established urban form of the area.

In considering the appearance of the structure and whether it reflects local vernacular/architecture and materials (Policy 1 in both LDPs), I note the concerns raised over the design being uncharacteristic for the neighbourhood. I acknowledge there is an existing precedent for the use of metal fencing in place at 2 Stirling Drive, which makes use of similar materials to the proposal. I note, however, that the proposed fence will have a notably thicker frame, than the existing fence containing a mixture of 25mm and 50mm thick railings, relative to the 10mm thick railings in use on the neighbouring property. The height and thickness of galvanised steel railings would result in the proposal having a dominant, almost industrial-type appearance, negatively impacting the established residential character of the area. I consider this would be detrimental to the character and appearance of the area, contrary to Policy 20 of the proposed LDP. As such, the proposal fails to reflect existing local architecture or to create an attractive street and cannot be considered to meet the qualities of being 'Distinctive' and 'Welcoming' in this regard.

With regard to being 'Safe and Pleasant' I am satisfied that the proposal could be implemented without creating conflict with adjacent uses in terms of the relevant factors of noise or overshadowing. Further consideration is required, however, as to whether the proposal has an acceptable impact on traffic and parking on the street scene. I note the concerns raised in the objections over road safety and impacts on visibility for both vehicles accessing the driveway and driving along Dunvegan Avenue. In considering this, I turn to the consultation response provided by the Head of Service – Roads and Transportation. She offers no objections to the proposal in terms of traffic management and road safety. I note her comments regarding visibility splays for vehicles exiting the driveway. Following further discussions with the applicant, visibility splays have been provided to the satisfaction of the Head of Service - Roads and Transportation. Taking this into consideration, I am satisfied the proposal will have an acceptable impact on traffic and parking on the street scene, meeting this aspect of being 'Safe and Pleasant' (Policy 1 of both LDPs).

Turning to points raised in the representations not yet addressed, regarding concerns over the accuracy of the OS boundary, having compared the location plan and proposed site plan submitted, I am satisfied that the proposal is fully contained within the red line boundary shown in the location plan provided and is therefore acceptable for the purposes of determining this application. I note the suggestion of relocating the fence behind the established bushes to reduce visual impact, however the proposal is required to be assessed as submitted.

Section 25 of the Town and Country Planning (Scotland) Act 1997 requires that planning applications be determined in accordance with the Local Development Plan unless material considerations indicate otherwise. With regard to the relevant Plan Policies, I consider that the proposal fails to meet all relevant qualities in Policy 1 of both LDPs and conflicts with Policy 20 of the proposed LDP. As the proposal fails to accord with all relevant Plan Policies and there are no material considerations which would suggest the development should be supported contrary to these Policies, in accordance with Section 25 of the Town and Country Planning (Scotland) Act 1997, I am unable to support the application.

RECOMMENDATION

That the application be refused for the following reasons:

1. By reason of height, design and position, the development forms an unexpected and dominant feature on the streetscape. As such it does not reflect local architecture or the urban form of the area and fails to meet the quality of being 'Distinctive' in Policy 1 of the adopted Inverclyde Local Development Plan and Policy 1 of the proposed Inverclyde Local Development Plan.

2. The proposal fails to reflect the established character and pattern of development on Dunvegan Avenue, contrary to Policy 20 of the proposed Inverclyde Local Development Plan.

Signed:



David Sinclair
Case Officer



Mr Stuart W Jamieson
Interim Service Director
Environment & Economic Recovery

3. INVERCLYDE LOCAL DEVELOPMENT PLAN 2019 POLICY EXTRACTS

3.0 CREATING SUCCESSFUL PLACES

Introduction

3.1 Inverclyde has many fantastic and unique places. Examples include the Free French Memorial and Lyle Hill, which offer panoramic views over the Firth of Clyde; Quarriers Village, built in the 19th century as an orphans' village and filled with individually designed homes of that period; the A-listed Edwardian Wemyss Bay railway station; and the grid-pattern Greenock West End conservation area, which is contained to the north by the popular Greenock Esplanade. These, and other places, have stood the test of time and remain places where people want to live and visit.

3.2 The Council is keen to have more successful places in Inverclyde, and all new development will be expected to contribute to creating successful places. This is particularly important in relation to the Plan's Priority Projects and Priority Places, which reflect major Council investments and the larger scale regeneration opportunities in Inverclyde.

Creating Successful Places

3.3 The Council is keen that all development contributes to making Inverclyde a better place to live, work, study, visit and invest. To differing degrees, all scales and types of development have the potential to make an impact on the surrounding environment and community. It is important to the Council that this impact is a positive one. To this end, the Council will have regard to the six qualities of a successful place when considering all development proposals.

Distinctive

Adaptable

Resource Efficient

Easy to Move Around

Safe and Pleasant

Welcoming

3.4 **Figure 3** illustrates the factors that contribute to the six qualities of a successful place. Not all will be relevant to every development proposal and planning application, but where they are, the Council will expect development proposals to have taken account of them, and it will have regard to them in the assessment of planning applications.



Quarriers Village

POLICY 1 – CREATING SUCCESSFUL PLACES

Inverclyde 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.



Wemyss Bay Railway Station

FIGURE 3: Factors Contributing to Successful Places



Trees, Woodland and Forestry

11.10 Trees, woodland and forestry make a significant contribution to Inverclyde's landscape and streetscape. There are approximately 2000 hectares of woodland within Inverclyde, of which approximately 500 hectares is native woodland. There are 141 hectares of ancient woodland, around 50% of which is native. There are also 33 Tree Preservation Orders in effect (January 2018), covering individual trees, groups of trees and areas of woodland within our towns and villages, and other trees which are integral to the character of areas designated for their natural and built heritage importance, for example in conservation areas.

11.11 The Scottish Government's policy on Control of Woodland Removal sets out a strong presumption against the loss of ancient semi-natural woodland and woodland integral to the value of natural and built heritage sites of national and international importance.

11.12 As well as contributing to the character of Inverclyde, trees and woodlands are an economic resource, providing employment and income to landowners. They also contribute to sustainable water management, climate change mitigation and adaptation, biodiversity, and make our parks and countryside more attractive places to visit.

11.13 It is often the case that development sites contain trees which will be impacted by the development process. To minimise and mitigate these impacts, the Council will produce Supplementary Guidance for development affecting trees. This will set out how development affecting existing trees will be assessed, how trees are to be protected during the construction phase of a development, re-planting requirements, and how existing and new trees are to be managed once a development is complete.

11.14 Inverclyde also has a number of commercial plantations. Occasionally, Inverclyde Council is consulted by Scottish Forestry on new woodland and forestry proposals and on redesign or felling of existing woodlands and afforested areas. Whilst this process sits outwith the planning system, new and amended forest and woodland proposals can have a significant effect, positive and negative, on the green network. The matters the Council will consider when consulted on proposals are set out in the UK Forestry Standard. In addition, regard will be given to any Supplementary Guidance produced in association with the Clydeplan Strategic Development Plan, while reference will also be made to other relevant policies set out in this Plan.

POLICY 34 – TREES, WOODLAND AND FORESTRY

The Council supports the retention of ancient and semi-natural woodland, trees covered by Tree Preservation Orders and other trees and hedgerows, which have significant amenity, historical, ecological, landscape or shelter value. Where the removal of such woodland, trees or hedgerows is proposed as part of a planning application, this will not be supported unless:

- a) it can be clearly demonstrated that the development cannot be achieved without removal;
- b) the public benefits of the proposal outweigh the loss of trees/hedgerows; and
- c) compensatory planting will be provided, to a standard agreed by the Council.

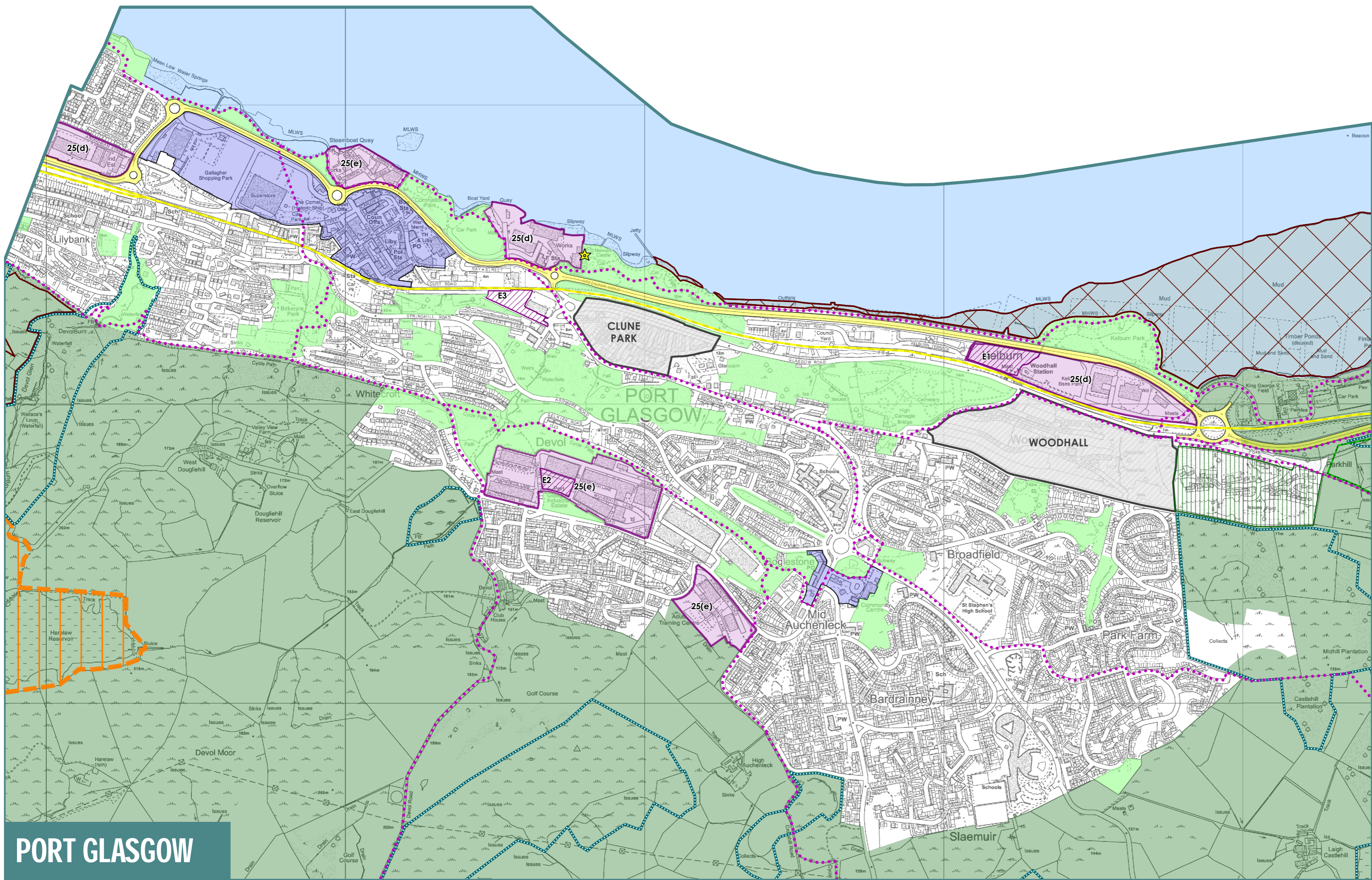
Development affecting trees will be assessed against Supplementary Guidance to be prepared by the Council. This will also cover the protection of ancient woodlands and the management and protection of existing and new trees during and after the construction phase.

Proposals for new forestry/woodland planting will be assessed with regard to the Supplementary Guidance to be prepared in association with the Clydeplan Strategic Development Plan, and the UK Forestry Standard.

Open Spaces and Outdoor Sports Facilities


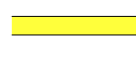


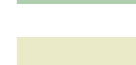













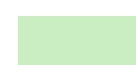

11.15 Open spaces and playing fields contribute to the attractiveness, wellbeing and biodiversity of Inverclyde. Inverclyde has a network of large public parks including Battery Park in Greenock, Darroch Park in Gourrock, Coronation Park in Port Glasgow and Birkmyre Park in Kilmacolm. These large formal parks are complemented by a network of more local parks and open spaces, including Lyle Hill and Greenock cemetery, which make a significant contribution to the character and history of the area. Although not 'green', civic spaces like Cathcart Square and the Esplanade in Greenock are an important part of the open space network. While amenity open spaces in our business and residential areas, and play areas in the latter, are smaller in scale they serve an important purpose and make Inverclyde an attractive place to live and work. These spaces are often integral to the good design of a development and are protected by **Policy 35**.

4. INVERCLYDE LOCAL DEVELOPMENT PLAN 2019 MAP EXTRACT

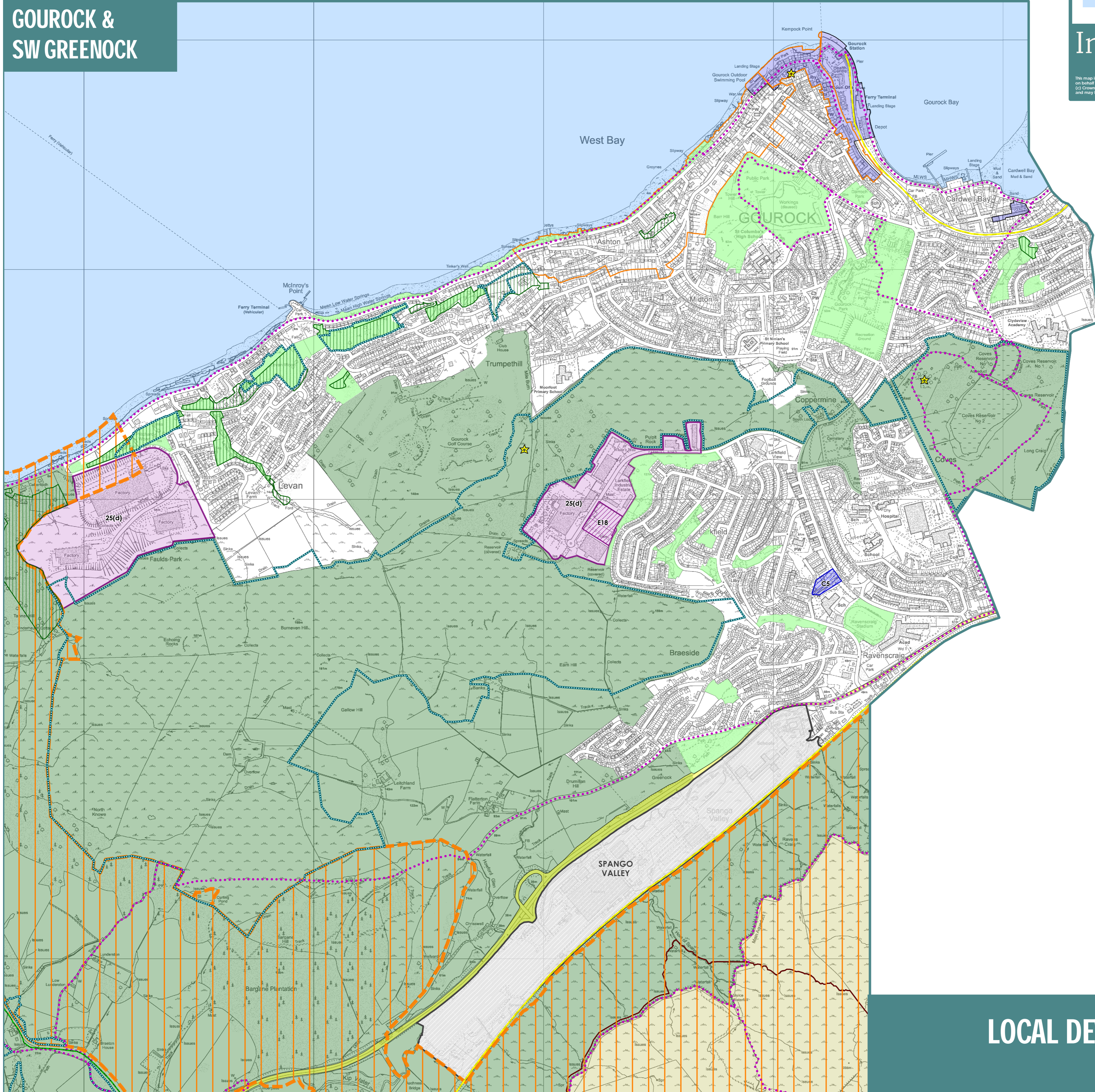


PORT GLASGOW

KEY

- SUSTAINABLE DEVELOPMENT STRATEGY**
-  Priority Place POLICY 3
- CONNECTING PEOPLE AND PLACES**
-  Trunk Road POLICY 11
-  Railway POLICY 11
- SPATIAL DEVELOPMENT STRATEGY**
-  Green Belt POLICIES 14 & 19
-  Countryside POLICIES 14 & 19
- OUR TOWN AND LOCAL CENTRES**
-  Town Centre / Local Centre POLICY 22
-  Network of Centres Opportunity POLICY 22
- OUR JOBS AND BUSINESSES**
-  Business & Industrial Area POLICY 25
-  Business & Industrial Development Opportunity POLICY 26
- OUR HISTORIC BUILDINGS AND PLACES**
-  Conservation Area POLICY 28
-  Scheduled Monument POLICY 31
-  Gardens & Designed Landscapes POLICY 32
- OUR NATURAL AND OPEN SPACES**
-  Special Protection Area / Ramsar Site POLICY 33
-  Site of Special Scientific Interest POLICY 33
-  Local Nature Conservation Site POLICY 33
-  Tree Preservation Order POLICY 34
-  Open Space POLICY 35
-  Clyde Muirshiel Regional Park POLICY 37
-  Core Path POLICY 38
-  River Clyde / Firth of Clyde

GOUROCK & SW GREENOCK



Inverclyde council SCALE 1:10,000

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5. REPRESENTATIONS IN RELATION TO PLANNING APPLICATION

Comments for Planning Application 21/0260/IC

Application Summary

Application Number: 21/0260/IC

Address: Leadene Dunvegan Avenue Gourock PA19 1AE

Proposal: Erection of a 1500mm fence and gate near to the front site boundary

Case Officer: David Sinclair

Customer Details

Name: Mr Graham Bog

Address: 6 Stirling Drive Gourock

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Out of character with the neighbourhood

Mr and Mrs W Carmichael
4 Stirling Drive
Gourock
PA19 1AH
16 September 2021

Contact Nos.- [REDACTED]
[REDACTED]

Planning Application Number: 21/0260/IC – LEADENE, DUNVEGAN AVENUE, GOUROCK, PA19 1AE

With ref to the above planning application, we hereby state our objections to the plans as follows:

- 1 The plans propose the erection of a large solid metal fence and large sliding gate across the driveway for the entry and exit of vehicles to the said property. This property is halfway up a hill, yards from a blind corner. Transit type vans reverse from the said driveway onto Dunvegan Avenue. At present due to the open plan nature of their garden, drivers of these vehicles have a reasonable view of traffic on Dunvegan Avenue. To erect such a structure will greatly restrict the drivers view of oncoming traffic on the road. Bearing in mind this structure will be stepped and will get higher from the driveway entrance the further east you travel, including the view of the blind corner.
- 2 Dunvegan Avenue is the only road for vehicles accessing Castle Levan estate and is busy with traffic, particularly at peak times. The east end of this proposed structure, will restrict the view to cars travelling east up Dunvegan Avenue as they approach the blind corner. [see attached photograph] This will certainly pose a road safety threat, particularly, during the school terms, when the school bus picks up and drops off primary school children at the corner of Stirling Drive. The bus reverses into Stirling Drive to avoid the blind bend for the safety of the children and other road users.
- 3 The plans stipulate the fence and gate would be constructed using galvanised metal. This will cause excessive noise with the opening and closing of such a large industrial sized {21' x 5'plus} gate. While vehicles are on Dunvegan Avenue, waiting on entry to the property, other road users will be forced onto the wrong side of the road while approaching a blind corner. Also, consideration must be given to the pollution from vehicles' engines idling, while waiting on the gate opening and closing. There is also a health and safety matter as the fence is south facing, which means when the sun is shining, the rays will be reflected onto the opposite houses. When the school bus reverses into Stirling Drive the driver will be facing this fence and his vision could be affected.
- 4 The property in question is situated below street level, meaning the proposed structure will be on a section of open hillside. With the strength of frequent

winds, which we regularly suffer from, this will undoubtedly cause noise and movement from the gate and its supports. Therefore, causing noise pollution which will affect the residents opposite.

- 5 Mygov.scotland regulations state that no fence, wall or gate in front of a house, can be constructed when facing a road. There is no footpath in front of this house, and the edge of the property where this structure is planned, is right next to the road.
- 6 This area is purely residential, with open gardens to the front, and the proposed plans would give the appearance of an industrial compound and completely alien to every other house in this estate.

Our house has a narrow front garden, then a footpath, then Dunvegan Avenue, which is not a wide road. Directly opposite is the entrance to the driveway of the property in question, which is not shown on the ordnance survey map. The proposal to build this structure would mean we would be looking out on a large metal gate approx. 21' in length and by 5' plus in height. In essence, we would be looking out our window at nothing more than a large barricade. Because of the lay of the land, when the gate opens, it will have to clear a kerb of several inches bordering the driveway and in addition have enough clearance of the rising hillside as the gate continues to open. In essence, even if the actual gate is 5' high, it will require to be considerably higher from ground level to accommodate the terrain.

This is the second planning application for this structure. When the first application was submitted, the ordnance survey map did not show an accurate layout of the area. When this was pointed out to the planning department, they replied that this could cause serious problems for the application. A few weeks later, we received a second planning application for the same structure. The layout of the said property had been changed, showing their boundaries had been altered. Our query is, which one, if any, of either of these maps are correct? If ordnance survey maps can be submitted which are subsequently altered, one has to question the accuracy of the submissions? The second application still does not show a true picture of the layout. We have attached a photograph showing the exact position of the said driveway in relation to the front of our property, which contradicts the ordnance survey map supplied. Who verifies the accuracy of the plans?

If these plans are approved, there is a potential for serious road safety problems and possible accidents, not to mention noise pollution.

William Carmichael

Marilyn Carmichael





**6. DECISION NOTICE DATED 19 NOVEMBER 2021
ISSUED BY HEAD OF REGENERATION &
PLANNING**

DECISION NOTICE

Refusal of Planning Permission

Issued under Delegated Powers

**Regeneration and Planning
Municipal Buildings
Clyde Square
Greenock PA15 1LY**

Planning Ref: 21/0260/IC

Online Ref: 100442668-003

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

**Mrs Anne Graham
Leadene
Dunvegan Avenue
GOUROCK
PA19 1AE**

**Richard Robb Architects
Richard Robb
75-77 Albert Road
GOUROCK
PA19 1NJ**

With reference to your application dated 24th August 2021 for planning permission under the above mentioned Act and Regulation for the following development:-

Erection of a 1500mm fence and gate near to the front site boundary at

Leadene, Dunvegan Avenue, Gourock.

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. By reason of height, design and position, the development forms an unexpected and dominant feature on the streetscape. As such it does not reflect local architecture or the urban form of the area and fails to meet the quality of being 'Distinctive' in Policy 1 of the adopted Inverclyde Local Development Plan and Policy 1 of the proposed Inverclyde Local Development Plan.
2. The proposal fails to reflect the established character and pattern of development on Dunvegan Avenue, contrary to Policy 20 of the proposed Inverclyde Local Development Plan.

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

Dated this 19th day of November 2021


**Mr Stuart W. Jamieson
Interim Service Director
Environment and Economic Recovery**

- 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:
946/LOC/01		01.09.2020
946/SP/01	Rev D	23.08.2021
946/SP/02	Rev E	23.08.2021
946/ELEV/01	Rev A	27.07.2021
946A/SPEC/01		01.07.2021
B1		

**7. NOTICE OF REVIEW FORM DATED 9 DECEMBER
2021 WITH SUPPORTING STATEMENT**

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 100442668-005

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.

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)

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	Richard Robb Architects		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Richard	Building Name:	
Last Name: *	Robb	Building Number:	75-77
Telephone Number: *	01475 630877	Address 1 (Street): *	Albert Road
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Gourock
Fax Number:		Country: *	UK
		Postcode: *	PA19 1NJ
Email Address: *	info@scotlandarchitects.co.uk		

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mrs"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="Anne"/>	Building Number:	<input type="text" value="9"/>
Last Name: *	<input type="text" value="Graham"/>	Address 1 (Street): *	<input type="text" value="Dunvegan Avenue"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text" value="REDACTED"/>	Town/City: *	<input type="text" value="Gourock"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="PA19 1AE"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="REDACTED"/>		

Site Address Details

Planning Authority:	<input type="text" value="Inverclyde Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="LEADENE"/>
Address 2:	<input type="text" value="DUNVEGAN AVENUE"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="GOUROCK"/>
Post Code:	<input type="text" value="PA19 1AE"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="676429"/>	Easting	<input type="text" value="221644"/>
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Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Erection of a 1500mm fence and gate near to the front site boundary.

Type of Application

What type of application did you submit to the planning authority? *

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? *

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

Please refer to attached Fence Appeal Paper - 946A 01

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? *

Yes No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

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. You can attach these documents electronically later in the process: * (Max 500 characters)

01 Fence Appeal Paper; 02 Photograph Sheet A; 03 Photograph Sheet B; 04 Photograph Sheet C; 05 Photograph sheet D: 06 Photograph Sheet E; 07 Photo Montage showing similar fences in domestic settings.

Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

21/0260/IC

What date was the application submitted to the planning authority? *

24/08/2021

What date was the decision issued by the planning authority? *

19/11/2021

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.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

Yes No

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

Can the site be clearly seen from a road or public land? *

Yes No

Is it possible for the site to be accessed safely and without barriers to entry? *

Yes No

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. *

Yes No

Have you provided the date and reference number of the application which is the subject of this review? *

Yes No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

Yes No N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

Yes No

Note: 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. 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.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *

Yes No

Note: 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 (if any) from the earlier consent.

Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr Richard Robb

Declaration Date: 09/12/2021

Appeal against Refusal for Planning Permission

Mr Colin and Mrs Anne Graham
Leadene
9 Dunvegan Avenue
Gourock
PA19 1AE

Planning Ref: 21/0260/IC

We would like to appeal against the decision to refuse planning permission for a fence and gate that will be set within, and back from the boundary line of our home, and ask the review panel to take into consideration the supporting factors that are set out below.

- 1. By reason of height, design and position, the development forms an unexpected and dominant feature on the streetscape. As such it does not reflect local architecture or urban form of the area, and fails to meet the quality of being "Distinctive" in Policy 1 of the adopted Inverclyde Local Development Plan and Policy 1 of the proposed ILDP.*

Within the immediate vicinity of our home there are 13 different styles of architecture of houses and flats. There is no set definitive style of architecture, further there are multiple features, that can be construed as dominant in both height, design and position.

On Dunvegan Avenue there are numerous different types and styles of house. There are also boundary structures that can be construed as dominant to the streetscape in a variety of styles and height. Further throughout the Castle Levan Estate, the architecture continues to be varied in style, size, and structure, with boundary structures also continuing to vary in both size and style.

Our proposed fence and gate is a simple open bar type, that fits in-between the heights of other existing boundary structures [fences, walls and hedges], and will be set back from the roadside within the boundary of our property, rather than being on the actual boundary line. Its final colour will be one that imitates a wood effect, in order to "blend in" with existing fences and minimise the impact on the landscape.

Our chosen design is similar in style that already feature on a number of properties on Dunvegan Avenue, and also on Stirling Drive, and to the frontage of the houses, which are part of the streetscape [photo D]. This demonstrates that it does reflect established local architecture and urban form.

Extract from the handling report:

I note that the frontages onto Dunvegan Ave either do not contain any formal boundary treatments, or low boundaries including both adjoining properties at 7 and 11 Dunvegan Avenue, which comprise of a post and wire fence and a timber fence respectively, and directly across the road at 2 Stirling drive, which comprises a black metal framed fence. I note that all of these are around 1 metre in height. And our proposed fence will be: "notably taller than any other boundary treatments facing onto Dunvegan Avenue, and thus contrary to the established urban form of the area".

This is factually incorrect. It is both a misrepresentation of the facts, and misleading. There are numerous boundary treatments facing onto Dunvegan Avenue that are approximately 2 metres in height, some of which sit closer to the road side than the planned siting of our fence, and ours falls under the average height of existing boundary structures by approximately 0.5 metre. Had the case officer done his due diligence, he would have known this information.

- A wall that varies in height between 1.2m and 1.6m, which is at its maximum height is taller than our proposed fence, it is also significantly longer, and dominant to the streetscape [photo A].
- Multiple boundary treatments sit throughout Dunvegan Avenue, are 2m, with one of note, actually having a shed built into it, which stands approx. 3m in height and is dominant to the streetscape [photo B & C].
- Hedging/Trees of varying heights, some in excess of 3m [photo C].
- Timber fence at 11 Dunvegan Avenue is 1.1m.
- Iron fence at 2 Stirling Drive has an average height of 1.260m, which then adjoins a wooden fence with a height of 2m that runs around the boundary line. There are also others of similar height [photo E].

The majority of these boundary treatments face onto Dunvegan Avenue are dominant features, and do form part of both the streetscape and urban form of the area, which supports our proposal is not contrary to the established urban form of the area.

It is also noted in the handling report that: *The height and thickness of *galvanised steel railings would result in the proposal having a dominant, almost industrial-type appearance, negatively impacting on the established residential character of the area. I consider this would be detrimental to the character and appearance of the area, contrary to Policy 20 of the proposed LDP[^]. As such, the proposal fails to reflect existing local architecture, or to create an attractive street and cannot be considered to meet the qualities of being “Distinctive” and “Welcoming” in this regard.*

The design we have chosen is mirrored on both Dunvegan Avenue and also on Stirling Drive, where fencing is already in situation [photo D]. This supports that it does reflect established local architecture and urban form, is not industrial-type and will not be detrimental to the character and appearance of the area, and as such does meet the qualities of being “Distinctive” [welcoming has not been recorded in the reason for refusal].

*Galvanisation is a process to protect metal from the elements, and although it can be left like this, our proposal will not. The final colour will be one that imitates a wood colour to blend in with existing fences, thus forming part of the already established urban form of the area.

With the differing styles and types of architecture, and boundary structures [fences, walls and hedging] throughout not only Dunvegan Avenue, but the Castle Levan Estate as a whole, the contents of this report has failed to demonstrate there is a definitive style.

Enclosed with our appeal, are photographs of boundary structures that feature on Dunvegan Avenue. We have kept these focused on Dunvegan Avenue, rather than throughout the Castle Levan Estate, with the exception of those on Stirling Drive as previously mentioned.

[^]A proposed plan is just that, it is a proposal, and as such, not yet an accepted policy. Proposed policies are subject to challenge and change, and until ratified, accepted and implemented, it should not be used to benchmark any current applications or processes.

1. *The proposal fails to reflect the established character and pattern of development on Dunvegan Avenue, contrary to Policy 20 of the proposed ILDP.*

Again, we will reiterate, a proposed plan is just that, it is a proposal, and as such, not yet an accepted policy. Proposed policies are subject to challenge and change, and until ratified, accepted and implemented, it should not be used to benchmark any current applications or processes.

The established character and pattern of development on Dunvegan avenue is varied, which is evidenced by the differing styles of architecture, and most recently plans for new houses of different styles being granted by the planning authority.

- Construction of Three new houses on Dunvegan Avenue, that are different in styles to existing architecture.
- An extension which will change the style and size of a house.

Again with the differing style and construction throughout, and taking into account the examples listed, show there is no obvious consistency of an adherence to any established and pattern of development.

Decision making timescales

This application was initially submitted on 07/07/2021, and under advisement was withdrawn on, to make amendments. It was then re-submitted on 24/08/2021, with the decision being made on 19/11/2021, and only after we contacted the planning dept. on this date for an update.

The planning dept. has taken almost 3 months to conclude, which is beyond the 2 months as set out in the planning charter.

We have also taken the liberty to attach a montage of gates and fencing, that have close similarity in design to the one we propose. These are all within a residential setting, and demonstrate that they are not industrialised as intimated within the delegated handling report.

We will close by thanking the review panel for taking the time to consider our appeal, and the points we have put in response.

Yours Sincerely,

Mr and Mrs Graham

Boundary Wall on Dunvegan Avenue
Varying height from 1.2m to 1.6m



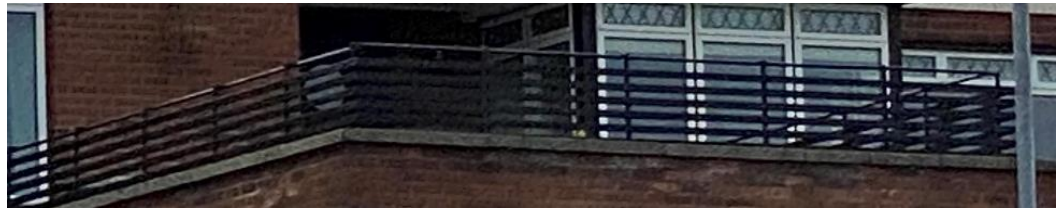
Dominant Boundary Structure on Dunvegan Avenue
Fence is approx. 2m high, with other structures over this height



Boundary Structures on Dunvegan Avenue between 1.1m and approx. 2m



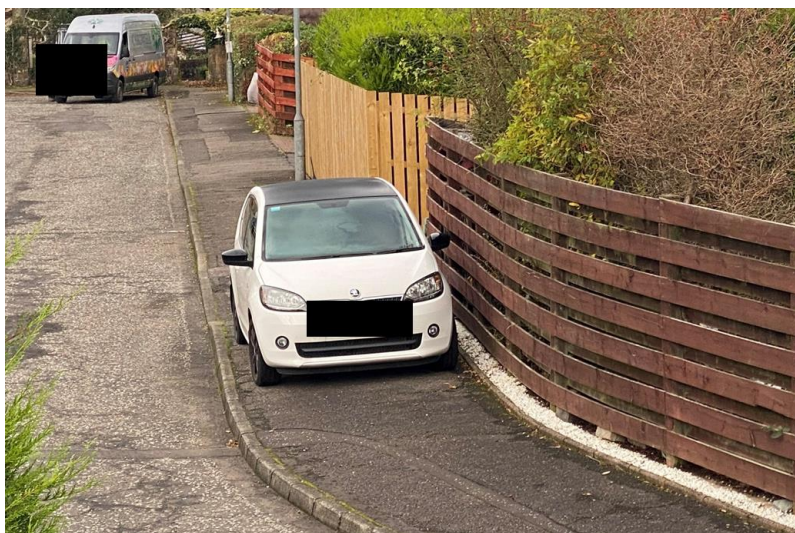
Open bar fencing on Dunvegan Avenue

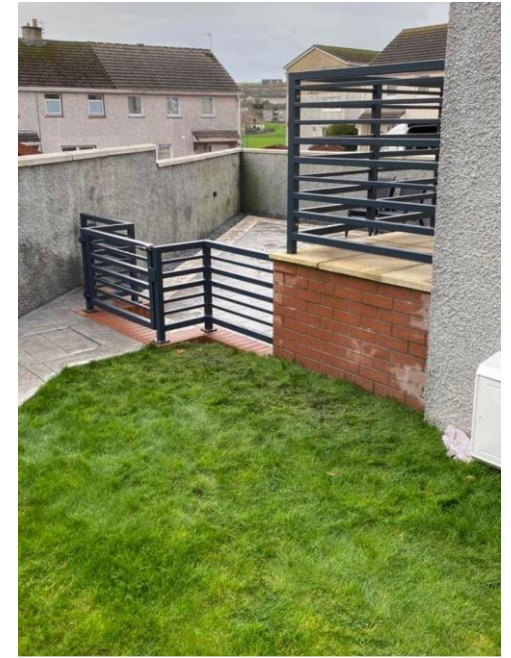
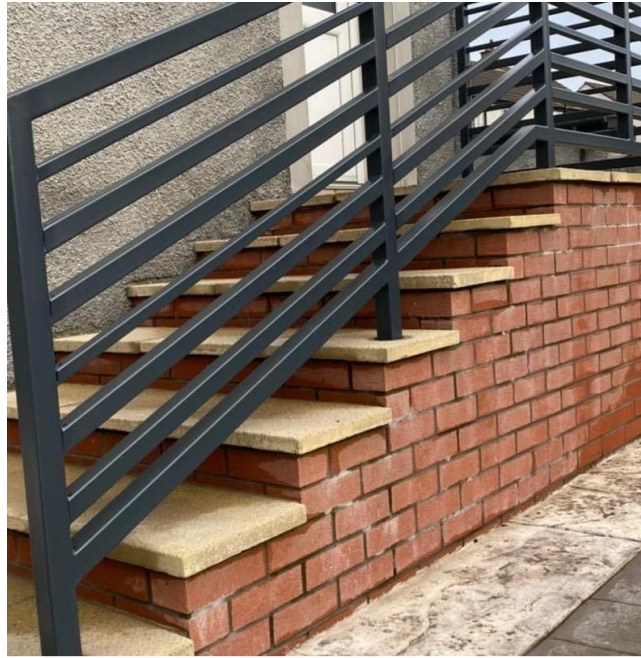


Open Bar fencing on Stirling Drive



Boundary Structures from Dunvegan Drive onto Stirling Drive







**8. FURTHER REPRESENTATION SUBMITTED
FOLLOWING RECEIPT OF NOTICE OF REVIEW**

Mr and Mrs W Carmichael
4 Stirling Drive
Gourock
PA19 1AH
19 December 2021

Contact Nos.-



Review of Decision on Planning Application Number: 21/0260/IC – LEADENE, DUNVEGAN AVENUE, GOUROCK, PA19 1AE

Regarding the request for a review of the decision on the above planning application, we stand by our original objections to the proposed application.

We would like to reiterate that this is a large residential area with open gardens. This proposed structure of a large metal wall and mechanised gate, will most certainly have an appearance of an industrial compound and will be completely alien and not in keeping with the layout and character with the area.

Also, we would like to emphasize again, if these plans are granted, ourselves and neighbour when looking out our front window, we would be looking directly onto a large metal wall and gate a few yards away. On the other hand, the applicant's house is set below ground level well away from the proposed structure.

William Carmichael

Marilyn Carmichael

9. DOCUMENT RECEIVED FROM RICHARD ROBB ARCHITECTS IN RESPONSE TO FURTHER REPRESENTATION

Response to Objections by Mr + Mrs Graham.

Planning Ref: 21/0260/IC

Please find a response to the objections raised.

Upon receiving a copy of the objections, we approached both parties in order to provide them with some clarity to what we had planned, we also provided them with a photograph of the actual style of fence and gate that we proposed [photograph attached].

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Mr and Mrs Carmichael. 4 Stirling Drive.

- 1. The plans propose the erection of a large solid metal fence and large sliding gate across the driveway for the entry and exit of vehicles to the said property. This property is halfway up a hill, yards from a blind corner. Transit type vans reverse from the said driveway onto Dunvegan Avenue. At present due to the open plan nature of their garden, drivers of these vehicles have a reasonable view of traffic on Dunvegan Avenue. To erect such a structure will greatly restrict the drivers view of oncoming traffic on the road. Bearing in mind this structure will be stepped and will get higher from the driveway entrance the further east you travel, including the view of the blind corner.*

Factually incorrect, we have never proposed the gate and fence to be solid, they have always been planned as an open bar ranch style. Our property is near the brow of the hill, not halfway up it, with the driveway being significantly far enough away [approx. 40m] from the curvature of the road [not a blind corner as stated] as demonstrated in the visibility splay.

The view for drivers entering and exiting the driveway has been demonstrated in the "Visibility Splay" that was requested, and provided to the satisfaction of the Head of Service for Roads and Transportation, who offered no objections in terms of traffic management and road safety. The case officer has captured this in the delegated handling report as "*I am satisfied the proposal will have an acceptable impact on traffic and parking on the street scene, meeting the aspect of being Safe and Pleasant [Policy 1 of both LDPs].*"

Gate and fence are a fixed height, neither will increase in height, they will be set in such a manner that this is maintained, and not increase as suggested. It will also be set further back than the existing fence from the adjacent east side property, therefore, it will not impact on, or impair any current view of the curvature of the road.

- 2. Dunvegan Avenue is the only road for vehicles accessing Castle Levan estate and is busy with traffic, particularly at peak times. The east end of this proposed structure, will restrict the view to cars travelling east up Dunvegan Avenue as they approach the blind corner. [see attached photograph] This will certainly pose a road safety threat, particularly, during the school terms, when the school bus picks up and drops off primary school children at the corner of Stirling Drive. The bus reverses into Stirling Drive to avoid the blind bend for the safety of the children and other road users.*

The siting of the gate and fence will not restrict views to any vehicles moving either eastbound or westbound, neither will it pose a threat to road safety, as it will be set further back from the roadside than the existing fence of the adjacent property. Again via the Visibility Splay, no concerns were raised in terms of road management and safety. To suggest otherwise is the opinion of the objector, and without foundation. With regards to the school bus, this actually goes across the curvature of the road [not a blind corner as stated], and then reverses into Stirling drive, in order to drop off the children, which by doing so, impedes the flow of traffic on Dunvegan Avenue, and blocks access to Stirling Drive for other road users, whilst loading and unloading. This is also to allow the bus to turn around and go back down Dunvegan Avenue, rather than continue further into the estate, this in itself has the potential for traffic to build-up and create an unsafe environment. We will also refer to the photograph attached by the objector, by adding an overlay of the siting of the fence and gate, this will demonstrate that it will be set back far enough not to have any impact on, or impair a drivers' line of sight, whether they are moving eastbound or westbound. Further supplying an aerial overview to demonstrate the road is actually curved with ample visibility, and not a blind corner as stated by the objector.

- 3. The plans stipulate the fence and gate would be constructed using galvanised metal. This will cause excessive noise with the opening and closing of such a large industrial sized [21' x 5'] gate. While vehicles are on Dunvegan Avenue, waiting on entry to the property, other road users will be forced onto the wrong side of the road while approaching a blind corner. Also, consideration must be given to the pollution from vehicles' engines idling, while waiting on the gate opening and closing. There is also a health and safety matter as the fence will be south facing, which means when the sun is shining, the rays will be reflected onto the opposite houses. When the school bus reverses into Stirling drive the driver will be facing this fence and his vision could be affected.*

The fence and gate will be made from metal, [as is the fence bordering 2 Stirling drive, directly opposite our house], yes the metal will be galvanised, [galvanisation is a process to protect metal from the elements] it will then be powder coated brown in a colour that imitates existing fences, which will allow it to blend in, it will not be reflective. When striking a vertical edge, reflective glare deflects downwards at an inverse angle to the sun, furthermore the fence and gate will sit lower than the window sills of the houses opposite so will not cause any reflective glare into the said houses, nor affect any drivers vision.

The noise from our residential sized gate opening and closing will be negligible, as it will be electrically operated, and roll on non-metallic rollers. Friends and family will have access to remote control functions for the gate, which is operable from 100m, this negates car engines idling whilst waiting on it opening, also there is no requirement to wait on the gate closing, hence, no engine idling. Again the case officer captures the potential for excessive noise and pollution within the delegated handling report, as not being reasons for refusal. *"I consider it unlikely that the proposed would result in excessive levels of noise and disturbance to neighbouring properties which would be detrimental enough to warrant refusal of the application on these grounds. Concerns over increased pollution are speculative in nature and therefore cannot be considered as a material planning consideration"*.

There is no parking, stopping or waiting restrictions on Dunvegan Avenue, and it is an opinion by the objector to suggest that road users will fail to practice due care and attention, further it makes the assumption, that the bus driver will not pay the appropriate care and attention afforded as a professional driver, and if the objector has doubts to the competence of this driver he should raise it with the appropriate legislative body, rather than this forum.

However, to minimise the impact to traffic, we will reiterate the fact, the gate will be set in the driveway, and back from the roadside, to allow vehicles to move onto the top of the driveway.

- 4. The property in question is situated below street level, meaning the proposed structure will be on a section of open hillside. With the strength of frequent winds, which we regularly suffer from, this will undoubtedly cause noise and movement from the gate and its supports. Therefore, causing noise pollution which will affect the residents opposite.*

We gave careful consideration in choosing the style of fence and gate and settled on an open bar ranch style, and as part of our careful decision making, also took into account the affect from strong winds, when they occur. Therefore, the make-up of the gate, as previously mentioned, is an open bar type, and will not be a sufficient enough barrier to cause either, movement of the gate and its supports, or create wind drag or "wind whistle". This will negate wind noise impacting on not only our neighbours, but also ourselves.

The case officer cites within the delegated handling report, *"I consider it unlikely that the proposed would result in excessive levels of noise and disturbance to neighbouring properties which would be detrimental enough to warrant refusal of the application on these grounds.*

5. *Mygov.scotland regulations state that no fence, wall or gate in front of a house can be constructed when facing a road. There is no footpath in front of this house, and the edge of the property where the structure is planned, is right next to the road.*

Throughout the Castle Levan estate, there are multiple houses where fences, walls, gates and hedging front onto the roads, as is the same throughout the wider community of Inverclyde. We can only reiterate that our proposed fence and gate are not to be sited right at the roadside, as stated by the objector, but set further back as previously mentioned, and shown on both the plans, and also on the photographs attached. Although we are a bit perplexed as to why the objector would include this in their objections, given the fact they themselves have replaced a 1700mm fence, with a recent higher 1900mm fence that fronts their property on 4 Stirling Drive, and with no apparent planning application, or consent showing on Inverclyde planning department website. Our proposed fence will actually be 400mm lower than the fence fronting their boundary.

6. *This area is purely residential, with open gardens to the front, and the proposed plans would give appearance of an industrial compound, and completely alien to every other house in the estate.*

To state “this area is purely residential, with open gardens to the front” is fundamentally flawed, as there is actually a commercial property on Stirling Drive, that being Castle Levan bed and breakfast, as well as other commercial enterprises operating within the estate [Platinum wedding cars, and Calligraphy].

As previously mentioned, there are multiple properties throughout the area that have different styles of garden boundary structures facing onto the road. Some are greater in height and length to our proposal. Again we will reiterate it is a residential fence, not dissimilar to others throughout the area, and already in situ, which demonstrates it will not give the appearance of an industrial compound.

Not only does 4 Stirling drive have a 1900mm fence that fronts onto the road, but both houses immediately to either side also have fences that front onto the road as well [again at a greater height than the one we propose].

Our house has a narrow front garden, then a footpath, then Dunvegan Avenue, which is not a wide road. Directly opposite is the entrance to the driveway of the property in question, which is not shown on the ordnance survey map. The proposal to build this structure would mean we are looking out on a large metal gate approx. 21' in length and by 5' in height. In essence, we would be looking out our window at nothing more than a large barricade. Because of the lay of the land, when the gate opens, it will have to clear a kerb of several inches bordering the driveway and in addition have enough clearance of the rising hillside as the gate continues to open. In essence, even if the actual gate is 5' high, it will be considerably higher from ground level to accommodate the terrain.

This house has a Stirling Drive address, which in essence means it, backs onto Dunvegan Avenue, rather than fronts onto it. Dunvegan Avenue is a normal two lane road, which accommodates traffic moving in either direction, and wide enough to accommodate free movement of large commercial vehicles. The driveway and entrance is clearly visible when using OS maps, ScotLIS, and most other mapping systems. We have already covered the make-up of the gate, and how it is an open style, and not a barricade, again this will sit below the level of their window sill, and partially obscured by two large bushes [approx. 1800mm in height] that are located directly across from the driveway in their garden, as demonstrated in the photograph we have supplied.

We have taken into account the incline of the terrain. The gate will not be raised to clear the edge stone [it is not a kerbstone], rather it is planned for the edge stone to be lowered and a channel to be dug out [truncated] level to accommodate the full travel of the gate, without any increase in its height from ground level.

This is the second planning application for this structure. When the first application was submitted, the ordnance survey map did not show an accurate layout of the area. When this was pointed out to the planning department, they replied this could cause serious problems for the application. A few weeks later, we received a second planning application for the same structure. The layout of the said property had been changed, showing their boundaries had been altered. Our query is, which one, if any, of either of these maps are correct? If ordnance survey map can be submitted which are subsequently altered, one has to question the accuracy of the submission? The second application still does not show a true picture of the layout. We have attached a photograph showing the exact position, of the said driveway in relation to the front of our property, which contradicts the OS map supplied. Who verifies the accuracy of these plans?

The initial application was withdrawn on the advice from the planning department for a point of boundary clarification. The application was then resubmitted to the approval of the planning department.

We have taken the liberty to provide an aerial overview of our driveway to show a more accurate position in relation to 4 Stirling Drive, along with sightlines, we have also plotted the position of the fence line in relation to the road, rather than a street side photograph.

Also supplied is a photograph with sightlines at window sill level, from both 2 and 4 Stirling drive. We are not in a position to make any informed response as to the accuracy applied by Ordnance Survey. **However, checking against ScotLIS, this shows the plans to be accurate.** Again, we will make reference to this being covered by the case officer in the delegated handling report.

If these plans are approved, there is potential for serious road safety problems, and possible accidents, not to mention noise pollution.

We have already covered these points throughout our response above, and do not see the need to lay them out again. The delegated handling report has also addressed these objections in regards to road safety, capturing *"I am satisfied the proposal will have an acceptable impact on traffic and parking on the street scene, meeting the aspect of being Safe and Pleasant [Policy 1 of both LDPs]"*. and for the noise aspect, *"With regards to being Safe and Pleasant, I am satisfied that the proposal could be implemented without creating conflict with adjacent uses in terms of the relevant factors of noise or overshadowing"*.

Whilst we respect the rights for anyone being allowed to raise/voice their objections, these should have some foundation of fact and reasoned, not be borne out of assumptions, opinions, and used to create disinformation. Furthermore, anyone raising an objection should hold themselves to the same standards they expect from others. They should not flout/ignore planning consent when it suits them, and then be afforded the courtesy of double standards.

Attachments

1. Photograph supplied by manufacturer of the actual style of our proposed gate and fence.
2. Photograph as supplied by objector, but with an overlay of the fence line added.
3. Aerial view showing driveway in relation to 4 Stirling Drive, also showing curvature of road and line of visibility to the east.
4. View of sightlines from window sills of both 2 and 4 Stirling drive, in relation to fence.

1) *Example of proposed gates and fence to be natural brown in colour*



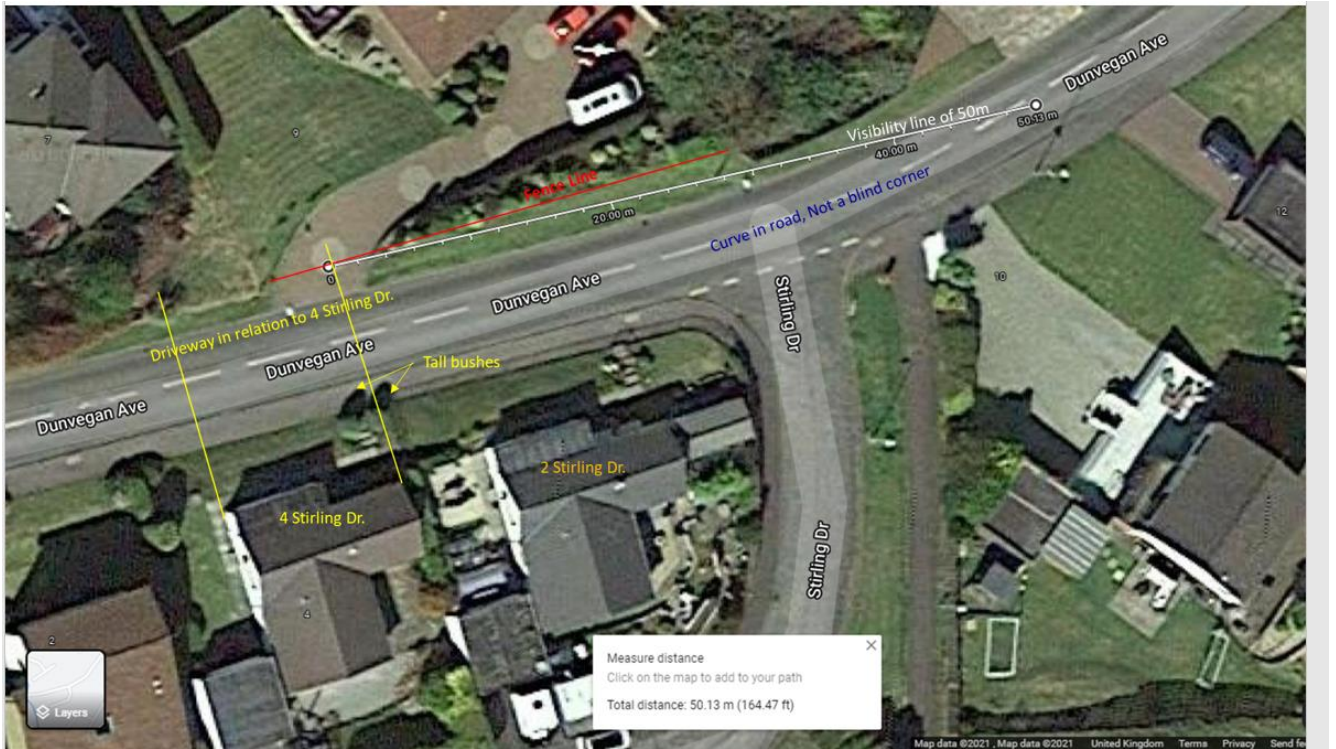
This photograph is a gate that was manufactured and installed by the company we have engaged to do our fence and gate. It is the actual open style we have proposed throughout the whole planning process, the only exception between this one and ours are the semicircles, ours will not have those, instead a small portion will have house name in the gate.

This gate is 1400mm, and as you can see it is not industrialised or dominating as has been suggested. Our gate supports will not be as prominent as there is no requirement to support a swinging gate.

2) *Photograph as supplied by objector but with an overlay of the fence line added.*



3) Aerial view showing driveway in relation to 4 Stirling Drive, also showing curvature of road and line of visibility to the east.



1. View of sightlines from low window sills of both 2 and 4 Stirling drive, in relation to fence.

Note: fence and gate are not a solid structure (see example above) and actual visual 'eye level' sight line from each house is much higher!

