

Local Review Body

3 February 2016

Planning Application for Review

Mr & Mrs Hamilton

Erection of Dwellinghouse and Associated Works:

Nether Knockbuckle Lodge, Hazelmere Road, Kilmacolm (15/0254/IC)

Contents

- Planning Application and Plans
- Site Photographs
- Report of Handling dated 6 November 2015
- Planning Application Advice Note No. 3 – Private & Public Open Space Provision in New Residential Development
- Consultation response
- Representation
- Decision Notice dated 6 November 2015
- Notice of Review form dated 22 December 2015

PLANNING APPLICATION AND PLANS

Inverclyde council

Municipal Buildings Clyde Square Greenock PA15 1LY

Tel: 01475 712 406

Fax: 01475 712 468

Email: planning.dlm@inverclyde.gov.uk

Applications cannot be validated until all necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 000130481-001

The online ref number 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: *

We strongly recommend that you refer to the help text before you complete this section.

- 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 dwelling house and associated works at Nether Knockbuckle Lodge, Hazelmere Road.

Is this a temporary permission? * Yes No

If a change of use is to be included in the proposal has it already taken place?
(Answer 'No' if there is no change of use.) * Yes No

Have the works already been started 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:	Thomas Robinson Architects
Ref. Number:	
First Name: *	Thomas Robinson
Last Name: *	Architects
Telephone Number: *	01360661144
Extension Number:	
Mobile Number:	
Fax Number:	
Email Address: *	katherine@thomasrobinsonarchitects.co.uk

You must enter a Building Name or Number, or both:*

Building Name:	The Red House
Building Number:	
Address 1 (Street): *	Croftamie
Address 2:	
Town/City: *	Glasgow
Country: *	UK
Postcode: *	G63 0EU

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Mrs
Other Title:	
First Name:	Sheila
Last Name:	Hamilton
Company/Organisation: *	Mr & Mrs Hamilton
Telephone Number:	
Extension Number:	
Mobile Number:	
Fax Number:	
Email Address:	

You must enter a Building Name or Number, or both:*

Building Name:	Nether Knockbuckle
Building Number:	
Address 1 (Street): *	Hazelmere Road
Address 2:	
Town/City: *	Kilmacolm
Country: *	UK
Postcode: *	PA13 4JW

Site Address Details

Planning Authority:

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

Address 1: Address 5:

Address 2: Town/City/Settlement:

Address 3: Post Code:

Address 4:

Please identify/describe the location of the site or sites.

Northing Easting

Pre-Application Discussion

Have you discussed your proposal with the planning authority? * Yes No

Pre-Application Discussion Details

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)

Having looked at the submitted plans they are considered supportable in principle. Detailed consideration would need to be given to the relationship between the side windows and the neighbouring properties (there could be concerns about privacy/overlooking from upper levels). Some repositioning/reorientation may be required.

Any application would be subject to consultation and neighbour notification.

Title: Other title:

First Name: Last Name:

Correspondence Reference Number: Date (dd/mm/yyyy):

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:

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)

Residential.

Access and Parking

Are you proposing a new or 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 changes to public paths, public rights of way or affecting any public rights 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? *

2

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)? *

5

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, cycle spaces).

Water Supply and Drainage Arrangements

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

Yes No

Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *

- Yes – connecting to public drainage network
 No – proposing to make private drainage arrangements
 Not Applicable – only arrangements for water supply required

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)

Existing residential street. Refuse uplift schedule already in place to satisfaction of local authority.

Residential Units Including Conversion

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

Yes No

How many units do you propose in total? *

1

Please provide full details of the number and types of units on the plans. Additional information may be provided in a supporting statement.

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) REGULATIONS 2013

One Certificate must be completed and submitted along with this 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: Thomas Robinson
Architects

On behalf of: Mr & Mrs Hamilton

Date: 23/09/2015

Please tick here to certify this Certificate. *

Checklist - Application for Planning Permission

Town and County 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 developments (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 County 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.

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: Thomas Robinson Architects

Declaration Date: 23/09/2015

Submission Date: 23/09/2015

Payment Details

Cheque: Thomas Robinson Architects Ltd, 013044

Created: 23/09/2015 15:17

SITE PHOTOGRAPH LOCATIONS AND SITE PHOTOGRAPHS

**(Site Photographs taken on 6 October 2015 with Samsung
Galaxy S3 mini mobile phone, CMOS 5.0MP lens)**



MAP OF PHOTOS

Photo 1



Photo 2



REPORT OF HANDLING DATED 6 NOVEMBER 2015

REPORT OF HANDLING

Report By:	David Ashman	Report No:	15/0254/IC
			Local Application Development
Contact Officer:	01475 712416	Date:	6th November 2015
Subject:	Erection of dwelling house and associated works at Nether Knockbuckle Lodge, Hazelmere Road, Kilmacolm		

SITE DESCRIPTION

The approximately 0.33 hectare site lies on the north side of a driveway leading to Hazelmere Road. The site presently contains the demolished remains of a former dwellinghouse, a small pond and a driveway. The northern and eastern boundaries are defined by approximately 1.8 metres high close boarded timber screen fencing and intermittent trees and bushes with the southern boundary defined by a low growing hedge. The western plot boundary is largely undefined but the adjacent plot (Nether Knockbuckle) contains several mature trees and bushes in close proximity to the common boundary.

It is set within a residential area in the south-western part of Kilmacolm with existing dwellings of varying design to the west, north and east. To the south, beyond the driveway and Hazelmere Road, is a narrow belt of trees and then open countryside.

PROPOSAL

Planning permission is sought for the construction of a two storey detached dwellinghouse. The dwellinghouse is of bespoke design, aligned east-west, with the main entrance on the eastern elevation, and is to be finished in a range of facing materials, including a slate roof and external walls consisting mainly of a render finish with stone feature walls around the main entrance. Zinc cladding is featured within eaves recesses above the bedroom windows.

The ground floor contains a study/library, a garden store, a utility room, a lounge, a combined living/dining/kitchen room extending into a small sunroom and an integral garage for two cars. The upper level contains 5 bedrooms with a roof terrace above the ground floor garden store.

The submitted plans also show an approximately 1 metre high retaining wall supporting rear garden ground, the provision of 4 parking spaces adjacent to the integral garage, and the existing driveway.

The application site has a long history of planning approvals for residential development. Planning permission was granted in May 2005 for the erection of a dwellinghouse on the site. This permission was subsequently renewed in May 2010 and again in January 2014. In June 2012 planning permission was granted for the construction of two dwellinghouses on the same site. None of these permissions has been implemented to date.

LOCAL DEVELOPMENT PLAN POLICIES

Policy RES1 - Safeguarding the Character and Amenity of Residential Areas

The character and amenity of residential areas, identified on the Proposals Map, will be safeguarded and where practicable, enhanced. Proposals for new residential development will be assessed against and have to satisfy the following criteria:

- (a) compatibility with the character and amenity of the area;
- (b) details of proposals for landscaping;
- (c) proposals for the retention of existing landscape or townscape features of value on the site;
- (d) accordance with the Council's adopted roads guidance and Designing Streets, the Scottish Government's policy statement;
- (e) provision of adequate services; and
- (f) having regard to Supplementary Guidance on Planning Application Advice Notes.

Planning Application Advice Note (PAAN) 3 on "Private and Public Open Space Provision in New Residential Development" applies.

CONSULTATIONS

Head Of Environmental And Commercial Services – A visibility splay of 2 metres by 17 metres by 1.05 metres high should be provided. All surface water should be contained within the site and drainage details submitted for approval.

PUBLICITY

The application was advertised in the Greenock Telegraph on 9th October 2015 as there are no premises on neighbouring land.

SITE NOTICES

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

PUBLIC PARTICIPATION

One representation was received from Kilmacolm Civic Trust. They indicate that they have no objection but are concerned about the impact of the proposed dwelling on Nether Knockbuckle by reason of its position and size. They ask for more contextual information that accurately indicates the impact of the proposed house on the environment around it including:

- Sections showing new house levels on the same drawing as the existing houses.
- Sections that show the new house in relationship to the pond and access road.
- A design statement explaining why the house should be built at this location as it massing comparable to Nether Knockbuckle.
- A visualisation of the new build in context showing trees and Nether Knockbuckle.

ASSESSMENT

The material considerations in determination of this application are the Local Development Plan, the consultation responses, the representation and the site history.

As a proposed dwellinghouse within a residential area it accords in principle with policy RES1 of the Local Development Plan. With respect to the relevant policy RES1 assessment criteria, I consider that it accords with the character and amenity of the area (criterion (a)). There is a variety of house designs and sizes in the surrounding area reflective of their eras, including more modern

housing in nearby Millburn Drive. While I recognise the concerns of the Civic Trust on the siting and design relative to the B-listed Nether Knockbuckle, I consider the relative distance between the two houses (approximately 30 metres) and the planning history of the previously approved contemporary houses on the same site combine to support the acceptability of the current proposal. Furthermore, I would not seek a change of materials or design towards a more pastiche approach as Nether Knockbuckle should remain the clearly defined building. In other respects the proposed dwellinghouse is positioned in such a way as to not create any privacy implications with adjacent dwellings.

As the plot has relatively mature landscaping I am satisfied that any new landscaping proposals, including treatment of the existing pond, can be the subject of conditions on a grant of planning permission (criteria (b) and (c)).

With respect to criterion (f) and PAAN3 in particular, it is an established characteristic in the immediate vicinity of Hazelmere Road for some plots to have deeper front gardens than rear gardens. The proposed development is reflective of this. Distances to plot boundaries vary although "Millbank", two plots distant, sits approximately 3 metres from the boundary with "The Meadows" and "The Lodge" sit less than 2 metres from the boundary with "The Meadows". The proposed dwellinghouse sits approximately 3.5 metres from the boundary with Nether Knockbuckle and therefore accords with the established distances to plot boundaries. Overall I consider that the proposal accords with PAAN3 and, therefore, criterion (f).

Based on the above I conclude that the proposal accords with the Local Development Plan. It remains to be considered, however, if there are any material considerations which suggest that planning permission should not be granted.

I note that the Head of Environmental and Commercial Services raises no concerns. The issues raised in consultation can be addressed by conditions. The remaining considerations are the issues raised by the Kilmacolm Civic Trust. In this respect I am satisfied that an assessment of the application can be made on the basis of the submitted information, which complies with regulatory requirements, together with my observations on site. The provision of levels information, including spot heights, negates any need for section drawings. The relationship between the proposed dwellinghouse, those adjoining, and the pond is clear. A design statement is not a regulatory requirement in this instance. The application site has operated as an independent planning unit for many years and has an established planning history. It cannot therefore be reasonably said to form part of the grounds of Nether Knockbuckle. I similarly do not consider that a visualisation can justifiably be requested in this instance. Ordinarily they are requested when a proposal potentially has a wider public visual impact. The application site is relatively secluded and it is considered that it would be onerous to request such a visualisation in this case.

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

RECOMMENDATION

That the application be granted subject to the following conditions:

1. That prior to their use, samples of all facing materials shall be submitted to and approved in writing by the Planning Authority. Development shall thereafter proceed using the approved materials unless any variations are approved in writing by the Planning Authority.
2. That prior to the commencement of development, a landscaping plan shall be submitted to and approved in writing by the Planning Authority. This shall contain details of planting to be carried out within the first planting season following occupation of the dwellinghouse hereby permitted.

3. That any of the planting approved in terms of condition 2 above that dies, becomes diseased, is removed or damaged within 5 years of planting shall be replaced within the following year with others of a similar size and species.
4. That tree protection measures in accordance with "Trees in Relation to Design, Demolition and Construction - Recommendations", currently BS 5837:2012 shall be put in place prior to the commencement of development and shall remain in place until completion of construction of the dwellinghouse hereby permitted. Full written details including a plan showing the protection measures shall be submitted prior to development commencing on site.
5. That prior to the commencement of development, details shall be submitted to and approved in writing by the Planning Authority of a means of screening along the common boundary with Nether Knockbuckle. The approved screening shall thereafter be erected prior to the dwellinghouse hereby permitted being occupied.
6. That prior to the commencement of development details shall be submitted of a maintenance scheme for the pond within the plot.
7. 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.
8. That a visibility splay of 2 metres by 17 metres by 1.05 metres high shall be provided prior to the dwellinghouse hereby permitted being occupied and shall be maintained thereafter. Should this result in a new connection to the driveway connecting to Hazelmere Road the access shall be surfaced over the first 2 metres, measured from the connection to the driveway, in a hard sealed surface to be approved in writing by the Planning Authority prior to its construction.
9. That drainage details shall be submitted to and approved in writing by the Planning Authority prior to the dwellinghouse hereby permitted being brought into use and shall include containment of all surface waters within the site.

Reasons

1. To ensure the appropriateness of the facing materials.
2. To ensure continuance of the character of planting in the area.
3. To ensure continuance of the character of planting in the area.
4. To ensure the retention of trees in the interests of amenity.
5. In the interests of privacy.
6. In the interests of promoting biodiversity.
7. To control runoff from the site to reduce the risk of flooding.
8. In the interests of vehicular and pedestrian safety.
9. To help avoid potential flooding.

Signed:

Case Officer: David Ashman

Stuart Jamieson
Head of Regeneration and Planning

**PLANNING APPLICATION ADVICE NOTE NO. 3 – PRIVATE &
PUBLIC OPEN SPACE PROVISION IN NEW RESIDENTIAL
DEVELOPMENT**

Planning Application Advice Note No. 3

PRIVATE and PUBLIC OPEN SPACE PROVISION in NEW RESIDENTIAL DEVELOPMENT

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

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

Types of development

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

SMALL SCALE INFILL, INCLUDING SINGLE PLOTS

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

LARGE SCALE INFILL

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

GREENFIELD / EDGE OF TOWN

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

FLATTED INFILL

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

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

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

Private Garden Ground

SMALL SCALE INFILL DEVELOPMENTS, INCLUDING SINGLE PLOTS

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

FLATTED INFILL DEVELOPMENTS

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

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

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

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

- Front / public garden depth - 6 metres.
- Distance from house to side boundary - 2 metres.
- Distance from house to side boundary when the house has an attached garage - 3 metres.

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

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

Public Open Space

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

In such circumstances the following criteria will apply:

- Public open space should be provided at the indicative ratio of 1.64 ha per 1000 population. Population estimates are based upon occupancy rates of two persons per double bedroom and one person per single bedroom.

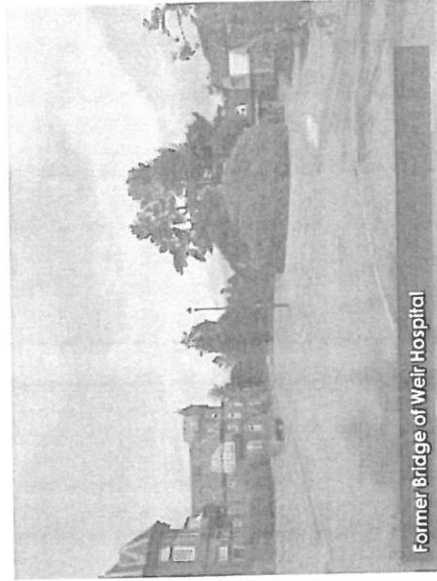
- It will be the responsibility of the developer to equip the play areas. Children's play areas and kickabout areas should comprise 0.32 ha per 1000 population.

PLANNING APPLICATION ADVICE NOTES

- Developers may request that the Council take over maintenance of the open space and play areas. The decision is at the discretion of the Council, and will require the following criteria to be achieved:
 - The design and layout of play equipment and safety surface shall be of a design agreed with the Council as part of the planning application process.
 - That an accredited play area inspector confirm the conformity of the design and installation to the relevant standard prevailing at the time.
 - 12 months defects liabilities and warranties shall apply.
 - The land and any associated assets are disposed to the Council free of any charges or fees.
 - That a sum equal to 10 years maintenance of the site is paid to the Council in advance.
- Where the developer selects not to pass maintenance to the Council, it will be a requirement for the obtaining of planning permission that the developer passes ownership and maintenance of all open space and play equipment to a management company. A bond to cover the cost of maintenance and replacement over a 10 year period will also require to be provided.

Location of Play Areas

- Play areas should be located to ensure that they are overlooked, but at the same time must be positioned at least 10 metres distant from the boundary of the nearest residence.
- Where developments are located in close proximity to established parks or play areas, the Council may, in appropriate cases, consider as an alternative to on-site provision of play equipment the supplementing, at the expense of the developer, of existing play equipment in the nearby park or play area. This, however, will not absolve the developer of the requirement to provide amenity landscaped areas to enhance the setting of the development. Toddler play provision may not be required when the developer provides flat rear/private garden ground in excess of 9 metres.



Former Bridge of Weir Hospital

CONSULTATION RESPONSE

REPRESENTATION

Audrey-Alaria Lever

From: Nicholas McLaren on behalf of Devcont Planning
Sent: 21 October 2015 15:50
To: Audrey-Alaria Lever
Cc: David Ashman
Subject: FW: PLANNING APPLICATION 15/0254/IC - KILMACOLM CIVIC TRUST COMMENT
Attachments: Nether Knockbuckle Lodge.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Red Category

From: Nicol Cameron [mailto:nicol.cameron@kilmacolm.gov.scot]
Sent: 21 October 2015 15:48
To: Stuart Jamieson; Devcont Planning
Subject: PLANNING APPLICATION 15/0254/IC - KILMACOLM CIVIC TRUST COMMENT

From: Mr R.N. Cameron (Chairman Kilmacolm Civic Trust)

To: Mr Stuart Jamieson (Head of Regeneration and Planning, Inverclyde Council)

Dear Mr Jamieson,

**KILMACOLM CIVIC TRUST COMMENT ON PLANNING APPLICATION 15/0254/IC
(NETHER KNOCKBUCKLE LODGE, HAZELMERE ROAD, KILMACOLM)**

On Monday 19th October 2015 I sent you an email stating that the Kilmacolm Civic Trust Executive Committee considered Planning Application 15/0254/IC on Thursday 15th October 2015 and that we had an observation which would follow shortly.

Attached is a formal letter to you expressing our concern. We believe that critical information has not been presented and would be grateful if you would arrange for it to be provided.

Yours Sincerely,

Nicol Cameron

Mr R.N. Cameron (Chairman Kilmacolm Civic Trust)

KILMACOLM CIVIC TRUST
(Scottish Charity No SC 032744)

From:

Mr RN Cameron
Chairman Kilmacolm Civic Trust

Mr S Jamieson
Head of Regeneration and Planning
Inverclyde Council
Municipal Buildings
Greenock

Kaladan
Lochwinnoch Road
Kilmacolm
PA13 4DY

21st October 2015

Dear Mr Jamieson

PLANNING APPLICATION 15/0254/IC:
Nether Knockbuckle Lodge, Hazelmere Road, Kilmacolm

The Kilmacolm Civic Trust Executive Committee considered this application on Thursday 15th October 2015.

We have concerns regarding the impact of this new house on the adjacent listed house and require more information to make a fair assessment of the design proposal. The site overlooks Nether Knockbuckle a Grade B listed building 2-storey and Attic; roughcast; chimney featured; 1907: archt. James Salmon. Images of Nether Knockbuckle are on page 2.

The proposed house is large, and modern in form with sharp angles. It is closer to Nether Knockbuckle and much larger than the Lodge (now demolished). By virtue of its size and proximity, the house will dominate and detract from the setting of the art nouveau house, 1 of 6 designed by Salmon in the village. By their very arts and crafts nature the grounds of these houses should be seen as an integral part of the houses quality and setting.

Having studied the plans that are presented on the Inverclyde Council Planning website we have concluded that critical information, which would enable us to judge the impact that the new dwelling will have on Nether Knockbuckle, is missing. We would like to see:

- more contextual information that accurately indicates the impact of the new house on the environment around it - there should be
- sections that show the new house levels on the same drawing as the existing houses (both sides)
- sections that show the new house in relationship to the pond and access road
- a design statement explaining why this enormous house should be built here as it is as significant in massing as the salmon house
- a visualisation of the new build in context showing trees and salmon house

Yours Sincerely

Nicol Cameron

R.N. Cameron (Chairman Kilmacolm Civic Trust)

IMAGES OF NETHER KNOCKBUCKLE
FRONT



REAR



DECISION NOTICE DATED 6 NOVEMBER 2015

DECISION NOTICE

Inverclyde
council

Conditional Planning Permission

Issued under Delegated Powers

Regeneration and Planning
Municipal Buildings
Clyde Square
Greenock PA15 1LY

Planning Ref: 15/0254/IC

Online Ref:000130481-001

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

Mrs And Mrs Hamilton
Nether Knockbuckle
Hazelmere Road
KILMACOLM
PA13 4JW

Thomas Robinson Architects
The Red House
Croftamie
GLASGOW
G63 0EU

With reference to your application dated 23.09.2015 for planning permission under the abovementioned Act and Regulation for the following development:-

Erection of dwelling house and associated works at

Nether Knockbuckle Lodge, Hazelmere Road, Kilmacolm.

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. That prior to their use, samples of all facing materials shall be submitted to and approved in writing by the Planning Authority. Development shall thereafter proceed using the approved materials unless any variations are approved in writing by the Planning Authority.
2. That prior to the commencement of development, a landscaping plan shall be submitted to and approved in writing by the Planning Authority. This shall contain details of planting to be carried out within the first planting season following occupation of the dwellinghouse hereby permitted.
3. That any of the planting approved in terms of condition 2 above that dies, becomes diseased, is removed or damaged within 5 years of planting shall be replaced within the following year with others of a similar size and species.



4. That tree protection measures in accordance with "Trees in Relation to Design, Demolition and Construction - Recommendations", currently BS 5837:2012 shall be put in place prior to the commencement of development and shall remain in place until completion of construction of the dwellinghouse hereby permitted. Full written details including a plan showing the protection measures shall be submitted prior to development commencing on site.
5. That prior to the commencement of development, details shall be submitted to and approved in writing by the Planning Authority of a means of screening along the common boundary with Nether Knockbuckle. The approved screening shall thereafter be erected prior to the dwellinghouse hereby permitted being occupied.
6. That prior to the commencement of development details shall be submitted of a maintenance scheme for the pond within the plot.
7. 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.
8. That a visibility splay of 2 metres by 17 metres by 1.05 metres high shall be provided prior to the dwellinghouse hereby permitted being occupied and shall be maintained thereafter. Should this result in a new connection to the driveway connecting to Hazelmere Road the access shall be surfaced over the first 2 metres, measured from the connection to the driveway, in a hard sealed surface to be approved in writing by the Planning Authority prior to its construction.
9. That drainage details shall be submitted to and approved in writing by the Planning Authority prior to the dwellinghouse hereby permitted being brought into use and shall include containment of all surface waters within the site.

The foregoing conditions are imposed by the Council for the following reasons:-

1. To ensure the appropriateness of the facing materials.
2. To ensure continuance of the character of planting in the area.
3. To ensure continuance of the character of planting in the area.
4. To ensure the retention of trees in the interests of amenity.
5. In the interests of privacy.
6. In the interests of promoting biodiversity.
7. To control runoff from the site to reduce the risk of flooding.
8. In the interests of vehicular and pedestrian safety.
9. To help avoid potential flooding.

The reason why the Council made this decision is as follows:

The development is considered to comply with Development Plan policies.

Dated this 6th day of November 2015

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 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

Approved Plans: Can be viewed Online at <http://planning.inverclyde.gov.uk/Online/>

Drawing No:	Version:	Dated:
100		01.09.2015
102		01.09.2015
202	Rev A	02.10.2015
301		
302		16.06.2015
322		22.09.2015
400	Rev A	29.09.2015
401	Rev A	29.09.2015
501		16.06.2015
502		16.06.2015

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.

NOTICE OF REVIEW FORM DATED 22 DECEMBER 2015

NOTICE OF REVIEW

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

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

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

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

Use **BLOCK CAPITALS** if completing in manuscript

Applicant(s)

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:

* Do you agree to correspondence regarding your review being sent by e-mail? Yes No

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 type="checkbox"/> | <input checked="" 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.

We wish to request a review of 2 of the 9 conditions imposed. The conditions we wish reviewed are as follows:-

Condition 6 The submission of a maintenance plan for the pond within the plot. We fully appreciate the requirement to promote biodiversity resulting in the need for a pond within the site. However the existing pond, having not been maintained for many years is no longer in a fit condition to be restored and will required complete rebuilding. In the intervening years development has taken place in surrounding properties which has altered the flow of groundwater such that it no longer flows into the existing pond but flows past it and now pools at the lowest point in the garden. As part of complying with Conditions 2,7 and 9 we would propose a new water management system including several ponds with a stream connecting them to manage the increased run off from the new house. The outfall from the new system will flow into the outfall from the existing pond. We are happy to provide details of a maintenance plan for the new ponds to ensure a suitable environment for wildlife so promoting biodiversity but do not wish to be restricted to retaining the existing pond which does not have the ability to cope with the current groundwater requirements.

Condition 8 The requirement of a visibility splay. We believe that due to incorrect information being supplied by previous applicants there is confusion regarding the layout of the development site. The complete site together with its access drive lies fully within the private garden of Netherknockbuckle which is gated and has no public right of access. The Lodge drive does not enter into Hazelmere oad which terminates outside the gates of Netherknockbuckle. The Lodge drive joins the private drive leading to Netherknockbuckle and so does not fall under the scope of the Roads Act (1984). Because of this we believe that Planning has no authority to impose a visibility splay condition on the drive.

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.

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.

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.

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

Date

22/12/2015.