

Report To: The Planning Board

Date: 4th April 2012

Report By: Head of Regeneration and Planning

Report No: 12/0033/IC
Plan 04/12

**Local Application
Development**

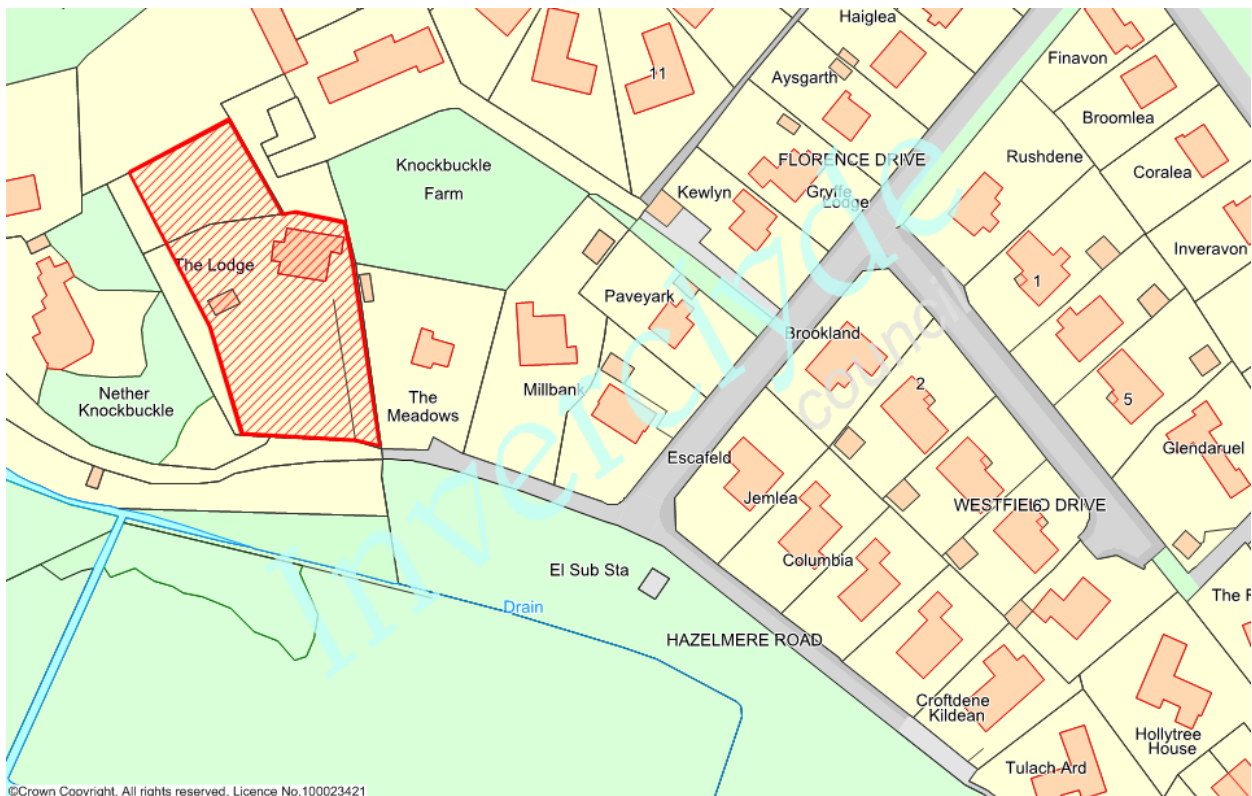
**Contact
Officer:** David Ashman

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Subject: Demolition of house and construction of two new houses at
The Lodge, Hazelmere Road, Kilmacolm

SITE DESCRIPTION

The site is irregularly shaped, extends to approximately 0.3ha and contains a bungalow and detached garage. A driveway leading to Hazelmere Road forms the southern boundary of the site while detached properties at “Nether Knockbuckle”, which is category B listed, and “The Meadows” lie to the west and east respectively. “Knockbuckle Farm” and “The Stables” lie north of the site. The site is populated by mature trees, contains a pond and has a variable gradient rising northwards from the driveway. The house is unoccupied and the grounds are unmaintained.



PROPOSAL

Planning permission is sought to demolish the existing bungalow and garage and to construct two detached villas with associated detached garages. It is proposed to access the houses from a shared drive connecting to the "Nether Knockbuckle" driveway in approximately the same position as the existing access to "The Lodge". The southern of the two houses fronts onto the proposed shared drive, beyond which is a courtyard serving two garages and the northern of the 2 houses. The first 11.5 metres of the new shared drive is to be hard surfaced, with stone chips to be used beyond this point.

The pond is to be re-modelled due partly to some levels alterations to accommodate the houses. Additional new planting, particularly along the common boundary with Nether Knockbuckle is proposed.

In support of the planning application a design and planning statement and an updated tree survey have been submitted.

The site has a history of planning permissions which have not, to date, been implemented.

In June 2004 planning permission was granted for the erection of a house, incorporating the existing bungalow into its structure. This permission has lapsed.

In May 2005 planning permission was granted for a revised house design, which also incorporated the bungalow into its structure. This planning permission was renewed in 2010 and remains live.

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.

Local Plan Policy H8 - The Character and Amenity of Residential Areas

Proposals for residential development that are acceptable in principle in terms of the Development Strategy of the Local Plan will still be required to satisfy the following development control criteria:

- (a) compatibility with the character and amenity of an area in terms of land use, density, design and materials used;
- (b) visual impact of development on the site and its surroundings;
- (c) landscaping proposals;
- (d) open space proposals (see also Policy H11 and guidance in Policy DC1);
- (e) proposals for the retention of existing landscape or townscape features of value on the site;
- (f) assessment against the Council's Roads Development Guidelines 1995 with regard to road design, parking and traffic safety;
- (g) provision of adequate services; and
- (h) accommodation of, in appropriate cases, the requirements of bus operators regarding road widths, lay-bys and turning areas.

Local Plan Policy H14 - Proposals for the Sub-Division of Dwelling Plots

Proposals for residential development within the curtilage of an existing developed plot will be acceptable only where they:

- (a) provide a safe and convenient means of access for the vehicles and pedestrians of both the existing and proposed dwelling in accordance with the Council's Roads Development Guidelines 1995; and
- (b) do not conflict with the established character and development pattern of an area with particular regard to garden ground, scale and position of buildings and spacing between buildings.

Local Plan Policy HR15 - The Setting of Listed Buildings

Development will be required to have due regard to the effects on the setting of, and principal views from, Listed Buildings and shall be without detriment to their principal elevations and the main approaches to them.

Local Plan Policy DS5 - Promotion of Quality in New Building Design and in Townscape/Landscaping

The urban environment and built heritage of Inverclyde will be protected and enhanced through controls on development that would have an unacceptable impact on the quality of this resource. Quality in new building design and landscaping will be encouraged to enhance Inverclyde's townscapes.

Local Plan Policy DC1 - Development Control Advice

Inverclyde Council, as Planning Authority, will support applications for planning, listed building and advertisement consent, where applicable, which accord with the principles established in the Council's Planning Practice Advice Notes.

Planning Practice Advice Notes 1 (Backland and Tandem Development) and 3 (Private and Public Open Space Provision in New Residential Development) apply.

CONSULTATIONS

Head of Environmental and Commercial Services - Each plot should accommodate 3 parking spaces. The driveway is to be a minimum of 4.8 metres wide over the first 10 metres to allow 2 vehicles to pass. The driveway should be paved over first 2 metres to prevent deleterious material being carried onto the carriageway. Driveway gradient is not to exceed 10%. A drainage impact assessment is required together with the approval of SEPA and Scottish Water for water disposal.

Scottish Environment Protection Agency – No objection subject to adequate drainage connections being made and surface water being controlled through sustainable urban drainage systems. The nearby drainage channel should be checked for blockages and maintenance.

PUBLICITY

The application was advertised in the Greenock Telegraph on 17th February 2012 as there are no premises on neighbouring land and as development affecting the setting of a listed building.

SITE NOTICES

A site notice was posted on 17th February 2012 for development affecting the setting of a listed building.

PUBLIC PARTICIPATION

The application was the subject of neighbour notification, press advertisement and site notice. Six objections and one letter of representation have been received. The points of objection may be summarised as follows:

Policy issues

- The proposal constitutes backland or tandem development and is therefore contrary to the advice in PPAN No.1.
- It is contrary to policy H14 with respect to safe and convenient means of access and it conflicts with the established character and pattern of development with particular regard to garden ground, scale, position of buildings and spaces between buildings.
- The site is not brownfield as claimed by the applicant.
- Lack of space between the dwellings is inappropriate.
- The southern dwelling is not orientated in accordance with the streetscene and disrupts the established building pattern.
- The large areas of hard surfacing are out of character with the area.
- Wider concerns over the continued development of large garden sites in Kilmacolm.

Roads and access issues

- Access to the application site is from a private access and not Hazelmere Road, hence access to the site cannot be achieved (i.e., there is no direct road access).
- The access road is not suitable or safe for heavy construction traffic.
- The access road should require to be upgraded as per previously proposed.
- The proposal will increase traffic onto Hazelmere Road, Knockbuckle Road and Lochwinnoch Road, all of which have existing capacity issues.

Ownership/Legal issues

- The ownership of surrounding land and access is not accurately set out.

Impact on neighbouring houses

- The northernmost house will overlook adjacent properties.
- The southernmost house has several windows looking into a neighbouring property.
- Impact on neighbours through noise and disturbance.
- The setting of "Nether Knockbuckle" will be compromised; the informal arts and craft garden will be adversely impacted by landscaping proposals.
- The access and parking area may be lit by high intensity security lighting.
- Concerns over alarms.

Drainage issues

- One of the houses will be built on top of a spring. This raises concerns of potential flooding.
- Concerns over how drainage of the pond is to be addressed.

Miscellaneous

- The history of the development of Nether Knockbuckle is not accurately set out.
- How demolition material is to be removed from the site is not explained.
- There is a lack of detail on the proposed air to water heating system.
- The applicant has allowed the site to deteriorate to justify the application.
- Full re-planting details have not been provided.
- Failure of the ePlanning system prevented inspection of the application.

The letter of representation requests that approval of the application should be subject to the provision of a suitable access including during construction and that the same conditions as imposed on the previous submission should be applied.

ASSESSMENT

The material considerations in determination of this application are the Inverclyde Local Plan, PPAN 1 (Backland and Tandem Development), PPAN 3 (Private and Public Open Space Provision in New Residential Development), the Scottish Historic Environment Policy, the consultation responses, the letters of representation and the applicant's supporting information.



The determining issue is whether the application site, which presently contains one dwelling, is capable of being developed to accommodate two dwellings whilst complying with the Local Plan.

In the Local Plan the site is covered by Policy H1 which states that new residential development will be acceptable where it safeguards and, where practicable, enhances the character and amenity of the residential area. The best measure, I consider, of whether or not the proposal satisfies this aim is to assess it against Policies H8 and H14 and the Council's Policy Planning Advice Note (PPAN) No.3.

PPAN 3 advises that small scale infill developments should accord with the established density and pattern of development in the immediate vicinity with due regard to front and rear garden sizes and distances from plot boundaries. Policy H8 identifies a range of criteria which require to be satisfied. The relevant criteria in this instance are:

- (a) Compatibility with the character and amenity the area in terms of land use, density, design and materials used.

There is no change to the land use. It is suggested in objection that this area of Kilmacolm was traditionally large detached villas built on a building line providing form and scale, especially when matched by stone walls and or hedges. This description of street setting does not match "The Lodge". Although density on this plot would be increased with the introduction of another house, when the wider context is considered the resultant plot sizes are not significantly at variance with nearby developments. The two plots sizes are approximately 840 sq.m and 2100 sq.m respectively. By comparison and approximately, "Escafield" is 820 square metres, "Paveyark" is 875 square metres, "The Meadows" is 1300 square metres and "Nether Knockbuckle" is 3,800 square metres, demonstrating the variation in the vicinity; the plots are neither the largest nor the smallest in the locality. The proposed houses are two storey and are to be finished in off-white render with slate roofs. There are a mix of building heights and materials in this locality, with bungalows and villas in Hazelmere Road and Florence Drive finished in a mix of materials including white/off-white render and slate roofs.

- (b) Visual impact of development on the site and its surroundings.

The site will be visible from the immediately adjacent houses and the western part of Hazelmere Road. The southern house would be set back approximately 23 metres from the driveway and would be viewed in the context of the existing soft landscaping and adjacent house at "The Meadows". The northern house would only be seen in glimpses beyond "The Meadows" and the southern house. I consider such a visual impact to be acceptable. Considering the visual impact

on neighbouring properties, the east and west boundaries benefit from the presence of mature trees, proposed to be further augmented by new planting. Existing and proposed tree cover added to the separation of the proposed houses from neighbouring properties combine, I consider, to determine that the outlook of existing houses would not be unacceptably prejudiced. I also note the window to window distance is in excess of 18 metres which is the figure the Council would normally expect as a minimum to address privacy concerns. I am particularly aware of the site's proximity to "Nether Knockbuckle" which is a category B listed building. In view of the distance between the proposed dwellings and the intervening existing and proposed landscaping I find no conflict with Local Plan policy HR15 (setting of listed buildings).

(c) Landscaping proposals.

I note concern over the impact on the arts and crafts garden setting of "Nether Knockbuckle", but the current ownership situation has to be recognised. "The Lodge" is in separate ownership and does not fall within the curtilage of the listed building. There are no planning controls over the management or design of the garden of "The Lodge". Indicative planting has been shown, which I am supportive of in principle; it seeks to clearly define the properties and allows for the appropriate garden design of "Nether Knockbuckle" within its boundaries. It would be appropriate to impose conditions requiring full details to be provided and a planting timescale imposed to ensure that criterion (c) is fully addressed. I note concern that the open grain stone paving area is out of character with the area. This will not be widely open to public view; it forms a private courtyard and turning area and is considered appropriate.

(e) Proposals for the retention of existing landscape or townscape features of value on the site.

Development of the site will result in the loss of some trees but, on the basis of the submitted plans and the updated tree study, I do not consider the potential losses to be significant in terms of the total tree cover. The retention of most of the existing tree cover on the site addresses criterion (e).

(f) Assessment against the Council's Roads Development Guidelines with regard to road design, parking and traffic safety.

The Head of Environmental and Commercial Services sets out criteria that require to be addressed. On the matter of drainage, the Scottish Environment Protection Agency (SEPA) offer no objection in principle. The applicant would require to liaise with Scottish Water with respect to connections should planning permission be granted. The required submission of a drainage impact assessment and controls on the surfacing and gradient of the driveway are matters that can be addressed by conditions. The increase in the width of the driveway to 4.8 metres wide to allow two vehicles to pass has been accommodated by the applicant through an alteration to the submitted plans widening the first 10 metres of the driveway. This alteration has been accepted by the Head of Environmental and Commercial Services. I am also satisfied that the two plots are capable of accommodating 3 parking spaces each. The addition of one house and will have an insignificant impact on the road capacity of Hazelmere Road, Knockbuckle Road and Lochwinnoch Road.

I conclude that all relevant criteria of policy H8 can satisfactorily be addressed.

With respect to those aspects of policy H14 not already addressed, and with reference to the guidance provided by PPAN No.1 and PPAN No.3, the development of two house plots in series from an access would be a new development in the vicinity which does not accord with the established pattern of development. Reference has been made by objectors to this proposal representing unacceptable backland and /or tandem development. In response, my assessment of the acceptability of the impact on the character and amenity of the area including the density, visual prominence and the amenity of nearby residents leads me to conclude that a change to the pattern of development alone does not merit refusal of the proposal. Indeed, acceptability of the development with reference to policies H1 and H14 satisfies me that this proposal is compliant with Policy DS5 (Promotion of Quality in New Building Design and in Townscape/Landscaping).



In addition to considering the impact on the locality and neighbours, the Scottish Historic Environment Policy requires a planning authority to take into consideration any impact a proposed development would have on the setting of a listed building. It is evident on site that historically this forms part of the original curtilage of “Nether Knockbuckle”, which is a category B listed building. The combination of distance, location in the side garden and the existing and proposed soft landscaping satisfies me that the setting of the listed building is respected; the proposal complies with Local Plan policy HR15 (the setting of listed buildings).

I conclude that the proposal is acceptable when assessed against the Inverclyde Local Plan. I now require to assess if there are other material considerations that suggest determining the application against Local Plan policy.

I note that there are no outstanding issues raised by consultees that cannot be addressed by conditions or advisory notes on a grant of planning permission. I note that neither the Head of Environmental and Commercial Services nor SEPA has raised any concerns relating to potential flooding or drainage issues. It is appropriate, however, to seek details of drainage arrangements and potential impacts before development commences and to ensure this is dealt with in a sustainable manner. Conditions may be attached to a grant of planning permission to achieve this. The concerns raised by objectors over potential use by heavy construction traffic, the removal of demolition materials, noise and disturbance during construction, site ownership, the use of security lights and alarms, the type of heating system and the ePlanning system are not matters that form the basis of the refusal of planning permission. This is not a brownfield site; this is a residential area and a house presently occupies the site.

I am therefore satisfied that there are no material considerations which suggest that planning permission should not be granted.

RECOMMENDATION

That the application be granted subject to conditions:-

Conditions

1. That the development to which this permission relates must be begun within 3 years from the date of this permission.
2. That samples of all wall materials to be used on the dwellinghouses hereby permitted shall be submitted to and approved in writing by the Planning Authority prior to their use.

3. That the roof shall be finished in slate, samples of which shall be submitted to and approved in writing by the Planning Authority prior to their use.
4. That the first of the dwellinghouses hereby permitted shall not be occupied until the hard surfaced section of the driveway shown on the approved plans is completed. Details of the proposed hard surfacing shall be submitted to and approved in writing by the Planning Authority prior to use.
5. That before development commences, full details of the soft landscaping scheme hereby approved in principle shall be submitted to and approved in writing by the Planning Authority. Thereafter the scheme shall be implemented in full before the end of the first planting season following occupation of the first of the dwellinghouses hereby permitted.
6. That any of the landscaping scheme which dies, becomes diseased, is damaged or removed within 5 years of planting taking place shall be replaced by the end of the next planting season with others of a similar size and species.
7. That prior to the start of construction, tree protection measures in accordance with British Standard BS 5837: 2005 shall be implemented and retained in place until the completion of construction.
8. That details of all proposed site boundary treatments shall be submitted to and approved in writing by the Planning Authority and shall be implemented in full, all prior to the first of the dwellinghouses hereby permitted being occupied.
9. That prior to the commencement of development a Drainage Impact Assessment shall be submitted to and approved in writing by the Planning Authority.
10. That all surface water drainage from the site shall be treated in accordance with the principles of the Sustainable Urban Drainage Systems Manual (C697) (CIRIA 2007). Before development commences, details shall be submitted to and approved in writing by the Planning Authority of the maintenance regime for the water detention areas.
11. That the driveway gradient shall not exceed 10%.

Reasons

1. To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
- 2 & 3. To ensure the appropriateness of these materials.
4. To prevent deleterious materials being carried outwith the application site.
5. To ensure the provision of the landscaping scheme in the interests of visual amenity.
6. To ensure retention of the approved landscaping scheme.
7. To ensure the protection and retention of those trees not identified for removal, in the interests of visual amenity.
8. To help protect the privacy of adjacent residents.
9. To help ensure drainage from the site is adequately addressed.
10. To control runoff from the site to reduce the risk of flooding.
11. To ensure that the driveway is capable of safely being used.

Stuart Jamieson
Head of Regeneration and Planning

BACKGROUND PAPERS

1. Application form and plans
2. Applicant's supporting information
3. Inverclyde Local Plan
4. Planning Practice Advice Notes 1 and 3
5. Consultation responses
6. Letters of representation



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