
Report To:	The Planning Board	Date:	6th January 2010
Report By:	Head of Planning and Housing	Report No:	09/0309/IC Plan 01/10
			Local Application Development
Contact Officer:	Guy Phillips	Contact No:	01475 712422
Subject:	Erection of infill fencing and boundary planting with new boundary fence and driveway gate at Melmor, Florence Drive, Kilmacolm		

SITE DESCRIPTION

"Melmor" is a recently built detached house on the west side of Florence Drive, Kilmacolm, at its junction with Hazelmere Road. Hazelmere Road forms the southern boundary of the site while the properties "Paveyark" and "Millbank" lie to the north and west, respectively.

An approximately 2.5m wide temporary construction access onto Florence Drive, formed as part of the planning permission for the house, has created a gap in the approximately 3m high roadside hedging. The planning permission for the house requires that the approved scheme of landscaping be implemented in the first planting season following completion of the house. The approved landscaping scheme includes a reinstated hedge. The applicant has until the end of the current planting season in April 2010 to complete the approved landscaping scheme.

PROPOSAL

An approximately 2.0m high, close boarded fence has been formed around the garden side of the hedge fronting Florence Drive and Hazelmere Road. The fence also infills the gap in the hedge, created by the former construction access. The section of fencing visible from the street has been stained dark green. It is proposed to plant 5 holly bushes in front of the fence to screen it from the street. The drawings submitted with the planning application indicate that there is an approximately 700mm strip between the front face of the fence and the heel of the footway on Florence Drive in which to plant. 2m high, vertical, close boarded timber gates are proposed at the driveway entrance.

LOCAL PLAN POLICIES

Local Plan Policy H1 - Safeguarding the Character and Amenity of Residential Areas

The character and amenity of existing residential areas, identified on the Proposals Map, will be safeguarded, and where practicable, enhanced. New residential development will be acceptable, in principle, subject to other relevant Local Plan policies.

CONSULTATIONS

Council Landscape Advisors- The existing holly hedge has reached a significant height (3m to 3.5m) and width. It currently encroaches onto the full width of a 1.5m wide verge/footpath which partially lies outwith the site boundary. It would be possible to plant holly in front of the fence

although it is likely that this would encroach onto the verge/footway area, potentially overhanging the kerb without appropriate maintenance.

PUBLICITY

The application was advertised in the Greenock Telegraph on 20th November 2009 as there are no premises on neighbouring land.

SITE NOTICES

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

PUBLIC PARTICIPATION

Nine written representations have been received (copies attached).

The objectors are concerned that:-

1. The line of the fence at the former construction access has eroded the width for planting and will not allow for planting in line with the existing hedge.
2. The fence as erected is not as shown on the submitted plans.
3. The proximity of the fencing to the hedging renders maintenance impossible and its survival will be compromised.
4. The application should not refer in any part to a boundary fence. As set down in the planning permission conditions, and supported by two separate Scottish Government Reporters findings, the existing hedges were to be retained as the site boundaries.
5. The proposed treatment of the temporary site access opening in the hedge is unsatisfactory due to the proximity of the fence which has been erected and prevents proper re-instatement of the hedge within the site boundary.
6. No details are provided for gazebos shown on the proposed site plan.
7. The application is wrongly referred to as an outline application. This refers to a previous application for the fence which was withdrawn.
8. Garden levels at the Hazelmere Road frontage make the fence behind the hedge at that point higher than 2m.
9. Urgent action is required to reinstate the hedge and to repair damage to the pavement.
10. The existing hedge is not being maintained and constitutes a danger to pedestrians and road traffic.

ASSESSMENT

The material considerations in the determination of this planning application are the Development Plan, the planning history of the site, the consultation response, and the written representations.

Policy H1 of the Local Plan seeks to safeguard and, where practicable, enhance the character and amenity of residential areas. It therefore falls to consider if the proposed fencing and planting satisfy this aim.

The Council's landscape advisors are content with the proposed planting and the approximately 700mm space available to plant. Maintenance of the new planting shall be required to prevent it overhanging the footway.

The fencing erected behind the existing hedging has no impact outwith the site. The section of fencing filling the gap formed by the temporary construction access is dark stained and with the addition of hedge planting shall, I consider, provide a visually acceptable solution with a neutral visual impact on Florence Drive. As the site will be contained by planting, I am content that the aim of the approved landscaping scheme of minimising the visual impact of the newbuild house from the road is not compromised.

I am further satisfied that the design of the gates proposed for the existing driveway onto Florence Drive is acceptable.

There are other issues raised by the objectors and not covered by my assessment against the Development Plan which require to be answered. The proposed site plan is dimensioned to show the position of the fence relative to the kerb on Florence Drive and the extent of the applicant's ownership marked in red to demonstrate the space available for planting. This drawing was examined on site by the Council's landscape advisors, leading to their conclusion that there is sufficient space to plant. The proximity of the fencing to the garden side of the existing hedge and hedge maintenance are not Town Planning considerations. Any issues of road safety arising from overgrown hedging and deterioration of pavements are matters best controlled under Roads legislation. While there are gazebos shown on the proposed site plan they do not form part of the description on the planning application form and, as such, do not comprise part of the planning application under consideration.

RECOMMENDATION

That the application be granted subject to conditions

Conditions

1. The 5 holly bushes shown on drawing 1250/20 rev D shall be planted by no later than 30th April 2010.
2. Notwithstanding the information shown on drawing 1250/20 rev D, no permission is given for the construction of gazebos.

Reasons

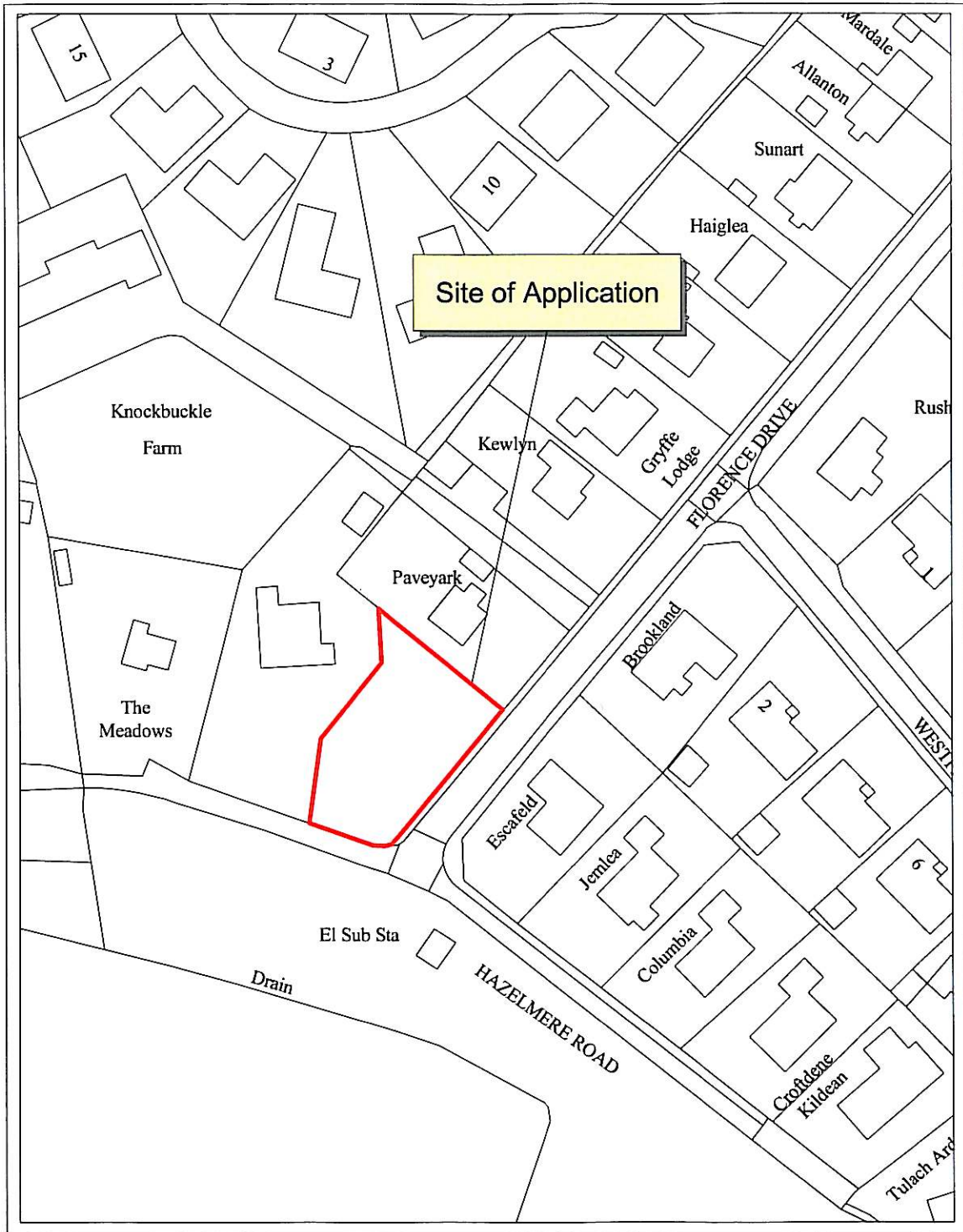
1. To accord with the requirement for the completion of the approved landscaping scheme from planning permission IC/07/316 and in the interests of visual amenity on Florence Drive.
2. As gazebos are not contained within the description of the proposed development on the planning application form and no detailed drawings have been provided.

F. K WILLIAMSON

Head of Planning and Housing

BACKGROUND PAPERS

1. Application form
2. Application plans
3. Inverclyde Local Plan
4. Consultation response
5. Written representations
6. Planning permission IC/07/316



Drawing No. 09/0309/IC
 Melmor, Florence Drive, Kilmacolm
 Drawn by: IAC
 Date: 08:12:09



Crown Copyright. (100023421) (2009)
 ALL RIGHTS RESERVED

Inverclyde
 council
 planning and housing