

APPELLANT'S SUBMISSIONS

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) | <input type="checkbox"/> |
| 2. Application for planning permission in principle | <input checked="" type="checkbox"/> |
| 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) | <input type="checkbox"/> |
| 4. Application for approval of matters specified in conditions | <input type="checkbox"/> |

Reasons for seeking review

- | | |
|---|-------------------------------------|
| 1. Refusal of application by appointed officer | <input checked="" type="checkbox"/> |
| 2. Failure by appointed officer to determine the application within the period allowed for determination of the application | <input type="checkbox"/> |
| 3. Conditions imposed on consent by appointed officer | <input type="checkbox"/> |

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 | <input type="checkbox"/> |
| 2. One or more hearing sessions | <input type="checkbox"/> |
| 3. Site inspection | <input checked="" type="checkbox"/> |
| 4. Assessment of review documents only, with no further procedure | <input checked="" type="checkbox"/> |

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:

N/A

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.

Separate appeal statement appended to this application:

Our Client disagrees with the reason for refusal and as such we have written justification stating why we feel the proposals are appropriate to the site and locality.

Please refer appeal statement document.

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.

18_0825_PP - Notification of refusal of consent
18_0825_PP – Report
18070-Appeal Statement
Refused Plans
Planning_Permission-2 (Application form)

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

[Redacted Signature]

Date

20/06/19

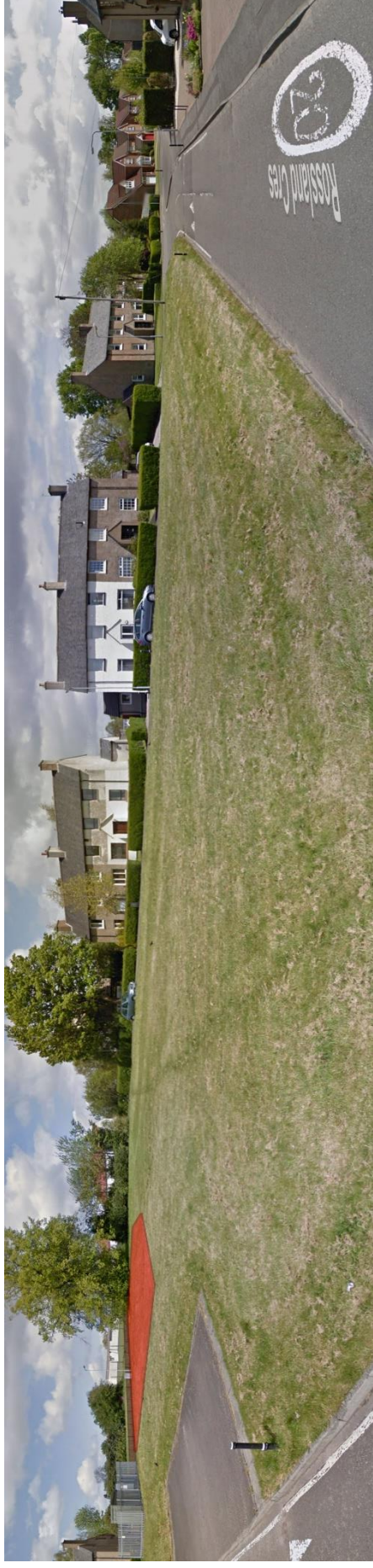
18th June, 2019

Ref. 18070/3.15

Planning Application 18/0825/PP

Proposed New Dwelling House at Rossland Crescent, Bishopton

Appeal Statement To The Local Review Body



Application Site highlighted in red

1.0 Introduction

Mr Derrick and Ms Gemmell own a triangular shaped area of lawn at Rossland Crescent. This is private ground. The ownership boundary (indicated as part of the Planning Permission in Principle application), incorporates the entire central lawn area at Rossland Crescent, located within a central residential area, covered by Policy P1, "Renfrewshire's Places." It is currently occupied by mature trees to the North corner of the site and an electrical substation housed on a hard standing to the South West corner of the site protected by steel Palisade fencing. A hard standing area is used by some of the residents of Rossland Crescent, without permission from Mr Derrick and Ms Gemmell, but similarly without restriction, for parking of Camper Vans / additional off street parking. There are number of bollards, sparsely spaced, located around the central lawn and on the pavements opposite, to restrict parking and to mark speed control bumps. Referring to Map C of the Local Development Plan for Bishopton Erskine and Inchinnan, **Policy P6 – Open Space** is defined by a green outline. We recognise the importance and necessity for relief between buildings, however this ground is not specifically identified specifically as "open space, P6."

Our Client intends to obtain Planning Permission in Principle for a new modest sized dwelling house, highlighted by a red application site boundary line, as per the PPP Application.

Policy P1 – Renfrewshire's Places states:

"Within uncoloured areas on the proposals maps there will be a general presumption in favour of a continuance of the built form. New development proposals within these areas should make a positive contribution to the Place and be compatible and complementary to existing uses as set out by the New Development Supplementary Guidance and Renfrewshire's Places Design Guidance."

This appeal statement demonstrates that our Client has considered and is willing to make a positive contribution to the remaining 76.7% of the undeveloped central lawn, and is proposing to develop only 23.3% of the privately owned ground.

2.0 Planning Application in Principal Submission and

Summary of Supporting Design Statement

2.1 Client Brief

A proposal was submitted by Nicholson McShane Architects to obtain Planning Permission in Principle to build a single accessibility enhanced dwelling, a storey and a half (bungalow) on private ground. The application site (right), is proposed between the existing substation and large tree at the North End of the ownership boundary, directly opposite a new build Bungalow on private grounds East of No.53 Rossland Crescent, (15/0179/PP, approved under delegated powers) completed in September 2017. Our Client intends to build a new-build dwelling of modest scale and character, sympathetic to the surrounding properties and positioned so as to minimise the impact on neighbouring properties and their outlook. The location of the application site within the ownership boundary is strategic; it promotes the preservation and enhancement of the large central lawn, both visually and in terms of impact on neighbouring properties.

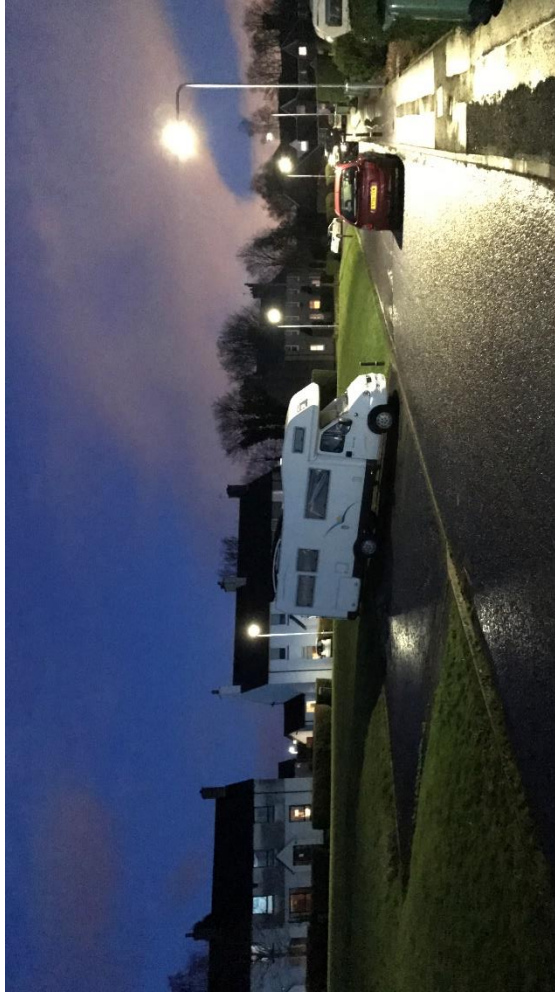
2.2 Disability and Accessibility – A Reason For A New Purpose Built Dwelling

The design of the new dwelling will offer improved accessibility to and within the property. Ms Gemmell's daughter is wheelchair bound and this is a major consideration as to why they require a new build property that will be specifically planned to suit her specific needs. Other properties within the locale offer limited access, or are not fit for purpose, or require substantial modification. For this reason, they purchased this vacant strip of land, recognising it's P1 classification.

2.3 General Proposed Character of Dwelling

The proposed dwelling shall be of a character that is sympathetic to the grounds and character of the surrounding dwelling in terms of;

- Scale: The proposed dwelling shall be no more than 1 and a half storeys, with a pitch roof – a bungalow.
- Size: The proposed dwelling shall be 3 or 4 bedrooms.
- Materials: The materials will be sympathetic to the surrounding local with traditional finishes, or contemporary alternative to respect the properties adjacent.
- The proposed dwelling shall have off street parking, in keeping with the general arrangement of the wider content of Rossland Crescent.



Camper vans parked on lawn, within our Client's ownership boundary



Application Site highlighted in red

- Parking can be designed to meet the requirements of the roads guidelines.
- Our Client is also amenable to a new pedestrian footpath and additional 'visitors' / general on-street parking being formed, which can be accommodated by altering the grounds beyond the heel kerb.
- Visibility splays, as required by the roads guidelines, will be achieved.
- The proposed dwelling is sited so as to minimise impact on surrounding dwellings –located to the West. Most dwellings will continue to look onto the lawn.

The trees to the north of the lawn screen the application site – the impact on Nos. 1 and 2 Rossland Crescent is minor. The proposed newly completed development on the grounds of No. 53 is opposite the application site. Our proposals, in turn, help to balance the streetscape.

2.4 – Enhancing the remaining Lawn

Nicholson McShane Architects, Ms Gemmell and Mr Derrick met with Sharon Marklow and James Weir on the 28th February 2019 to hopefully negotiate a way forward, by way of the following;

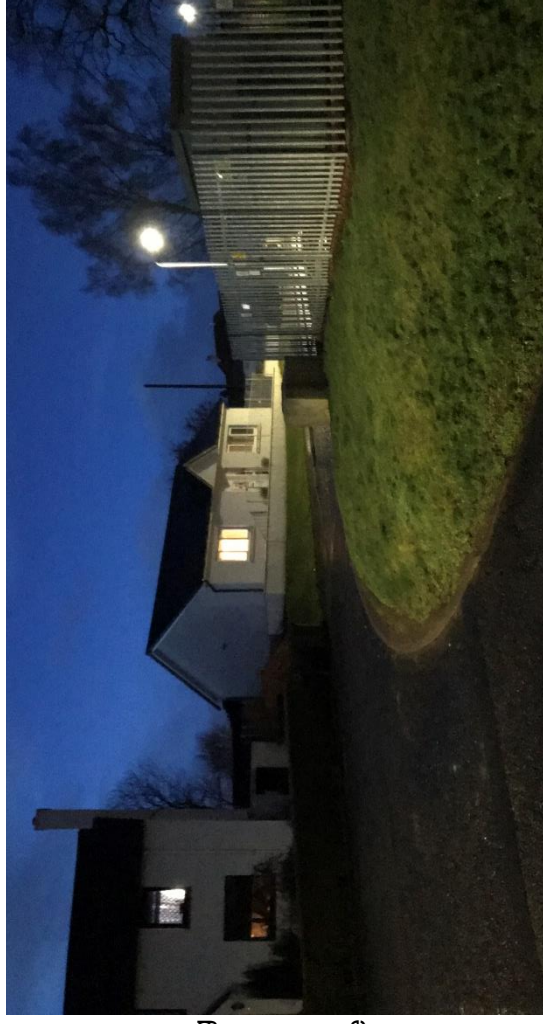
As part of the development and condition of consent our Client proposes to enhance the lawn by way of a landscaping scheme and creating a civic space. The intention is to:

- a. Create a more attractive space by enhancing the quality of the ground.
- b. Encourage the neighbours to engage with the space, improving the civic function.
- c. Enhance the outlook, create a focal point and a sense of place.
- d. Provide a benefit to the public which outweighs the present value of the existing ground.
- e. Improve the quality and range of facilities.

Currently the grounds are not used, other than for space relief between the neighbours. Our Client prepared the sketch, (page 5), which is indicative of how the grounds may be developed.



Recent Permission on Lawn within grounds of No. 53 Rossland Crescent, image above before consent



Post-Consent and completed build.

2.0 Planning Application Refusal and Evaluation

2.1 Refusal

An Application for Planning Permission in Principle (Ref. 18/0825/PP) was refused on 26th March 2019 under delegated powers. The reason for refusal was set out in the report of handling, as follows:

“The proposed development will result in the loss of part of an area of recreation and amenity lawn which provides an outlook to neighbouring properties, and is an intrinsic part of the residential environment in which it is located. The loss of part of this lawn will have a detrimental impact on the amenity of neighbouring properties, and will erode the value of the lawn as a recreational resource. The loss of lawn cannot be compensated for by alternative provision in another location. On this basis the proposed development is not considered to comply with Policy P8 of the Adopted Local Development Plan 2014, Policy P6 of the Proposed Local Development Plan 2019, and the associated New Development Supplementary Guidance on Lawn.”

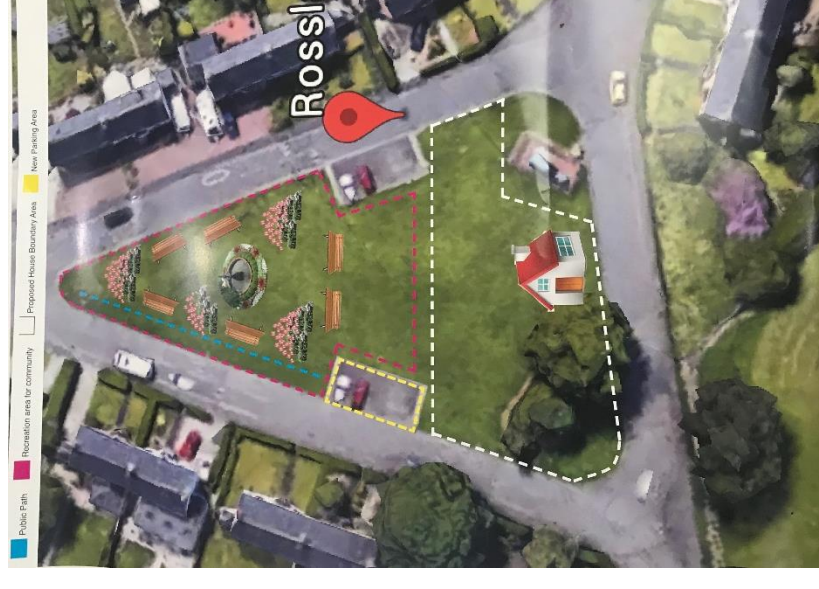
2.2 Evaluation of Refusal Decision – our comments and remarks in blue

The main points raised above are:

1. Loss of part of an area of recreation and Amenity space
2. Loss of outlook to neighbouring properties
3. Lawn is an intrinsic part of the residential development.
4. Detrimental impact on the amenity of neighbouring properties
5. Erode the value of the lawn as a recreational resource
6. The compensation by way of alternative provision.
7. Policy P8 of the Adopted Local Development Plan 2014
8. Policy P6 of the Proposed Local Development Plan 2019
9. New Development Supplementary Guidance on Lawn

1. Loss of part of an area of Recreation and Amenity space

Recreation: The ground owned by Our Client is not currently used for recreation. It is privately owned. Although the lawn is maintained periodically by our Client, the grass cuttings are generally not removed. To our knowledge there has been no complaint received in respect of the condition of the grounds, but



Client's proposed schematic landscaping scheme

we would argue that the limited maintenance to the lawn and its lack of amenity limits the use of recreation. It currently offers limited opportunity for physical engagement.

Amenity: Regarding amenity, the ground is not useful in terms of function. It provides relief by way of creating distance between the surrounding dwellings. The only notable features on the ground is the large tree to the North of the plot. This offers a focal point and interest. There is no impact on the existing tree. There is a hard standing area to the South of the land, currently used for the parking of campervans. Our Client is willing to offer this land for the continued use of parking. Notably, the presence of campervans on the ground appears to be at odds with the principles of Lawn. Arguably, the quality and enjoyment of the ground is also lessened by the presence of the vehicles on these areas of hardstanding, and they detract from any outlook.

2. Loss of outlook to neighbouring properties

The proposed development is located to the North West of the site in order to maintain this relief and minimised the physical and aesthetic impact. The neighbouring properties still have a maintained outlook across the ownership ground. The site application area is **0.0562 Ha**. The immediate lawn area at Rossland Crescent (total) is **0.24079 Ha**. The site application proposes to occupy **23.3%** of this or **1.7%** of the overall lawn in the vicinity.

3. Lawn is an intrinsic part of the residential development.

We fully agree that open space is of major importance to any development. The land (lawn) in question is not of notable quality. The land is not used by residents and other than the provision of green space, by way of a lawn, the only other purpose of the land is to provide some relief between the surrounding dwellings and to aid the organisation of infrastructure. Our Client believes that this residential offers a genuine opportunity to “complete the block,” offering a balance to the North West side of Rossland Crescent with a similar new-build dwelling to that completed opposite. Our Client equally is committed to developing and enhancing the civic functionality, quality and outlook of the remaining **76.7%** of the grounds for the enjoyment of residents.

4. Detrimental impact on the amenity of neighbouring properties

Our Client believes that the siting and scale of this development mitigates the impact on neighbouring properties. The definition of amenity is “a desirable or useful feature or facility of a building or place.” The private land owned by our Client is featureless and is limited as a desirable space. As per our comments above, our Client intends to enhance or alter the lawn to offer improved landscaping, amenity, a sense of place and create a more attractive outlook, which will in turn will contribute to the added value of the locale.

5. Erode the value of the lawn as a recreational resource

The lawn referred to, to reiterate, is privately owned lawn, designated under P1, Renfrewshire’s places. Our Client intends to leave the main area undeveloped. This development can be viewed as an erosion of the undeveloped lawn with limited access and interest or alternatively an opportunity to enhance the quality of the green space, to encourage residents to engage with the ground, thus offering a recreational resource, and improved value of the site and residences surround the lawn. Our Client is committed to ensuring that this happens if the application is approved by the Local Review Body.

6. The compensation by way of alternative provision.

During the meeting on 28th February with Sharon Marklow and James Weir, our Client offer to pay a financial contribution by way of a Section 75 agreement or similar for the loss of space, thus offering compensation and an opportunity to enhance this site or another site within the vicinity. Please refer below (point 8) for details of surrounding lawns, all within the vicinity. Our Client would be amenable to negotiation and discussions about a contribution, adoption of the remaining ground by the council, and/or enhancing the remaining lawn. Our Client has already offered a number of alternative solutions including financial contribution to the Planning Department, all of which have been declined.

- 7. POLICY P8 – Lawn** The Council will support the protection of lawn, recreational provision and amenity space from development unless it's demonstrated that its loss, or replacement with alternative provision of quality and quantity which is in a suitable accessible location, is acceptable and in accordance with the criteria set out in the New Development SG. New development should, where appropriate, incorporate accessible multifunctional lawn, recreational facilities and amenity space of a quality and quantity, in the right location, to meet the needs arising from the development.

Our Client believes that by developing a landscaping scheme which is mutually acceptable and of interest to Renfrewshire Planning Dept, thus enhancing the civic function, improved recreational facilities, accessibility, and by developing a strip of lawn into a quality amenity space that Policy P8 is satisfied. A new landscaped area would be overlooked by surrounding residents, and they may be encouraged to take interest and pride in the upkeep of the grounds. It is our Client's intention to raise the quality and value of Rossland Crescent, and to strengthen it as a desirable place to live, with a sense of place.

- 8. POLICY P6 – Lawn** Areas of lawn, recreation provision and amenity space, as shown on the Local Development Plan Proposals Maps, will be protected from development. Any development proposals which would result in the loss of an area of lawn not identified on the Proposals Maps will be assessed in relation to criteria set out in the New Development Supplementary Guidance. New development must link to or incorporate accessible multifunctional lawn, recreational facilities and amenity space of a quality and quantity, in the right location, to meet the needs arising from the development. Lawn should be designed to meet the recreational needs of people of different ages and physical abilities contributing to health and wellbeing across Renfrewshire.

A substantial designated (P6) lawn exists between Rossland Crescent, Newton Road and Rossland Gardens. The local Dry Cleaners and supermarket also back onto this lawn, which has an area of circa 1.915Ha. There is also a childrens' play park at Newton Rd (Circa 0.04526 Ha) and the football pitch grounds (Circa 1.045 Ha). Total area of the lawn adjacent to Rossland Crescent is circa 3Ha. As per point 6 above, our Client would be willing to make a contribution to the enhancement of these lawns, making them more appealing to the recreational needs of the residents. Our Client is willing to work with the Council to achieve a mutual proposal.

9. New Supplementary Guidance on Lawn

Areas of lawn, recreation provision and amenity space set out in the Proposals Maps will be protected from development.

Areas of lawn not shown on the Proposals Maps including, play parks and small areas of recreation and amenity space will be protected from development, unless the following criteria can be satisfied:

- The proposed development is for recreation or physical activity use and it improves the quality and range of facilities
- There is a long-term excess in the provision of pitches, playing fields and public lawn in the wider area, taking into

- account long term strategy for provision, estimated demand and overall recreational and amenity value
- The development will not lead to a significant net loss of lawn
- The proposal incorporates the retention or enhancement of the existing facilities on part of the site, while enabling redevelopment of the surplus section of the site for another purpose. In addition, there is no significant adverse impact on the amenity of nearby residents
- Alternative provision of equal or greater community benefit and accessibility would be made available on another site
- The benefit of the proposed development to the public clearly outweighs the present lawn value of the site
- The amenity of the surrounding area will not be significantly affected by the loss of lawn and by the nature of the proposed development.

2.3 Enhancing the remaining Lawn (above) addresses much of the criteria noted above. Our Client recognises that their development is primarily focussed on the building of a new dwelling house, with enhanced accessibility for their private use. Notwithstanding this, our Client understands and respects the need for appropriate lawn in terms of recreation, amenity and the impact that loss of lawn has on the community. Again we would emphasise that this existing lawn, a patch of lawn, is of limited quality and offers very limited use – none of the residents around Rossland Crescent appear to use it for recreation. Our Client would be happy for a conditioned consent whereby the remaining 76.7% of the grounds are enhanced for public engagement.

3.0 Other Relevant Policies and Justification for Development

Scottish Planning Policy 11 Lawn and Physical Activity” (SPP11) defines lawn as:

“A term which includes greenspace consisting of any vegetated land or structure, water or geological feature within and on the edges of settlements, including allotments, trees, woodland, paths and civic space“ consisting of squares, market places and other paved or hard landscaped areas with a civic function.”

Extract from Adopted Local Development Plan 2014, Places, Lawn

“Lawn makes an important contribution within both the urban and rural areas within Renfrewshire and contributes to the natural and built environment of places. Development proposals should aim to protect and where possible enhance lawn, recreational areas and amenity space. In new residential developments it is important that a high quality environment is created with good access to lawn and the provision of green space which enhances the setting of the development.”

Environment

“By promoting good quality development, the LDP aims to protect and enhance natural heritage, green spaces, landscape character, biodiversity, as well as recreational and access resources. There is support for development or use of land that protects and enhances the built heritage, including projects where a high quality public realm and better place making will result.”

4.0 Comments and Summary:

In reviewing the above policy guidelines, Our Client accepts and respects that the existing land in question is undoubtedly greenspace (vegetated land), however it lacks many of the features listed under SPP11 (paths, allotment, geological features, paths, civic space or paved / landscaped areas). The existing lawn is minimally maintained – grass cutting only. The cuttings are generally not removed. The existing ground does not provide a significant enhancement to the locale. It is a featureless lawn area which provides visual relief to dwellings – a bland outlook. The grounds are not used for recreation. The grounds are, in part, used for parking of camper vans which arguably deter from the lawn policy SPP11 and local development plan policies SP6 and SP8. Our Client proposes to enhance the grounds as part of their proposed private dwelling development, as per our comments listed above. They intend to improve landscaping for public engagement, enjoyment and to add value and enhanced sense of place. The positioning of the new dwelling has been strategic so as to minimise impact on the lawn. Our Client intends to improve accessibility and interaction between residents.

Our Client is willing to work with the Planning Department and Local Authority to reach a mutual agreement / conditions to the continued enhancement of the grounds or to improve amenity provisions. Our Client is also agreeable to a financial contribution to other amenity spaces within the locality, or condition that Rossland Crescent grounds are developed to provide residents with a civic functional space, recreation or landscaping which will improve biodiversity and access, while maintaining open. This was stated at our meeting on 28th February 2019, yet the planners seemed unwilling to accept this as justification for any development on the application site. The planners were also unwilling to negotiate a lessened scheme with lessened impact on the site.

Proposed new boundary treatments could provide enhancement by screening the substation and application site, lessening the impact of the new boundary treatments and enhancing the outlook from the surrounding properties. With the proposed dwelling backing onto the lawn, this provides a further vantage point whereby the grounds can be monitored.

Our Client firmly believes that their proposed dwelling offers an opportunity to improve the wider vicinity in terms of value, through landscaping, thus offering a remarkable outlook. They also believe that by enhancing the grounds, Policies SPP11, SP6 and SP8 can all be satisfied.

7th February, 2019

Ref. 18070/3.17/DS RevA

Planning Application 18/0825/PP

New Dwelling House at Rossland Crescent, Bishopton

Design Statement

Introduction

On behalf of our Clients Mr Anthony Derrick and Ms Lynda Gemmell, we submitted an Application for Planning Permission in Principle application, registered on the 27th November 2018, to develop the grounds (here after referred to as the open space) at Rossland Crescent, Bishopton, application ref 18/0825/PP. Our brief at present is to prepare information for a single detached dwelling house a storey and a half (a bungalow), and to submit an application for Planning Permission in Principle. The new dwelling will be modest and discreet property, sympathetic to the surrounding properties and will be positioned so as to minimise the impact on neighbouring properties.

Brief Site Description and Background

The application site is located on part of the open space grounds at Rossland Crescent, forming a central island overlooked by all properties to Rossland Crescent. The grounds were previously owned by Mr Ernest Hasler who had previously purchased it from the MOD (locally under the ownership of the Workers Ammunition Factory) some years ago. Mr Hasler had applied for full planning permission for two single dwelling houses in January of 2013, (the planning officer at the time was Suzanne Carson, application reference no. 13/0044/PP). The application was latterly withdrawn. Mr Hasler had thereafter submitted a planning application for the erection of a memorial stone, planning application reference 18/0325/PP. The memorial stone has now been installed and sits at the north end of the open space, adjacent to the trees on site. At the time the land was sold to Mr Derrick and Ms Gemmell one of the conditions of the sale was that the memorial stone project would be fulfilled. The land is now currently owned by Mr Derrick and Ms Gemmell. Although the ground is within the residential area, it is open space and is covered by Policy P1, "Renfrewshire's Places." It is currently occupied by mature trees to the North corner of the site and an electrical substation housed on a hard standing to the South West corner of the site, separated (from the large lawn area) and protected by steel Palisade fencing. There is also a hard standing area, which is used by some of the residents of Rossland Crescent for parking of Camper Vans / additional off street parking. There are number of bollards, sparsely spaced, located on grounds and on the pavements opposite, to restrict parking and to mark speed control bumps. As of March the area of open space, (the lawn), will be maintained by Mr Derrick and Ms Gemmell.

The Proposal

Our proposal seeks to respect the open space aspect of the grounds by positioning a new dwelling to the West of the lawn area, between the existing mature trees and substation. This minimises the impact on the open space, and allows an uninterrupted outlook from the existing dwellings. The new

proposal will look onto the newly completed property opposite (adjacent to No.s 52 and 53 Rossland Crescent), on the Western stretch of road, running from South West to North. The new dwelling house will take access from the street frontage, ensuring that most of the open space is maintained without interruption, both physically and visually.

Surrounding Locale and wider Context

The open space is bounded by semi-detached properties, on two sides, typically consisting of 3 bedroomed properties over two storeys. A new bungalow was erected and recently finished, located adjacent to No.s 52 and 53 Rossland Crescent. Most properties have independent driveways, therefore it is assumed that parking is predominantly off street with the exception of Nos. 3 and 4 Rossland Crescent, which both have private enclosed gardens to the front. Some of the properties have recently obtained permission to extend. All surrounding dwellings have an entrance porch which face the access road (Rossland Crescent). To the West of the open space there is stretch of land opposite the application site which remains as a substantial open space occupying land further to the West, in between Rossland Crescent, Newton Road and Rossland Gardens. The local Dry Cleaners and supermarket also back onto this open space, which has an area of circa 1.915Ha, excluding a childrens' play park at Newton Rd (Circa 0.04526 Ha) and the football pitch grounds (Circa 1.045 Ha). Total area of the open space adjacent to Rossland Crescent is circa 3Ha.

Site Application Ratio

The site application area is 0.0562 Ha. The immediate open space area at Rossland Crescent (total) is 0.24079 Ha. The site application is therefore only **23.3%** of the immediate grounds or **1.7%** of the overall open space in the vicinity.

Proposed Dwelling

The proposed dwelling shall be of a character that is sympathetic to the grounds and character of the surrounding dwelling in terms of;

- Scale: The proposed dwelling shall be no more than 1 and a half storeys, with a pitch roof – a bungalow.
- Size: The proposed dwelling shall be 3 or 4 bedrooms.
- Materials: The materials will be sympathetic to the surrounding local with traditional finishes, or contemporary alternative to respect the properties adjacent.
- The proposed dwelling shall have off street parking, in keeping with the general arrangement of the wider content of Rossland Crescent. Parking can be designed to meet the requirements of the roads guidelines. Our Client is also amenable to a new pedestrian footpath and additional 'visitors' / general on-street parking being formed, which can be accommodated by altering the grounds beyond the heel kerb.
- Visibility splays, as required by the roads guidelines, will be achieved.
- The proposed dwelling is sited so as to minimise impact on surrounding dwellings – located to the West. Most dwellings will continue to look onto the open space. The trees to the north of the open space screen the application site – the impact on Nos. 1 and 2 Rossland Crescent is minor. The newly completed development adjacent to No.s 52 and 53 will be positioned opposite our proposed site, which helps in balancing the streetscape.
- The proposals do not present a concern in terms of noise or disturbance, as this is a proposed residence.
- We believe that drainage arrangements will not have significant impact on the current service and can be accommodated without complication.

Community Council Discussion

Bishopton's community council minutes of 9th January 2019, attended by PC Fiona Murray, PC Mark Ewing, John Smith (Scotplan) Michelle Fairbairn and Cllr Colin McCulloch discussed our Client's application under Matters Arising:

"Matters Arising. The recent planning application for a house on the green space at Rossland Cresc., was discussed. Appears there were NO neighbour notifications sent out! There was only 1 property within the 20m radius that mandates notification – this was the new bungalow, which does NOT yet appear on the O.S. maps which are used to identify contiguous properties, so it did not get notice! Cllr McCulloch was asked to ensure that ALL properties around the green were formally advised. Sam again mentioned the amenity site being unable to process re-cycling materiel reflecting the household separation. The general response had been "put it in the general waste container" which means it is contaminated and therefore not recyclable! "

Please note that the land is incorrectly referred to as **"Green Space,"** which arguably creates negativity around the proposal. This is open space and zoned as residential. We would also draw your attention to the neighbourhood notifications which were supposedly sent to only one party within the area due to use of an old OS plan which did not include the contiguous properties.

Response to Planning Comments, as per James Weir's email of 29/01/19

NB. Planning Officer's comments in red.

1. The proposed development is for recreation or physical activity use and it improves the quality and range of facilities;

The proposed development is not primarily for recreation, however our Client is open to discussion about the redevelopment of the remaining ground (76.7%) for recreation or physical activity for public use. The land does not currently provide any existing landscaping or ecological features that enhance the surroundings, nor that require to be maintained. Our Client is open to negotiation about a planning condition that could be put in place to ensure that the lawn is enhanced further and made publically accessible. This may be through new landscaping, planting, park benches and a potential footpath which divides the large mass of turfed area. This in turn would improve the outlook to dwellings overlooking the grounds, thereby improving the quality and range of facilities. Our Client would be in agreement to discussing a maintenance programme, between the residents. Our Client would also be amenable to discussion concerning the adoption of this land by Renfrewshire Council.

2. There is a long term excess in the provision of pitches, playing fields and public open space in the wider area, taking into account long term strategy for provision, estimated demand and overall recreational and amenity value;

The wider open spaces are accessible to Rossland Crescent / Bridgend. A formal recreation area could be installed within the ownership boundary, however the grounds have a gradient (higher ground being to the North West and diminishing to the East) which prohibits the installation of a level play park. Substantial enabling works, grading and some retention of the ground may be required. We do not believe that there is a specific requirement for additional playing pitches or parks. A landscaping scheme would be more appropriate, however our Client is open to negotiation with Renfrewshire Council Planning Dept to come to some mutual arrangement to enhance amenities.

3. The development will not lead to a significant net loss of open space;

Please refer figures opposite under “Site Application Ratio.” The proposed application area is very little in terms of the wider context (1.7%) and 23.3% of the area of the immediate grounds.

4. The proposal incorporates the retention or enhancement of the existing facilities on part of the site, while enabling redevelopment of the surplus section of the site for another purpose. In addition, there is no significant adverse impact on the amenity of nearby residents;

As per our comments under point 1, The land does not currently provide any existing landscaping or ecological features that enhance the surroundings, nor that require to be maintained other than the lawn. By siting the application site to the West, the impact on the site is minimised and maintained as open space. The existing trees would remain unaltered. Our Client would be amenable to a planning condition which allows for a planting scheme to be incorporated into the proposals to soften the boundary treatments and screen the fence line.

5. Alternative provision of equal or greater community benefit and accessibility would be made available on another site;

Our Client would be amenable to negotiation in respect of this / options available to our Client for this. The obvious sites that may benefit from enhancement are within the vicinity. Please refer our previous comments above (2).

6. The benefit of the proposed development to the public clearly outweighs the present open space value of the site;

The benefit of the open space at present is relief only – the grounds do not appear to be used for recreation. The grounds are, in part, used for parking of camper vans which deter from the open space policy. Our Client would be willing to address this issue as appropriate. The grounds do not give specific enhancement by way of landscaping or public access for enjoyment. The positioning of the new dwelling has been strategic so as to minimise impact on the open space. As proposed under point 1 above, the open space could be further enhanced by landscape designed space, with shrubs, plants etc and paths to make the grounds more accessible to all. This could provide screening of the substation and new boundaries, lessening the impact of the new boundary treatments and enhancing the outlook from the surrounding properties. With the proposed dwelling backing onto the open space, this provides a further vantage point whereby the grounds can be monitored.

7. The amenity of the surrounding area will not be significantly affected by the loss of open space and by the nature of the proposed development.

As discussed above, through strategic siting of the application site, maintaining the existing trees and potential enhancement of the open space through planting scheme and landscaping design.



Renfrewshire House Cotton Street Paisley PA1 1JD Tel: 0300 3000 144 Fax: 0141 618 7935 Email: dc@renfrewshire.gov.uk

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

Thank you for completing this application form:

ONLINE REFERENCE 100142658-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Type of Application

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

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

Description of Proposal

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

Proposed new detached 3 or 4 bed dwelling house on site at Rossland Crescent.

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

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

☒ No ☐ Yes – Started ☐ Yes - Completed

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation:	Nicholson McShane Architects		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Paul	Building Name:	Ladyburn Business Centre
Last Name: *	McShane	Building Number:	10
Telephone Number: *	01475 325025	Address 1 (Street): *	Pottery Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Greenock
Fax Number:		Country: *	Scotland
		Postcode: *	PA15 2UH
Email Address: *			
Is the applicant an individual or an organisation/corporate entity? *			
<input checked="" type="checkbox"/> Individual <input type="checkbox"/> Organisation/Corporate entity			

Applicant Details

Please enter Applicant details

Title:	Ms	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *	Lynda	Building Number:	86
Last Name: *	Gemmell	Address 1 (Street): *	Lesmuir Drive
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Scotsstoun
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	G14 0EE
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority:

Renfrewshire Council

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

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Northing

671217

Easting

243269

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

☐ Yes ☒ No

Site Area

Please state the site area:

0.05

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 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.

<p>Are you proposing any change to public paths, public rights of way or affecting any public right of access? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>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.</p>
<h2 style="margin: 0;">Water Supply and Drainage Arrangements</h2> <p>Will your proposal require new or altered water supply or drainage arrangements? * <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *</p> <p><input checked="" type="checkbox"/> Yes – connecting to public drainage network</p> <p><input type="checkbox"/> No – proposing to make private drainage arrangements</p> <p><input type="checkbox"/> Not Applicable – only arrangements for water supply required</p>
<p>Do your proposals make provision for sustainable drainage of surface water?? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>(e.g. SUDS arrangements) *</p> <p>Note:-</p> <p>Please include details of SUDS arrangements on your plans</p> <p>Selecting 'No' to the above question means that you could be in breach of Environmental legislation.</p>
<p>Are you proposing to connect to the public water supply network? *</p> <p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No, using a private water supply</p> <p><input type="checkbox"/> No connection required</p> <p>If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).</p>
<h2 style="margin: 0;">Assessment of Flood Risk</h2> <p>Is the site within an area of known risk of flooding? * <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Don't Know</p> <p>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.</p> <p>Do you think your proposal may increase the flood risk elsewhere? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't Know</p>
<h2 style="margin: 0;">Trees</h2> <p>Are there any trees on or adjacent to the application site? * <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>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.</p>
<h2 style="margin: 0;">All Types of Non Housing Development – Proposed New Floorspace</h2> <p>Does your proposal alter or create non-residential floorspace? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>

Schedule 3 Development

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

☐ Yes ☒ No ☐ Don't Know

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

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

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

☐ Yes ☒ No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? *

☒ Yes ☐ No

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

☐ Yes ☒ No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: Paul McShane

On behalf of: Ms Lynda Gemmell

Date: 27/11/2018

☒ Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

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

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

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

☐ Yes ☐ No ☒ Not applicable to this application

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

☐ Yes ☐ No ☒ Not applicable to this application

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

☐ Yes ☐ No ☒ Not applicable to this application

Town and Country Planning (Scotland) Act 1997

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

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

☐ Yes ☐ No ☒ Not applicable to this application

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

☐ Yes ☐ No ☒ Not applicable to this application

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

☐ Yes ☐ No ☒ Not applicable to this application

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

- ☐ Site Layout Plan or Block plan.
- ☐ Elevations.
- ☐ Floor plans.
- ☐ Cross sections.
- ☐ Roof plan.
- ☐ Master Plan/Framework Plan.
- ☐ Landscape plan.
- ☐ Photographs and/or photomontages.
- ☐ Other.

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

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *

☐ Yes ☒ N/A

A Design Statement or Design and Access Statement. *

☐ Yes ☒ N/A

A Flood Risk Assessment. *

☐ Yes ☒ N/A

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

☐ Yes ☒ N/A

Drainage/SUDS layout. *

☐ Yes ☒ N/A

A Transport Assessment or Travel Plan

☐ Yes ☒ N/A

Contaminated Land Assessment. *

☐ Yes ☒ N/A

Habitat Survey. *

☐ Yes ☒ N/A

A Processing Agreement. *

☐ Yes ☒ N/A

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

Declare – For Application to Planning Authority

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

Declaration Name: Mr Douglas Nicholson

Declaration Date: 27/11/2018

Payment Details

Cheque: Nicholson McShane Chartered Architects, 000094

Created: 27/11/2018 09:32

RENFREWSHIRE COUNCIL

Application No: 18/0825/PP

COMMUNITIES, HOUSING AND PLANNING SERVICES
RECOMMENDATION ON PLANNING APPLICATION

Regd: 03/12/2018

Applicant

Ms Gemmell
86 Lesmuir Drive
Scotstoun
G14 0EE

Agent

Nicholson McShane Architects
Ladyburn Business Centre
10 Pottery Street
Greenock
PA15 2UH

Nature of proposals:

Erection of a detached dwellinghouse (in principle).

Site:

Site 20 metres West of No 3, Rossland Crescent, Bishopton

Application for:

Planning Permission in Principle

Description

This application seeks planning permission in principle for the erection of a detached dwellinghouse at Rossland Crescent, Bishopton. The dwellinghouse would be located at the north western end of a triangular area of open space which is bound by Rossland Crescent on all sides. The surrounding dwellinghouses are predominantly two storey semi detached, with a new build bungalow directly opposite the site.

The open space is approx. 0.24 hectares in area, and is mainly grassed with a small number of shrubs and trees in the northern corner. There is also an electricity sub station in the south west corner, and an area of hard standing along the southern boundary which is used to park vehicles.

The proposed dwellinghouse would be located between the area of trees and the sub station, with a frontage onto Rossland Crescent to the north west. As the application is in principle, no details have been provided with respect to the proposed design and finish of the dwellinghouse. However the design statement indicates that the dwellinghouse would be a 1 to 1.5 storey bungalow, with finishes in keeping with the surrounding area. In addition, a proposed block plan has been provided which shows the indicative footprint of a dwellinghouse with garden and parking areas set within a plot extending to 0.056 hectares in area.

History

18/0325/PP – Erection of memorial stone. Granted 26/06/2018

13/0044/PP – Erection of two single storey dwellinghouses. Withdrawn 11/02/2013.

Policy & Material Considerations**Development Plan**Adopted Renfrewshire Local Development Plan August 2014

Policy P1 – Renfrewshire's Places

Policy P8 – Open Space

New Development Supplementary Guidance 2014

Delivering the Places Strategy – Places Development Criteria and Open Space

Proposed Renfrewshire Local Development Plan 2019

Policy P1 – Renfrewshire's Places

Policy P6 – Open Space

New Development Supplementary Guidance 2019

Delivering the Places Strategy – Creating Places and Open Space

Material considerations

Renfrewshire's Places Residential Design Guide

Planning legislation requires that planning decisions are made in accordance with the Development Plan unless material considerations indicate otherwise. In this case, the proposal requires to be assessed in terms of the policies set out above, and any other material considerations.

Publicity

The Council has undertaken neighbour notification in accordance with the requirements of the legislation.

Objections/Representations

Eight letters of representation have been received. The points raised in the letters can be summarised as follows:

- (1) – Site is used for recreation, and is a valuable green space which contributes to physical and mental well being;
- (2) – Drainage and sewage infrastructure prohibits development of the site;
- (3) – Traffic, access, parking and road safety;
- (4) – Approval will set a precedent for further development on the open space;
- (5) – Question how the land has fallen into private ownership;
- (6) – No need for additional house given development at Dargavel Village;
- (7) – Outlook of neighbouring properties;
- (8) – The plans used for the submission are out of date and do not show the crescent as it currently is;
- (9) – Neighbours have not been informed of the application;
- (10) – Capacity of sewage and drainage network;
- (11) – Proposal does not comply with the Local Development Plan, and is designated as an area of open space;
- (12) – The open space also has a historical value as a link between the village and the Royal Ordnance Factory;
- (13) – Privacy;
- (14) – Noise and disturbance during construction;
- (15) – Proposal is out of keeping with the surrounding development pattern and will be detrimental to visual amenity;
- (16) – Detrimental impact on residential amenity;
- (17) – Impact on existing trees;

Consultations

Director of Environment & Infrastructure Service (Design) – No comments.

Director of Environment & Infrastructure Service (Roads/Traffic) – No response.

Environmental Protection Section – No objection subject to condition requiring the submission of a Site Investigation and Remediation Strategy to address potential

contamination on the site.

Summary of Main issues of:-

Environmental Statement - Not applicable.

Appropriate Assessment - Not applicable.

Design Statement – Provides a description of the site and surrounding area and background to the proposed development. The position of the proposed dwellinghouse between the trees and the sub station minimises its impact on the open space and allows an uninterrupted outlook from the existing dwellings. Access will be taken from the main road, and it is asserted that most of the open space will be maintained without interruption, both physically and visually. The application site covers 23.3% of the open space.

The statement also outlines the design of the proposed dwellinghouse. The dwellinghouse will take the form of a bungalow, with a finish sympathetic to the local character. Off street parking will be provided, and visibility splays will be achieved. Most dwellings will continue to look onto the open space. Drainage arrangements can be accommodated without complication.

The statement emphasises that the area should be considered as open space as opposed to green space, and is zoned as residential accordingly.

A response to the criteria on open space contained within the New Development Supplementary Guidance has also been provided. Through this response the applicant advises that they would be open to enhancing the remaining green space. Less than one quarter of the open space will be developed.

It is stated that the space does not provide any existing landscape or ecological features that enhance the surroundings. The main benefit of the space is relief only, and the grounds do not appear to be used for recreation. Locating the dwelling to the west of the site minimises its impact, and the existing trees would be retained. New planting would be proposed to enhance the area, and screen both the proposal and the existing sub station.

Accessibility Statement – Not applicable.

Planning Obligation Summary - Not applicable.

Scottish Ministers Direction - Not applicable.

Assessment

Proposed Local Development Plan 2014

Within the proposals maps associated with the adopted Local Development Plan, the site is covered by Policy P1 which states that there will be a general presumption in favour of a continuance of the built form in these areas. New developments within these areas should be compatible and complementary to existing uses and demonstrate that they would cause no significant harm to these uses.

It is not considered that development of a single dwellinghouse would conflict with Policy P1 as this type of development would be compatible with and complementary to surrounding uses in principle.

Notwithstanding the above, the main consideration in the assessment of this application is that the site is also within an area of open space. Policy P8 states that support will be given

to the protection of open space from development unless it can be demonstrated that its loss or replacement with alternative provision of quality and quantity which is in a suitable location is acceptable, and in accordance with the criteria set out within the New Development Supplementary Guidance.

The open space in this instance is bound by residential properties on all sides, and provides these properties with an outlook and an area for recreation. These types of small areas of open space are incorporated into residential areas as a method of enhancing the amenity of the residential environment. The Councils Residential Design Guide states in this respect that provision of both amenity and recreational open space is an important and valuable part of making sustainable places.

Consideration must be given as to whether the erosion of this space is acceptable with respect to the provisions of Policy P8 and the associated criteria within the New Development Supplementary Guidance.

The Guidance states that small areas of recreation and amenity space will be protected from development unless several criteria can be satisfied. These criteria are assessed in turn below:

- The proposed development is for recreation or physical activity use and it improves the quality and range of facilities;

The proposed development is not for recreational or physical activity use. It is noted that the applicant has offered to enhance the remaining part of the open space through planting, benches, paths etc. However, it is not considered that significant weight can be attached to this as the loss of open space in the first instance is not associated with a recreation or physical use which would bring community benefits.

- There is a long term excess in the provision of pitches, playing fields and public open space in the wider area, taking into account long term strategy for provision, estimated demand and overall recreational and amenity value;

The open space in this instance is of local amenity value to properties on Rossland Crescent in terms of outlook, as a recreational asset, and as an area of landscaped open space which complements the built environment. It is acknowledged that there are playing fields to the north west of the site which also provide a recreational resource to the wider community.

It is considered that the existing level of public open space is sufficient to serve the local and wider area. However, it is not considered that there is an excess or over supply of open space, and it is not considered that the proposed development can be justified on this basis.

- The development will not lead to a significant net loss of open space;

The applicant states that the application site occupies 23.3% of the open space at Rossland Crescent, and 1.7% of the open space within the wider context. This wider context is not defined within the design statement.

On assessment, it is not considered that percentage loss can be used as a measure of significance when it comes to development of small areas of open space such as that at Rossland Crescent. While 23.3% may not seem like a significant loss on paper, it is asserted that any residential development on these types of small open spaces (which results in a loss of that space) would be significant as it would erode the amenity and recreational value of the open space which the Local Development Plan seeks to protect.

- The proposal incorporates the retention or enhancement of the existing facilities on part of the site, while enabling redevelopment of the surplus section of the site for another purpose. In addition, there is no significant adverse impact on the amenity of nearby residents;

The proposal will not result in the retention or enhancement of existing facilities and will result in a loss of part of the open space. It is acknowledged that the applicant has offered to redevelop the remaining section of open space. However, any potential benefits arising from this are not considered to outweigh the loss of open space in the first instance.

- Alternative provision of equal or greater community benefit and accessibility would be made available on another site;

It is not considered that there is scope in this instance for alternative provision of open space on another site to replace the open space which would be lost. As stated above, the primary function of the open space at Rossland Crescent is to enhance the amenity within the local residential environment. It is a well-established area of open space in this regard. The loss of this type of open space cannot therefore be compensated for by enhancements at other sites.

- The benefit of the proposed development to the public clearly outweighs the present open space value of the site;

The proposal has no wider public benefit as it constitutes the development of a private dwellinghouse. Redevelopment of the remaining open space which would be associated with the development of the dwellinghouse is not considered to outweigh the present open space value of the site or justify loss of the open space.

- The amenity of the surrounding area will not be significantly affected by the loss of open space and by the nature of the proposed development;

The nature of the development will not have a significant effect on the amenity of the surrounding area (see comments under Policy P1 above). The issue to be considered is the effect on amenity arising from the loss of open space associated with the development.

Development of the open space will result in a loss of amenity to properties which bound the space itself. Small areas of open space such as that at Rossland Crescent are an intrinsic part of the residential environment that surrounds them, and they have an important function in enhancing the amenity of the built environment. Development of these spaces will compromise this function, and reduce the amenity value and contribution that the space makes to the surrounding area.

The principal focus of Policy P8 and the associated guidance is to ensure that the benefits of development on open space clearly outweigh the impact of the loss of that open space, and that alternative provision of equal or greater value can be made in a suitable location. The proposed development does not achieve this and will result in the erosion of an area of open space which the policy and guidance seek to protect.

It is noted that the applicant has offered to provide enhancements to the remaining area of open space. However, on balance this is not considered to outweigh the loss of open space nor demonstrate compliance with the provisions of Policy P8 which is to ensure that small areas of open space which serve an amenity and recreational value are protected.

In view of the above assessment, it is concluded that the proposal does not comply with Policy P8 or the New Development Supplementary Guidance on Open Space.

The comments from consultees are noted.

In response to the points raised in the letters of representation:

(1), (5), (7), (10), (11), (12), (15), (16) – These matters have been addressed in the above assessment;

(2), (14) – These matters are not considered to be material planning considerations;

(3), (4), (6), (8), (13), (17) – These matters do not require consideration as the principle of the development is not considered to be acceptable;

(9) Neighbour notification has been undertaken in accordance with the requirements of the legislation

Proposed Local Development Plan 2019

Policy P6 of the proposed Local Development Plan identifies areas of open space within the proposals maps which will be protected from development. Development proposals which would result in the loss of an area of open space not identified on the proposals maps will be assessed against the criteria set out in the New Development Supplementary Guidance.

Rossland Crescent is not identified as an area of open space within the proposal's maps. However, the proposed New Development Supplementary Guidance on open space identifies the same assessment criteria as the adopted New Development Supplementary Guidance. On this basis, the proposal is also not considered to comply with the proposed New Development Supplementary Guidance on open space and by extension Policy P6 of the proposed plan.

Recommendation and reasons for decision

Having considered the above assessment, it is found that the proposal does not comply with Policy P8 of the adopted Local Development Plan, Policy P6 of the proposed Local Development Plan and the New Development Supplementary Guidance on Open Space. It is therefore recommended that the application should be refused.

Index of Photographs

A site visit has been undertaken and photographs relevant to the application have been archived.

RECOMMENDATION

Refuse

Other Action

Conditions and Reasons

- 1 The proposed development will result in the loss of part of an area of recreation and amenity open space which provides an outlook to neighbouring properties, and is an intrinsic part of the residential environment in which it is located. The loss of part of this open space will have a detrimental impact on the amenity of neighbouring properties, and will erode the value of the open space as a recreational resource. The loss of open space cannot be compensated for by alternative provision in another location. On this basis the proposed development is not considered to comply with Policy P8 of the Adopted Local Development Plan

2014, Policy P6 of the Proposed Local development Plan 2019, and the associated New Development Supplementary Guidance on Open Space.

Fraser Carlin
Head of Planning and Housing

Local Government (Access to Information) Act 1985 - Background Papers
For further information or to inspect any letters of objection and other background papers,
please contact Sharon Marklow on 0141 618 7835.



My Ref:
Contact: James Weir
Telephone: 0141 618 7965
Email: dc@renfrewshire.gov.uk
Date: 26/03/2019



Nicholson McShane Architects
Ladyburn Business Centre
10 Pottery Street
Greenock
PA15 2UH

Proposal: Erection of a detached dwellinghouse (in principle).
Location: Site 20 metres West of No 3, Rossland Crescent, Bishopton
Application No. 18/0825/PP

Dear Sir/Madam

NOTIFICATION OF REFUSAL OF CONSENT

The Council has decided to refuse your application, details of which are given above. I enclose a decision notice which provides details of the reasons for refusal. I also enclose a copy of your submitted plans duly endorsed.

You have the right to seek a review of this decision by submitting a Notice of Review within three months from the date of the decision notice to the Head of Corporate Governance, Renfrewshire House, Cotton Street, Paisley PA1 1TR. The Notice of Review form and guidance is available on the Council's website or by contacting Legal & Democratic Services.

Yours faithfully,



Fraser Carlin
Head of Planning and Housing



DECISION NOTICE

Town and Country Planning (Scotland) Act 1997
Planning etc. (Scotland) Act 2006
Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

TO

Ms Gemmell
86 Lesmuir Drive
Scotstoun
G14 0EE

With reference to your application registered on 03/12/2018 for Planning Permission in Principle for the following development:-

PROPOSAL

Erection of a detached dwellinghouse (in principle).

LOCATION

Site 20 metres West of No 3, Rossland Crescent, Bishopton

DECISION

The Council in exercise of their powers under the above Acts and Orders, having considered the above proposal, the plans endorsed as relating to it and the particulars given in the above application hereby:-

REFUSE Planning Permission in Principle for the reasons given on the reverse/paper apart.

PLANS AND DRAWINGS

The plans and drawings relative to this refusal are those identified in the Schedule of Plans/Drawings attached as a paper apart and forming part of this Decision Notice.

Dated 26/03/19

Signed 
Appointed Officer
on behalf of Renfrewshire Council

PAPER APART

TERMS AND CONDITIONS

- 1 The proposed development will result in the loss of part of an area of recreation and amenity open space which provides an outlook to neighbouring properties, and is an intrinsic part of the residential environment in which it is located. The loss of part of this open space will have a detrimental impact on the amenity of neighbouring properties, and will erode the value of the open space as a recreational resource. The loss of open space cannot be compensated for by alternative provision in another location. On this basis the proposed development is not considered to comply with Policy P8 of the Adopted Local Development Plan 2014, Policy P6 of the Proposed Local development Plan 2019, and the associated New Development Supplementary Guidance on Open Space.

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

1. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning Act (Scotland) Act 1997 within three months beginning with the date of this notice. The notice of review should be addressed to Head of Legal and Democratic Services, Renfrewshire House, Cotton Street, Paisley PA1 1PR.

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, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

Applicant: Ms Gemmell	Ref. No: 18/0825/PP
Site: Site 20 metres West of No 3, Rossland Crescent, Bishopton	Officer: James Weir

Plans to be stamped

Drawing Number	Drawing Title	Paper & Anite Set (Officer) ✓	Stamped (Admin) ✓	Stamped on anite (Admin) ✓
18070-LP-01	Existing Location Plan	✓		✓
18070-LP-02	Proposed Location Plan	✓		✓

Officers Initials: JW

Admin Initials: JA

Checked by : JW

RENFREWSHIRE COUNCIL
Town and Country Planning (Scotland)
Act 1997

Application No 18/0825/PP

REFUSED
on **26 MAR 2019**

Signed by [REDACTED]

On behalf of Renfrewshire Council

RENFREWSHIRE COUNCIL
 Town and Country Planning (Scotland)
 Act 1997
 Application No. **18/0825/PP**
 REFUSED
 on **26/03/2019**
 Signed by [REDACTED]
The Seal of Renfrewshire Council

REVISION	DESCRIPTION	DATE
-	-	-
-	-	-

Proposed Application
 Boundary Area 0.056Ha (0.139 Acres)
 Ownership
 Boundary Area 0.240Ha (0.595 Acres)

Existing trees shown indicatively.



Ordnance Survey, (c) Crown Copyright 2018. All rights reserved. Licence number 100022432

Ownership Boundary

Site Application Boundary



CLIENT Ms Gemmell & Mr Derrick			PROJECT TITLE Proposed New Build Dwelling				
PROJECT ADDRESS Site of Rossland Crescent, Bishopton, PA7			DRAWING TITLE Existing Location Plan				
DRAWING STATUS PLANNING	PAPER SIZE A4	DRAWING NUMBER 18070_LP_01	REVISION -	SCALE 1:1250	DATE 30/10/18	DRAWN BY PMcS	CHCK'D BY -



**nicholson
mcshane
architects**

UNIT 10, LADYBURN BUSINESS PARK,
 POTTERY STREET, GREENOCK, PA15 2UH
 e info@nicholsonmcshane.co.uk
 t 01475 325025
 w nicholsonmcshane.co.uk



NICHOLSON McSHANE ARCHITECTS IS THE TRADING NAME OF NICHOLSON McSHANE CHARTERED ARCHITECTS LTD. COPYRIGHT RESERVED

RENFREWSHIRE COUNCIL

Town and Country Planning (Scotland)

Act 1997

Application No. 18/0825/PP

REFUSED on 26/03/2019

Signed by

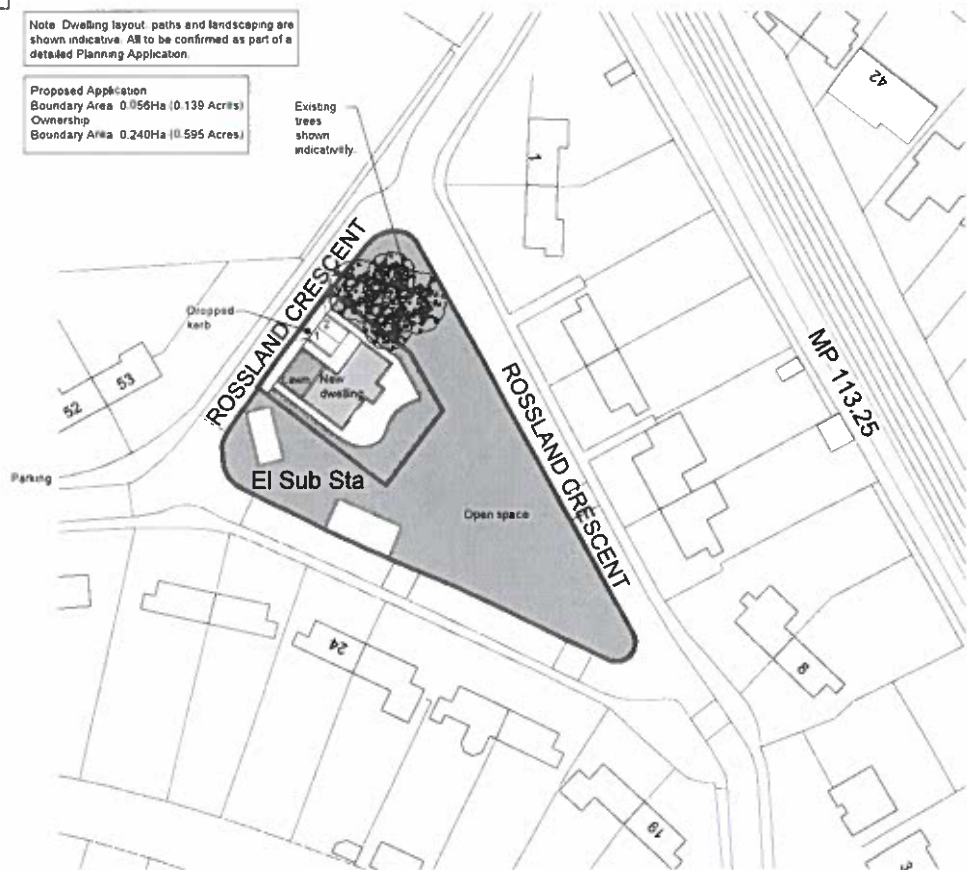
The Council of Renfrewshire Council

REVISION	DESCRIPTION	DATE
-	-	-
-	-	-

Note: Dwelling layout, paths and landscaping are shown indicative. All to be confirmed as part of a detailed Planning Application.

Proposed Application
Boundary Area: 0.056Ha (0.139 Acres)
Ownership
Boundary Area: 0.240Ha (0.595 Acres)

Existing trees shown indicatively.



Ordnance Survey, (c) Crown Copyright 2018. All rights reserved. Licence number 100022432

Ownership
Boundary

Site Application
Boundary



CLIENT Ms Gemmell & Mr Derrick			PROJECT TITLE Proposed New Build Dwelling				
PROJECT ADDRESS Site of Rossland Crescent, Bishopton, PA7			DRAWING TITLE Proposed Location Plan				
DRAWING STATUS PLANNING	PAPER SIZE A4	DRAWING NUMBER 18070_LP_02	REVISION -	SCALE 1:1250	DATE 30/10/18	DRAWN BY PMcS	CHCK'D BY -



nicholson
mcshane
architects

UNIT 10, LADYBURN BUSINESS PARK,
POTTERY STREET, GREENOCK, PA15 2UH
e info@nicholsonmcshane.co.uk
t 01475 325025
w nicholsonmcshane.co.uk



NICHOLSON McSHANE ARCHITECTS IS THE TRADING NAME OF NICHOLSON McSHANE CHARTERED ARCHITECTS LTD. COPYRIGHT RESERVED