

**Local Review Body**

**6 October 2010**

**Planning Application for Review**

**Mr A Hetherington  
Proposed Ground Works:  
57 Cloch Road, Gourrock (10/0046/IC)**

**Contents**

- Planning Application and plans (NB plans circulated separately)
- Report of Handling dated 18 June 2010
- Inverclyde Local Plan Policy H1
- Consultation Responses
- Decision Notice dated 21 June 2010
- Letter dated 5 August 2010 from Taylor Haggarty Design enclosing Notice of Review form, proposed block plan, proposed landscaping plan and proposed plan and sections (see plans submitted with planning application), report dated 3 May 2010 by Land Use Consultants and photographs of existing gabion baskets

Head of Planning and Housing  
Cathcart House  
6 Cathcart Square  
Greenock PA15 1LS

5137

FOR OFFICIAL USE ONLY	
Reference No.	10/0046/10
Date of Receipt	11/02/10
Fee Paid	£145
Date Fee Received	11/02/10
Date Valid	
Receipt No.	457

## PLANNING APPLICATION

Town & Country Planning (Scotland) Acts

The undersigned applicant hereby makes application for Planning Permission for the development described on this form and the accompanying plans.

see note 1

1. Particulars of Applicant	Particulars of Agent (if any) acting on applicants behalf:
Name <u>MR. A. HETHERINGTON</u>	Name <u>TAMUOK HAGGARTY DESIGN</u>
Address <u>57 CLOCH ROAD</u>	Address <u>AMEARNS STREET</u>
<u>COUROCK</u> Postcode <u>PA19 1AU</u>	<u>GREENOCK</u> Postcode <u>PA15 4PP</u>
Telephone Number .....	Telephone Number <u>01475-785577</u>
	Profession <u>CHARTERED ARCHITECT</u>

see note 2

2. Description of Development	
<u>PROPOSED GROND WORKS</u>	
Site Location <u>57 CLOCH ROAD, COUROCK</u>	
Site Area (hectares) .....	Number of dwellinghouses proposed <u>—</u>
	New gross floorspace (sq. metres) <u>—</u>

see note 3

3. Application Type (Tick appropriate box/es)	
(a) Permission in Principle <input type="checkbox"/>	(c) Detailed Permission <input checked="" type="checkbox"/>
(b) Approval of Matters specified by conditions <input type="checkbox"/>	(d) Change of Use of land/buildings <input type="checkbox"/>
(e) Other (please specify) .....	

see note 4

4. Applicants interest in site (Tick appropriate box)	
(a) Owner <input type="checkbox"/>	(c) Tenant <input checked="" type="checkbox"/>
(b) Lessee <input type="checkbox"/>	(d) Prospective Purchaser <input type="checkbox"/>
(e) Other (please specify) .....	

AM

see note 5

5. Existing Uses

(a) Please state the existing use(s) of the land/buildings: GARDEN

(b) Was the original building erected before 1st July 1948?  Yes / No

Has the original building been altered or extended  Yes / No

If yes, please indicate nature of alteration / extension and if possible approximate dates: .....

If the land / buildings are vacant, please state last known use: .....

see note 6

6. Access Arrangements and Parking (Tick appropriate box/es)

(a) Not Applicable  (e) Number of existing on site parking places

(b) New vehicular access proposed  (f) Number of proposed on site parking places

(c) Existing vehicular access to be altered / improved  (g) Detail of any available off site parking

(d) Separate pedestrian access proposed

see note 7

7. Drainage Arrangements (Tick appropriate box/es)

(a) Not Applicable  (c) Connection to existing public sewer

(b) Public Sewer  (d) Septic Tank

If (d), indicate method of disposal of effluent (e.g. soakaway, watercourse etc): SOAKAWAY

see note 8

8. Water Supply (Tick appropriate box/es)

(a) Not Applicable  (c) Existing private supply

(b) Public Main  (d) Proposed private supply

If (c) or (d), please specify nature of supply source and proposed storage arrangements: .....

see note 9

9. Building Materials (Complete as appropriate)

(a) Not Applicable

(b) Outside Walls Material: ..... Colour: .....

(c) Roof Covering Material: ..... Colour: .....

(d) Windows Material: ..... Colour: .....

(e) Boundary Treatment Material: ..... Colour: .....

see note 10

10. Landscaping

Is a landscaping/tree planting scheme proposed?

Yes  No

Are any trees/shrubs to be cleared on site?

Yes  No

If yes, please show details of scheme on a SITE PLAN

see note 11

11. Costings

What is the estimated costs of any works to be carried out?

£ 15,000.00

see note 12

12. Confirmation

Signature of applicant/agent.....

on behalf of MR. A. HETHERINGTON

Date 10-02-10

see note 13

CERTIFICATES UNDER ARTICLE 15 OF THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)(SCOTLAND) REGULATIONS 2008

Either certificate A, B or C must be completed together with certificate E

CERTIFICATE A (To be completed where the applicant is owner of the whole application site including any access visibility splays and land required for drainage systems or water connections)

I hereby certify that:

No person other than \* myself/the applicant was an owner (refer to note (a)) 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

CERTIFICATE B (To be completed where the applicant does not own the whole application site including any access visibility splays and land required for drainage systems or water connections)

I further certify that:

\* I have/the applicant has given the requisite notice (Notice No 1) to all persons other than \* myself / the applicant who at the beginning of the period of 21 days ending with the date of the accompanying application were (refer to note (a)) owners of any part of the land to which the application relates.

Name(s) of Owner	Address(es)	Date of Service of Notice(s)
.....	.....	.....
.....	.....	.....
.....	.....	.....

\* Delete whichever is inappropriate

NOTE (a) Any person who in respect of any part of the land is the proprietor of the dominium utile or is the lessee under a lease thereof of which not less than 7 years remains unexpired.

**CERTIFICATE C (To be completed in EVERY CASE)**

I further certify that:

<sup>A</sup> (1) None of the land to which the application relates constitutes or forms part of an agricultural holding

<sup>A</sup> (2) I have/the applicant has given the requisite notice to every person other than myself/himself who at the beginning of the period of 21 days ending with the date of the application was a tenant of any agricultural holding any part of which was comprised in the land to which the application relates

These persons are:  
Name(s) Address(es) Date of Service of Notice(s)

.....  
.....  
.....

**CERTIFICATE D**

I confirm that I have been unable to notify all parties under Certificates A, B and C

\* Delete whichever is inappropriate

Signature of Applicant/Agent .....

On behalf of MR. A. HETHERINGTON

Date 10-02-10

see note 15

**CHECKLIST - The following documentation should be submitted:**

please tick all boxes

TWO APPLICATION FORMS

DESIGN & ACCESS STATEMENT  
(National and Major applications only)

FOUR SETS OF PLANS

PRE-APPLICATION CONSULTATION REPORT  
(National and Major applications only)

FEE (Where appropriate)

**WARNING**

If any person issues a certificate which purports to comply with the requirements of Section 35 of The Town and Country Planning (Scotland) Acts, and contains a statement which he knows to be false or misleading in a material particular or recklessly issues a certificate which purports to comply with those requirements and which contains a statement which is false or misleading in a material particular he shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

## REPORT OF HANDLING

Report By: Guy Phillips

Report No: 10/0046/IC

Local Application  
Development

Contact  
Officer: 01475 712422

Date: 18th June 2010

Subject: Proposed Ground Works at  
57 Cloch Road Gourock PA19 1AU

## SITE DESCRIPTION

The irregularly shaped site lies on the south side of Cloch Road, Gourock, opposite the McInroy's Point Ferry Terminal. It contains a modern, two storey house on an excavated platform. The side garden to the east of the house slopes up steeply to meet the driveway of the neighbouring house to the rear (south).

## PROPOSAL

It is proposed to excavate the side garden by up to 4m to form a level paved parking area and turning head. To support the excavated face, two tiers of gabion baskets, 3 and 2 baskets high, respectively, would be constructed. Planting is proposed on top and in front of the baskets to soften their visual impact on Cloch Road.

## 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

**Head Of Environmental And Commercial Services** – No objections subject to driveway surface water being intercepted within the site.

**Council Landscape Advisors** - Proposal to use gabion walls not significantly detrimental to the environmental and landscape quality of the area. Recommend baskets are constructed from welded mesh and faced with cut stone blocks utilising a locally sourced stone.

## **PUBLICITY**

The nature of the proposal did not require advertisement.

## **SITE NOTICES**

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

## **PUBLIC PARTICIPATION**

No written representations have been received.

## **ASSESSMENT**

The material considerations are the Local Plan and the consultation responses.

Local Plan policy H1 seeks to safeguard and, where practicable, enhance the residential character and amenity of the area. Key to the assessment of whether or not the proposal achieves this aim is the advice of the Council's Landscape Advisors. They have advised the use of gabion retaining walls would not be considered significantly detrimental to the environmental and landscape quality of the area especially as gabion baskets have already been used at the property. It is, however, recommended by the landscape advisors that the baskets be constructed from weldmesh rather than wire and are faced with cut stone blocks utilising a locally sourced stone. Planting proposals are considered to be appropriate for the coastal location.

Initial concerns about level differences between the site and Cloch Road, the achievement of safe vehicular sightlines and water percolation have been satisfactorily addressed and there are no objections from the Head of Environmental Services on road safety grounds.

I consider that the attachment of conditions requiring the specification of the gabion basket wall to be to the above specification, suggested by the Council's landscape advisors, coupled to the timeous provision of the proposed planting scheme, satisfactorily mitigates the visual impact of the development and that the aim of Local Plan policy H1 of safeguarding residential amenity and character is met.

## **DECISION**

That the application be granted subject to conditions

### **Conditions**

1. The gabion basket walls, hereby approved shall be of weldmesh construction and faced with cut stone blocks, utilising locally sourced stone.
2. No development shall commence until samples of the proposed cut stone and paviers have been submitted for the prior written approval of the Planning Authority: development thereafter shall proceed utilising the approved materials, unless the Planning authority gives its prior written approval to any alternatives.
3. No development shall commence until landscaping details for the higher of the two gabion basket walls, hereby approved, have been submitted to and approved in writing by the

Planning Authority: development thereafter shall proceed in accordance with the approved details, unless the Planning Authority gives its prior written approval to any alterations.

4. The landscaping detailed in docquetted drawing 831.03 shall be completed in the first planting season following the completion of the gabion walling. Any specimens which in the subsequent 5 years die, become diseased or are damaged shall be replaced in the next planting season with a similar specimen, unless the Planning authority gives its prior written approval to any alternatives.
5. All surface water run off shall be contained within the site.

#### Reasons

1. To mitigate the visual impact of the gabion basket walling on Cloch Road.
2. To ensure a continuity of materials in this part of Cloch Road.
- 3&4. To mitigate the visual impact of the gabion walling.
5. In the interests of road safety on Cloch Road.

Signed:

Case Officer: Guy Phillips

Stuart Jamieson  
Head of Regeneration and Planning



## DEVELOPMENT STRATEGY POLICIES

### Safeguarding Residential Areas

7.44 The Proposals Map identifies all areas within the settlements of Inverclyde that are primarily residential in character. Residential development will be acceptable, subject to other relevant Local Plan policies, within the settlement boundary. It is important to ensure that the character and amenity of residential areas is safeguarded and enhanced, where possible. Policy H1 provides the means to deal with development proposals affecting these areas, although the Council may also apply other policies depending on the nature of the development.

7.45 New residential development will normally be acceptable in principle, subject to the normal development control criteria outlined in **Policy H8**, other relevant policies and the detailed advice noted in Chapter 18: 'Development Control Advice', as appropriate. The provision of non-residential uses, such as community facilities or neighbourhood shops will also normally complement housing and will be acceptable where they would have little detrimental impact on the amenity of the area. Where it can be demonstrated that this is the case then such proposals will be acceptable, subject to the development control framework noted in **Policy H10**, and any other material considerations.

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#### \* 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.*

### The Provision of Community Facilities

7.46 The provision of facilities such as schools, colleges, nurseries, libraries, community centres and health centres are essential in order to ensure that a community functions effectively. Such facilities are generally compatible with residential amenity and also create a sense of place and belonging and therefore, have the support of the Council, in principle.

7.47 Existing community facilities are not identified specifically on the Proposals Map as they are usually small, self-contained sites located in either residential areas or town centres and will therefore, be subject to the policies appropriate for these two general areas. There are a number of exceptions to this, for example large colleges, museums/art galleries, hospitals and some of the larger schools, but these are readily identified on the Ordnance Survey (OS) base of the Proposals Map and generally, are also compatible with the residential land use zoning.

Pol H1 & H8  
Pol R1-R5

7.48 Notwithstanding this general compatibility, development activity associated with community facilities has particular town planning implications. Guidance on these and other matters is provided in **Policies H9 and H10** below.

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### Redevelopment of Brownfield Sites

7.49 The preference for meeting development needs within the urban area and the focus on area renewal has led to a wide range of housing and other community development opportunities within the areas identified for 'Residential' on the Proposals Map. The redevelopment of this urban land, whether of former non-residential uses or not, for residential and other community use, is consistent with the Local Plan's Development Strategy of regeneration and renewal. This redevelopment therefore, will be acceptable to the Council, subject to the provisions of Policy H2.





Flood Risk Assessment Criteria	Application Reference:	10/0046/IC
<p><b>Development:</b></p> <p>Proposed ground works at 57 Cloch Road, Gourock</p> <p style="text-align: right;">YES / NO</p>		
<p>1) Is any part of the site within 50m of a known flood location?</p> <p>2) Does a watercourse* pass through the site or is there one within 50m?</p> <p>3) Is there a reservoir, loch or pond within 50m of the site?</p> <p>4) Is there a sewerage storm overflow within 50m of the site?</p> <p>5) For coastal developments, does the site lie below 5m above ordnance datum?</p> <p>6) Does the developer propose to pipe or divert a watercourse?</p> <p>7) Is the site bounded by an existing flood protection measure?</p> <p>8) Have objections on grounds of flooding been raised?</p> <p>9) For some developments, ** has the developer submitted a Drainage Impact Assessment with their outline application?</p>	<p>NO</p> <p>NO</p> <p>NO</p> <p>NO</p> <p>NO</p> <p>NO</p> <p>NO</p> <p>NO</p> <p>NO</p>	
<p>* A watercourse includes a river, stream, burn and any ditch, drain, cut, canal, culvert, sluice or passage carrying or designed to carry water. It does not include any sewer or watermain.</p> <p>** All developments except household applications, developments of less than 10 houses, non household extensions under 100 square metres and changes of use not involving new build or hardstanding.</p> <p>If any item 1 - 9 is identified, a Flood Risk Assessment (to varying degrees) will be required.</p> <p>Guidelines on the submission of Drainage Impact Assessments and Flood Risk Assessments may be obtained from the Environmental Services.</p>		
<p><b>Additional Comments:</b></p> <p>Percolation tests required for the soak-a-way</p> <p>Design and size of soak-a-way required</p> <p>All water from the driveway should be intercepted before it reaches the road</p>		



## Inverclyde Council Landscape Consultancy

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<b>Project Name:</b>	57 Cloch Road, Gourock
<b>IC Ref:</b>	10/0046/IC
<b>LUC Project No.</b>	4712.022
<b>Date:</b>	3 <sup>rd</sup> May 2010
<b>Inverclyde Council Contact:</b>	Guy Phillips
<b>LUC Consultant:</b>	Kara Head

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Land Use Consultants (LUC) was appointed as Landscape Term Consultants to Inverclyde Council in March 2007, and reappointed in July 2009.

### 1.0 Brief for advice

- 1.1 Inverclyde Council has asked LUC to comment in relation to landscape issues on a planning application for a new driveway and retaining walls at the private property of 57 Cloch Road, Gourock.
- 1.2 LUC was provided with the following information, prepared by Taylor Haggarty Design (Architects) and ATK Partnership (Civil and Structural Engineering Consultants):
  - *Existing Block Plan (834.01)*
  - *Proposed Block Plan (834.02)*
  - *Proposed Plan and Sections (2798-11)*
  - *Proposed Landscaping Plan (831.03)*

### 2.0 Site

- 2.1 The site was visited by a Landscape Architect on 26<sup>th</sup> April 2010 during dry weather conditions and clear visibility.
- 2.2 No residents were present during LUC's site visit. However the property has an open aspect to Cloch Road and could be clearly assessed from the public footpath.
- 2.3 57 Cloch Road is a detached residential property located in the west of Gourock. The property faces north west over the Western Ferries Ferry Terminal and the Firth of Clyde.
- 2.4 As typical of the area, the landform of the site steeply ascends to the south, from 8.36m at the foot of the driveway to 12.50m at the rear of the house.
- 2.5 The north (front) boundary of the property is formed by a mortared stone retaining wall with a level difference of approximately 700mm above the adjacent pavement. The east and south boundaries of the property are mainly screened by planting and are formed by wooden fences. The west boundary of the property shares a wooden fence and young planting with no. 58 Cloch Road. The southern boundary is partially formed by gabion baskets approximately 1.2m in height that retain the slope and scrub vegetation to the south.

- 2.6 The immediate front garden includes a block paved driveway, concrete flag path, amenity grass and small areas of planting. The garden extends to the east and south and includes a mix of semi mature shrubs and trees. The rear garden is on a steep slope and its height is broken by a gabion retaining wall.

### **3.0 The proposal**

- 3.1 The proposed works comprise a new driveway, parking area and new gabion retaining walls.

### **4.0 Comments**

- 4.1 The property is not affected by any landscape or ecological designations in the local plan.
- 4.2 The extension of the existing gabion retaining wall would result in the loss of some semi mature shrub planting and 1 no. birch tree. This is not considered significantly detrimental to the environmental or landscape quality of the area. The applicant should be aware that under the Wildlife and Countryside Act 1981 (amended) it is an offence to kill, take or injure any wild bird or to take, damage or destroy the eggs or the nest of any wild bird while that nest is in use or being built. Generally the bird nesting season falls in the period from 1st March to 31 July. If birds and their nests are discovered during this period no works should be carried out until the young have fledged (left the nest).
- 4.3 The proposal is unlikely to affect views from the only neighbouring property, 58 Cloch Road, as predominant views are to the north and the property has no east facing windows.
- 4.4 The drive exits onto an existing bend on the busy Cloch Road (A770). There is also a west bound filter lane at this location that permits access to the ferry terminal. We would highlight that there may be difficulty in seeing traffic approaching from the east when exiting the property. Therefore a driveway exit at this location could be considered a hazard to west bound traffic. We would recommend that Inverclyde Council's Roads Department is consulted on this application to ensure that the proposal would not present a hazard to traffic on the A770.
- 4.5 Based on the limited information available the proposed levels and gradients appear to be satisfactory. The council should be informed if the levels and / or gradients differ greatly from those proposed in the application.
- 4.6 We would state that the proposal to use gabion retaining walls would not be considered significantly detrimental to the environmental and landscape quality of the area especially as gabion baskets have already been used at the property. We would recommend that the gabions are constructed from welded mesh rather than wire and are faced with cut stone blocks utilising a locally sourced stone.
- 4.7 The planting proposals for the gabions are considered to be appropriate to this coastal location.
- 4.8 The existing mortared stone wall should be rebuilt or repaired by the applicant if damaged at any time during construction.

Kara Heald  
For Land Use Consultants  
3<sup>rd</sup> May 2010

# DECISION NOTICE

## *Conditional Planning Permission*

Issued under Delegated Powers

Regeneration and Planning  
6 Cathcart Square  
Greenock PA15 1LS

10/0046/IC

*TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997  
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)  
(SCOTLAND) REGULATIONS 2008*

Mr A Hetherington  
57 Cloch Road  
Gourock  
PA19 1AU

Taylor Haggarty Design  
1A Mearns Street  
Greenock  
PA15 4PP

With reference to your application dated 11.02.2010 for planning permission under the abovementioned Act and Regulation for the following development:-

**Proposed Ground Works at  
57 Cloch Road, Gourock, PA19 1AU**

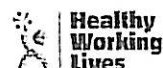
### **Category of Application Local Application Development**

The INVERCLYDE COUNCIL in exercise of their powers under the abovementioned Act and Regulation hereby grant planning permission for the said development in accordance with the plan(s) docquetted as relative hereto and the particulars given in the application.

In compliance with Section 58 of the Town and Country Planning (Scotland) Act, 1997 this permission is granted subject to the condition that the development to which it relates must be begun not later than the expiration of 3 years beginning with the date of this permission.

Permission is issued subject to the following conditions:

1. The gabion basket walls, hereby approved shall be of weldmesh construction and faced with cut stone blocks, utilising locally sourced stone.
2. No development shall commence until samples of the proposed cut stone and paviors have been submitted for the prior written approval of the Planning Authority: development thereafter shall proceed utilising the approved materials, unless the Planning Authority gives its prior written approval to any alternatives.
3. The landscaping detailed in docquetted drawing 831.03 shall be completed in the first planting season following the completion of the gabion walling. Any specimens which in the subsequent 5 years die, become diseased or are damaged shall be replaced in the next planting season with a similar specimen, unless the Planning authority gives its prior written approval to any alternatives.
4. No development shall commence until landscaping details for the higher of the two gabion basket walls, hereby approved, have been submitted to and approved in writing by the Planning Authority: development thereafter shall proceed in accordance with the approved details, unless the Planning Authority gives its prior written approval to any alterations.
5. All surface water run off shall be contained within the site.



The foregoing condition(s) are imposed by the Council for the following reasons:-

1. To mitigate the visual impact of the gabion basket walling on Cloch Road.
2. To ensure a continuity of materials in this part of Cloch Road.
- 3 & 4. To mitigate the visual impact of the gabion walling.
5. In the interests of road safety on Cloch Road.

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

Dated this 21st day of June 2010

**Head of Regeneration and Planning**

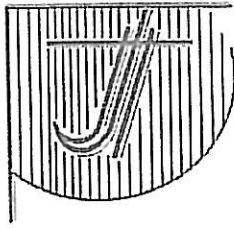
- 1 If the applicant is aggrieved by the decision of the Planning Authority to refuse permission for or approval required by condition in respect of the proposed development, or to grant permission or approval subject to conditions, he may seek a review of the decision within three months from the date 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

**Approved Plans:**

Drawing No:	Version:	Dated:
831.02	01.02.2010	
834.01	01.02.2010	
ATK2798-11	Rev D	27.04.2010
831.03	01.03.2010	

Appended to this decision notice are two forms: a "commencement of development form" and a "completion of development form". You are required to submit the former notice before starting work. Failure to do so is a breach of planning control under Section 123(1) of the Town and Country Planning (Scotland) Act 1997. You are required to submit the latter notice as soon as practicable after completion of the development. If a third form has been appended, a "form of notice to be displayed while development is in progress" you are required to display this in a prominent place at or in the vicinity of the site of the development; it must be readily visible to the public, and it must be printed on durable material. It is a breach of planning control not to display such a notice if required.





**TAYLOR HAGGARTY DESIGN**  
1A Mearns Street GREENOCK PA15 4PP tel & fax 01475 785577  
e-mail taylor-haggarty.design@virgin.net

LEGAL SERVICES	
RECEIVED	6 - AUG 2010
ACTION	2372
	H. MEN

August 5 2010

Inverclyde Council  
Head of Legal and Administration  
Municipal Buildings  
Greenock  
PA15 1LY

Dear Sirs,

Proposed Groundworks @ 57 Cloch Road. Gourock  
Dr. & Mrs. A. Hetherington

We herewith enclose Notice of Review Form duly completed together the Planning Consent, docketed drawings and photographs A, B and C.

Yours faithfully,

~~John J Taylor~~  
~~Taylor Haggarty Design~~  
encls.

Partner John J Taylor

# NOTICE OF REVIEW

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

THE TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL REVIEW PROCEDURE)  
(SCOTLAND) REGULATIONS 2008

THE TOWN AND COUNTRY PLANNING (APPEALS) (SCOTLAND) REGULATIONS 2008

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

Use **BLOCK CAPITALS** if completing in manuscript

### Applicant(s)

Name

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail\*

### Agent (if any)

Name

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail\*

Mark this box to confirm all contact should be  
through this representative:

Yes  No

\* Do you agree to correspondence regarding your review being sent by e-mail?

Planning authority

Planning authority's application reference number

Site address

Description of proposed  
development

Date of application

Date of decision (if any)

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

**Nature of application**

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

**Reasons for seeking review**

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

**Review procedure**

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

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

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

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

**Site inspection**

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

- |  | Yes                                 | No                       |
|--|-------------------------------------|--------------------------|
| 1. Can the site be viewed entirely from public land?                                 | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Is it possible for the site to be accessed safely, and without barriers to entry? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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

**Statement**

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

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

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

The reasons for seeking a review of the conditions attached to the planning consent are as follows:-

condition no.1 requires the gabions to be faced with cut stone blocks utilising locally sourced stone

condition no.3 requires the landscaping outlined in docketted drawing no. 831.03 to be completed in the first planting season following the completion of the gabion walling.

Drawing 831.03 shows the middle gabions faced with topsoil retained within hessian it follows that the gabion cannot be faced with cut stone blocks

The imposition of a requirement to provide a facing of dressed stone blocks would entail a considerable and unnecessary expense since the soft landscaping proposals are intended to conceal the stonework over a period of time.

There is no source of cut stone blocks within the former Strathclyde Region the quarries that exist within the region supply aggregate and sand. The nearest quarry is Locharbriggs in Dumfriesshire.

The existing gabions are not unsightly (see enclosed photographs) and the Landscape Consultant states in her report that the proposed gabions 'would not be considered significantly detrimental to the environmental and landscape quality of the area especially as gabion baskets have already been used'

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 new material, why it was not raised with the appointed officer before your application was determined and why you consider it should now be considered in your review.

**List of documents and evidence**

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

Copy of Planning Consent  
Docquetted drawing no.s 831.02, 831.03 and 2798-11D  
Photographs of existing gabion baskets A.B and C

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

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**Checklist**

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

- Full completion of all parts of this form
- Statement of your reasons for requiring a review
- All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

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 from that earlier consent.

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**Declaration**

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

Signed

Taylor | HAYMAON DESIGN

Date

5<sup>th</sup> August 2010



## Inverclyde Council Landscape Consultancy

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<b>Project Name:</b>	57 Cloch Road, Gourock
<b>IC Ref:</b>	10/0046/IC
<b>LUC Project No.</b>	4712.022
<b>Date:</b>	3 <sup>rd</sup> May 2010
<b>Inverclyde Council Contact:</b>	Guy Phillips
<b>LUC Consultant:</b>	Kara Heald

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Land Use Consultants (LUC) was appointed as Landscape Term Consultants to Inverclyde Council in March 2007, and reappointed in July 2009.

### 1.0 Brief for advice

- 1.1 Inverclyde Council has asked LUC to comment in relation to landscape issues on a planning application for a new driveway and retaining walls at the private property of 57 Cloch Road, Gourock.
- 1.2 LUC was provided with the following information, prepared by Taylor Haggarty Design (Architects) and ATK Partnership (Civil and Structural Engineering Consultants):
  - Existing Block Plan (834.01)
  - Proposed Block Plan (834.02)
  - Proposed Plan and Sections (2798-11)
  - Proposed Landscaping Plan (831.03)

### 2.0 Site

- 2.1 The site was visited by a Landscape Architect on 26<sup>th</sup> April 2010 during dry weather conditions and clear visibility.
- 2.2 No residents were present during LUC's site visit. However the property has an open aspect to Cloch Road and could be clearly assessed from the public footpath.
- 2.3 57 Cloch Road is a detached residential property located in the west of Gourock. The property faces north west over the Western Ferries Ferry Terminal and the Firth of Clyde.
- 2.4 As typical of the area, the landform of the site steeply ascends to the south, from 8.36m at the foot of the driveway to 12.50m at the rear of the house.
- 2.5 The north (front) boundary of the property is formed by a mortared stone retaining wall with a level difference of approximately 700mm above the adjacent pavement. The east and south boundaries of the property are mainly screened by planting and are formed by wooden fences. The west boundary of the property shares a wooden fence and young planting with no. 58 Cloch Road. The southern boundary is partially formed by gabion baskets approximately 1.2m in height that retain the slope and scrub vegetation to the south.

- 2.6 The immediate front garden includes a block paved driveway, concrete flag path, amenity grass and small areas of planting. The garden extends to the east and south and includes a mix of semi mature shrubs and trees. The rear garden is on a steep slope and its height is broken by a gabion retaining wall.

### 3.0 The proposal

- 3.1 The proposed works comprise a new driveway, parking area and new gabion retaining walls.

### 4.0 Comments

- 4.1 The property is not affected by any landscape or ecological designations in the local plan.
- 4.2 The extension of the existing gabion retaining wall would result in the loss of some semi mature shrub planting and 1 no. birch tree. This is not considered significantly detrimental to the environmental or landscape quality of the area. The applicant should be aware that under the Wildlife and Countryside Act 1981 (amended) it is an offence to kill, take or injure any wild bird or to take, damage or destroy the eggs or the nest of any wild bird while that nest is in use or being built. Generally the bird nesting season falls in the period from 1st March to 31 July. If birds and their nests are discovered during this period no works should be carried out until the young have fledged (left the nest).
- 4.3 The proposal is unlikely to affect views from the only neighbouring property, 58 Cloch Road, as predominant views are to the north and the property has no east facing windows.
- 4.4 The drive exits onto an existing bend on the busy Cloch Road (A770). There is also a west bound filter lane at this location that permits access to the ferry terminal. We would highlight that there may be difficulty in seeing traffic approaching from the east when exiting the property. Therefore a driveway exit at this location could be considered a hazard to west bound traffic. We would recommend that Inverclyde Council's Roads Department is consulted on this application to ensure that the proposal would not present a hazard to traffic on the A770.
- 4.5 Based on the limited information available the proposed levels and gradients appear to be satisfactory. The council should be informed if the levels and / or gradients differ greatly from those proposed in the application.
- 4.6 We would state that the proposal to use gabion retaining walls would not be considered significantly detrimental to the environmental and landscape quality of the area especially as gabion baskets have already been used at the property. We would recommend that the gabions are constructed from welded mesh rather than wire and are faced with cut stone blocks utilising a locally sourced stone.
- 4.7 The planting proposals for the gabions are considered to be appropriate to this coastal location.
- 4.8 The existing mortared stone wall should be rebuilt or repaired by the applicant if damaged at any time during construction.

Kara Heald  
For Land Use Consultants  
3<sup>rd</sup> May 2010

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