

Appellant Submissions

RENFREWSHIRE COUNCIL

Application No: 18/0609/PP

COMMUNITIES, HOUSING AND PLANNING SERVICES
RECOMMENDATION ON PLANNING APPLICATION

Regd: 29/08/2018

Applicant

Mrs Brewster
Wayside
Main Road
Langbank
Port Glasgow
PA14 6XP

Agent

Scotplan
96 Main Road
Langbank
PA14 6UX

Nature of proposals:

Erection of dwellinghouse (in principle)

Site:

Wayside, Main Road, Langbank, Port Glasgow, PA14 6XP

Application for:

Planning Permission in Principle

Description

The application seeks consent for the erection of a dwellinghouse in principle, within the side garden area of a property located on Main Road, Langbank. The existing dwelling is a two storey, semi-detached property, constructed in natural stone, with a slate roof and of identical appearance to the adjoining property.

The plot area for the proposed dwelling would be sited to the west of the existing house, measuring 232sqm. The proposed dwelling would have a footprint of 78sqm. As the application is in principle, the applicant has provided no details in relation to the height, scale, massing and design of the proposed dwelling, other than a footprint of the proposed unit on the block plan.

History

11/0865/PP – Erection of a two-storey extension to the rear and side of the dwellinghouse – Granted.

15/0765/PP – Erection of a single storey extension to the rear of dwellinghouse – Granted.

Policy & Material Considerations

Development Plan - Adopted Renfrewshire Local Plan

Policy P1 – Renfrewshire's Places

New Development Supplementary Guidance

Places Development Criteria

Residential Development Within Garden Grounds

Material Considerations

Planning legislation requires that planning decisions be 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 Renfrewshire Local Development Plan

policies set out above and the New Development Supplementary Guidance.

Publicity

The Council has undertaken neighbour notification in accordance with the requirements of the legislation and an advert was placed in the local press, with a deadline for representation being the 26 September 2018.

Objections/Representations

One letter of objections was received in connection with the proposal. The issues raised related to the following matters:

- Impact on daylight/sunlight of neighbouring properties;
- Effect from noise/debris during construction works;
- Parking.

Consultations

Environment & Infrastructure Service (Roads/Traffic) – No objections, subject to conditions.

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

Transport Scotland – No comments.

Network Rail – No objections subject to conditions.

Summary of Main Issues

Environmental Statement - N/A

Appropriate Assessment - N/A

Design Statement - N/A

Access Statement - N/A

Other Assessments - A supporting statement was submitted with the application to make a justification for the proposal.

Planning Obligation Summary - N/A

Scottish Ministers Direction -N/A

Assessment

Policy P1 of the adopted Renfrewshire Local Development Plan states that there is a presumption in favour of the built form, proposed uses should demonstrate that they have no adverse impact on existing uses.

As the proposal is for the erection of a dwellinghouse within an established residential area, it is considered that the proposal complies in principle with this policy.

New residential developments also require to be assessed against 'Residential Development within Garden Grounds' as well as the 'Places Development Criteria' which is contained within the New Development Supplementary Guidance. In relation to this guidance, the following points require to be considered:

The position, orientation and access to the proposed house and the relationship with the existing and surrounding properties requires to maintain and respect the

established development pattern - In this regard, the area is characterised by a mix of both traditional and modern house types. The immediate adjacent property (owned by the applicant), is a semi-detached dwelling of traditional appearance, both set within equal plot ratios.

The proposal seeks to use the existing garden ground to the west side of the applicants dwelling. It is considered that the development plot is not large enough to suitably locate another dwelling with adequate garden ground as well as leave the existing property adequate garden ground. It would result in increasing the density of the site to a degree which would be detrimental to the overall amenity of the site and surrounding area. It is considered that the proposal represents over-development, detrimental to the area and contrary to Policy P1 as well as the associated New Development Supplementary Guidance.

The applicant has put forward supporting information that the proposed development follows the general pattern of development and plot ratios in the vicinity of the site. It is acknowledged that there are some house plots along this street which are comparable in either width or length. However as set out above, it is considered that erecting a residential unit on this site would create a density that is not appropriate for this site, location and the overall streetscene.

The existing dwelling forms part of an attractive semi-detached building, which is identical in terms of the design and plot ratios, with an appropriate separation distance from the properties on either side. It is considered that this creates a balanced and symmetrical appearance and setting. Sub-dividing the plot of the semi-detached unit and the construction of an additional dwelling adjacent to the applicant's property would significantly detract from the well balance plot ratio which would be detrimental to the overall visual amenity of the property and general area.

The applicant has provided supporting information setting out that the material used for the proposed dwellinghouse will match that of the existing dwelling. It is considered that although such measures would assist, it would not contribute sufficiently to mitigate the negative visual impact from the overdevelopment of the site. Therefore, for the reasons stated above the proposal would be contrary to the Development Plan and New Development Supplementary Guidance.

The new residential unit will not result in back-land development – The proposal is not considered to constitute back-land development, as the frontage of the proposed dwellinghouse would have frontage on to the Main Road.

The scale, size, massing and associated garden space of the proposed new residential unit will be similar to surrounding dwellings in the area – As has been outlined above, the site is of an insufficient size to sustain an additional dwelling and the proposal would constitute over-development of the site.

The applicant has provided examples of similar plot ratios, such as the adjacent recently constructed flatted development. The flatted block is considered to have adequate plot ratios given the flatted nature of the properties. As such it is not considered that this is a comparable example to the proposal.

The privacy and amenity of the existing and proposed residential units will be comparable – The proposal is in principle and details such as window arrangements do not form part of the submission. Any detailed plans would require to have layouts/designs that address any issues in relation to privacy.

In terms of amenity, as outlined above, give the tight nature of this for a new dwellinghouse and leaving garden ground for the existing dwellinghouse, it is difficult to see how both can

be afforded sufficient amenity.

In terms of the Places Development Criteria, the relevant points therein have been assessed and considered above.

In relation to the issues raised in the objection, it is considered that noise and disturbance during building and construction works are not a material planning consideration. Impact on daylight/sunlight cannot be assessed at present given that the application is only in principle and the details of the proposed dwelling having not been provided with the submission. Consultation with Environment and Infrastructure Service raised no issues with regards to parking.

Recommendation and reasons for decision

In light of the above assessment, the proposed development is not considered to comply with the relevant policies of the adopted Renfrewshire Local Development Plan and the guidance set out in the New Development Supplementary Guidance, as the proposal would result in overdevelopment of the site to the detriment of the amenity of the site and surrounding area. Therefore, it is recommended that the application be refused.

Index of Photographs

The site has been photographed and the images archived.

RECOMMENDATION

Refuse

Other Action

Conditions and Reasons

- 1 The proposed dwelling is considered to be inappropriate in terms of scale and positioning and would introduce an incongruous and discordant element contrary to the established pattern of development within the residential area. The proposal is therefore considered to be contrary to Policy P1 of the adopted Renfrewshire Local Development Plan and the New Supplementary Guidance.
- 2 The proposal is considered to comprise overdevelopment of the site and would give rise to an adverse impact on the amenity of neighbouring properties in particular and the surrounding area in general and also result in the loss of the existing amenity space serving the applicants dwelling, therefore it is considered to be contrary to Policy P1 of the adopted Renfrewshire Local Development Plan and the New Supplementary Guidance.

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.



NOTICE OF REVIEW

UNDER SECTION 43A(8) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED) IN RESPECT OF DECISIONS ON LOCAL DEVELOPMENTS; THE TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL REVIEW PROCEDURE) (SCOTLAND) REGULATIONS 2008; AND THE TOWN AND COUNTRY PLANNING (APPEALS) (SCOTLAND) REGULATIONS 2008

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

Please use BLOCK CAPITALS if completing in ink

The completed notice of review and any supporting documents should be sent by e-mail to lrb-planning.cs@renfrewshire.gov.uk, or by mail or by hand to the Head of Corporate Governance, Finance & Resources, Renfrewshire Council, Renfrewshire House, Cotton Street, Paisley, PA1 1TR.

Applicant(s)

Name MR & MRS BREWSTER

Address WAYSIDE
MAIN ROAD
LANGBANK

Postcode PA14 6XP

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail*

Agent (if any)

Name JOHN SMITH

Address 17 HOLLYBUSH LANE
CASTLERANK
PORT GLASGOW

Postcode PA14 6QZ

Contact Telephone 1 07825654790

Contact Telephone 2

Fax No

E-mail* John.smith@scotland.gov.uk

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

Renfrewshire Council

Planning application reference number

18/0609/PP

Site address

WAYSIDE, MAIN ROAD, LANGBANK

Description of proposed development

ERECTION OF DWELLING HOUSE (IN PRINCIPLE)

Date of application

29 AUG 2018

Date of decision (if any)

26/10/2018

Note. This notice must be served on the Council 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:

COUNCIL OFFICERS HAVE NOT FAIRLY ASSESSED THE PROPOSED DEVELOPMENT IN LIGHT OF APPROVALS ELSEWHERE.

Site inspection

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

1. Can the site be viewed entirely from public land? ☒ Yes ☐ No
2. Is it possible for the site to be accessed safely, and without barriers to entry? ☒ Yes ☐ No

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.

SEE ATTACHED PLANNING REVIEW SUBMISSION.

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.

ADDITIONAL JUSTIFICATION AND COMPARISONS WITH
APPROVED DETACHED HOUSING IN BISHOPTON

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.

1. PLANNING REVIEW STATEMENT.
2. DECISION NOTICE.
3. REPORT OF HANDLING.

Note. The Council 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 Renfrewshire House, Cotton Street, Paisley until such time as the review is determined. It may also be available on the Council's website.

Checklist

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

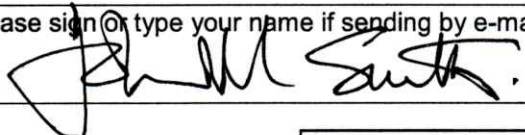
- ☒ Full completion of all parts of this form
- ☒ Statement of your reasons for requiring a review
- ☒ All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

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 Council to review the application as set out on this form and in the supporting documents.

Please sign or type your name if sending by e-mail



Date

16.01.2019.

For office use only:

LRB Reference No:

Wayside, Main Road, Langbank.

Planning Review Submission

The planning process allows this refusal to be taken to the Renfrewshire Council Review Panel and the following matters are considered relevant to assist in having this matter fairly reconsidered.

In essence, the issue is;

Can the Council can reconsider whether or not there is adequate ground in the curtilage of Wayside to accommodate a new 3 bed house (in outline) and still leave enough land for use by the existing house?

The attached notes carry out this assessment and use comparisons of this proposal with the scale of houses and relevant plots that have been recently permitted in Renfrewshire.

It is therefore recommended that this Review process should acknowledge these discrepancies in the planning officer's assessment and conclusions, and grant consent for this outline application.

This will allow the applicant the opportunity to come forward with details that will reassure the planning officers that nothing that is not already accepted in principle elsewhere, is being considered and promoted.

Background planning factors

1 Response re Plot Sizes

The Planning officer's report and reasons for refusal states

- 1 The proposed dwelling is considered to be inappropriate in terms of scale and positioning and would introduce an incongruous and discordant element contrary to the established pattern of development within the residential area. The proposal is therefore contrary to Policy P1 of the adopted Renfrewshire Local Development Plan and the New Supplementary Guidance.
- 2 The proposal is considered to comprise over development of the site and would give rise to an adverse impact on the amenity of the neighbouring properties in particular and the surrounding area in general and also result in the loss of the existing amenity space serving the applicants dwelling, therefore it is considered to be contrary to Policy P1 of the adopted Renfrewshire Local Development Plan and the New Supplementary Guidance."

In addition, a more detailed response, to the previously submitted material justifying the development in relation to the scale and positioning of the recently completed flatted development adjacent to Wayside, generated the following response.

" John,

With regards the figures you quote in the supporting information, I have checked the approved plans for the adjacent flatted development, which differ significantly from what you have quoted. The measurements give a plot size 428sqm and a building footprint of 131sqm, as opposed to the 355sqm plot and 155sqm footprint, you have quoted.

Furthermore, flatted developments generally do not enjoy the same level of amenity space as dwellinghouses.

Therefore we would not give this example you are basing your case on, the same consideration (regardless of the discrepancy with the figures).

I have repeatedly stated my position on this matter. My report of handling will address the relevant issues and explain the reasoning for my recommendation. As you are obviously aware, if you do not agree with the outcome, you have the opportunity to appeal the decision.

Graham"

Graham Westwater

Phone: 0141 618 7887 Fax: 0141 618 7935

Email: dc@renfrewshire.gov.uk

2 Analysis of Officer's Response and Figures

Whilst we dispute these figures, we are willing to use them as an acceptable basis for comparisons.

See Appendix 1 for comparison dimensions

	Flatted Development	Wayside Plot	Wayside Donor House
PLOT SIZE	428 sqms	262 sqms	353 sqms
DEV. FOOTPRINT	131 sqms	54 sqms	126 sqms
PLOT AREA / DEV	3.27	4.85	2.8

However, the flatted development provides 2 house units as opposed to Wayside Plot and Wayside Donor which provides 1 house each, so a true comparison on plot area per house should be

PLOT per House	$3.27/2 = 1.64$	4.85	2.8
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This makes the space available for the proposed house at the Wayside Plot $(4.85/1.64) = 2.95$ times greater than the flatted development, in comparison terms.

It must also be borne in mind that this is an outline application so there should be consideration given to the flexibility of the dimensions for both the donor house as well as the proposed house.

The opportunity has also been taken to consider the appropriateness of 54 sqms (6ms x 9ms), for a 3bed room detached house and a recently approved Lifetimes Home standard layout is attached and shown in Appendix 3, indicating that 6ms x 9ms are adequate development dimensions for the proposed development.

Recent discussions with Mr and Mrs Brewster have also reviewed their requirements and they are happy to progress a smaller 2 bed room house which will assist in ensuring we meet Planning officer's concerns at the detailed planning stage.

3 Policy preferring Flatted to Detached development.

An appraisal of Local Plan policy can find no written statement or policy indicating that lower standards will be acceptable for flatted development compared with detached housing development.

4 Objections

It is believed that there was only one objection from the adjoining flatted development in relation to the proposals and the planning officer's assessment states

"In relation to the issues raised in the objection, it is considered that noise and disturbance during building and construction works are not a material planning consideration. Impact on daylight/sunlight cannot be assessed at present given that the application is in principle and the details of the proposed dwelling have not been provided with the submission. Consultation with Environment and Infrastructure Service raised no issues with regard to parking."

This objection is from the adjoining ground floor flat and it may be helpful to note that the objection obtained from the owner of the lower flat will affect only one window, a bathroom window which is already opaque and mostly lies beneath the height of the dividing wall.

Based on the other justification factors in this submission, it is concluded that any concerns from potential objectors will be adequately addressed at the detailed submission stage.

5 Planning Approvals elsewhere in Renfrewshire

Perhaps more importantly, Renfrewshire Council officers (who have all relevant facts about what housing proposals have recently been consented) have not seen fit to do any comparison with relevant similar scaled detached developments, to justify this refusal.

The Council has recently approved 3 bed room and 4 bed room housing in nearby Dargavel Bishopton, and recently developed housing density and plot space dimensions must surely be considered acceptable for comparison purposes.

The Avant Homes house types The Newton and the Ashbury (see plots 24, 25 on attached plan Appendix 2) are comparable as they measure 10.8 x 6.4 (69 sqms footprint) compared to the indicative 9 x 6 (54 sqms) being suggested as appropriate for this outline application at Wayside.

In addition, the plot sizes are also comparable as the Avant / Newton plot sizes are 26ms x 10ms (260 sqms) compared with 30.5ms x 8.6ms (262 sqms) at Wayside.

The consented Avant development therefore has been permitted to accommodate a larger house on a smaller plot compared with the proposed Wayside outline application potential.

The issue of symmetry is also addressed by the fact that the planning officer believes that the property at Wayside is balanced as 2 semidetached houses, whilst Wayside is semi-detached and the property adjoining Wayside is two flats. This is currently not a symmetrical development.

Therefore, there seems to be no logical reason for an outline application to be considered inappropriate, when the principles and dimensions of the proposed new plot are comparable with recently consented developments in Bishopton.

It would appear that the larger scale house builders are being given preferential treatment over an existing resident wishing to accommodate a more manageable sized house in their oversized garden grounds.

6 Recommendations

As this is an outline application there is flexibility in relation to the size and positioning of the proposed new house and how much garden ground is retained by the donor house at Wayside.

It is therefore recommended that this Review process should acknowledge these planning assessment discrepancies, and grant consent for this outline application.

This will allow the applicant the opportunity to come forward with details that will reassure the planning officers that the proposed development is comparable with standards which are accepted in principle elsewhere in Renfrewshire, and consent is thereby granted.

APPENDIX 1

Layout and dimensions of Proposed Wayside development



APPENDIX 2

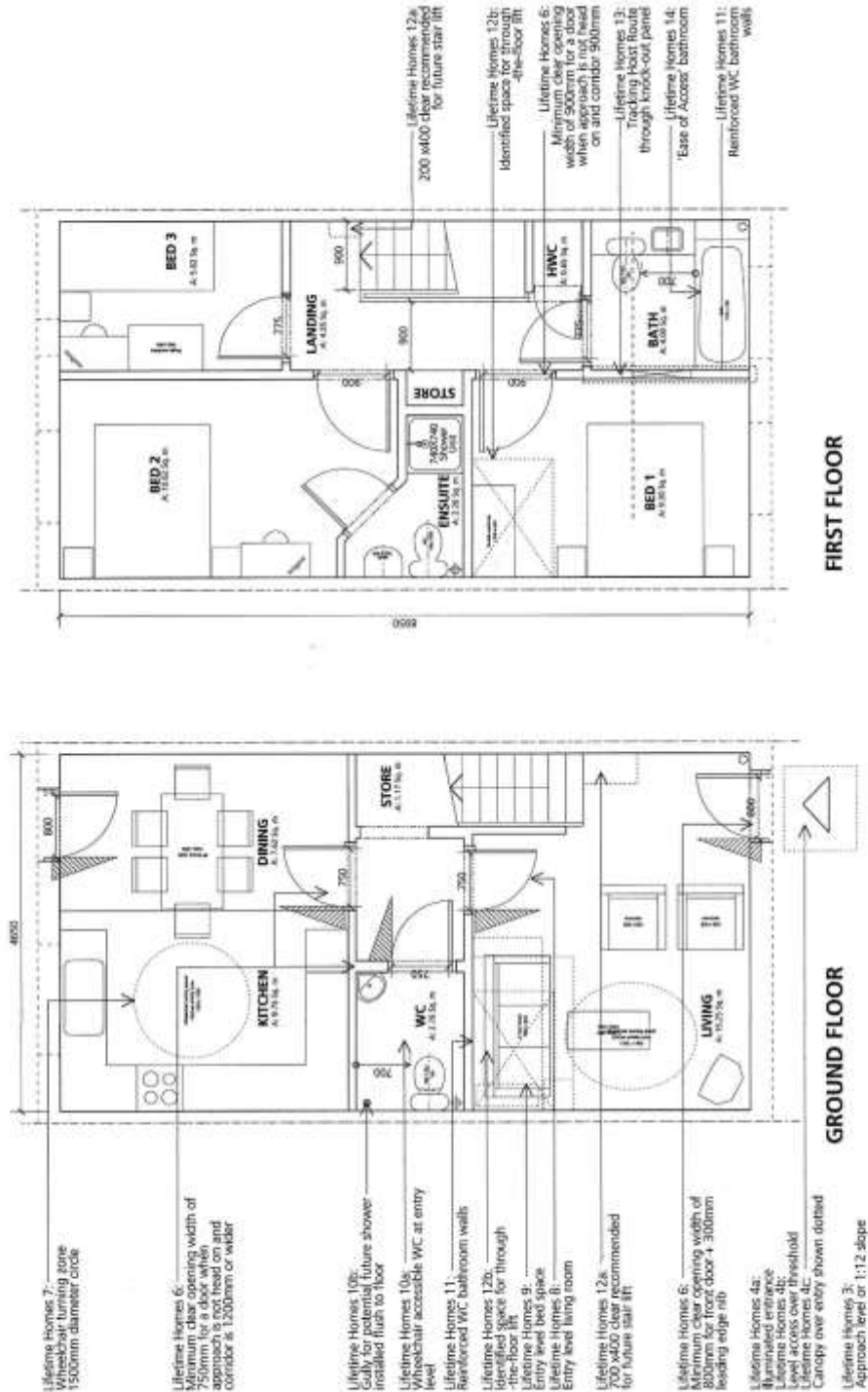
Layout and dimensions of Consented and Built Avant Homes development, Bishopton



Avant Homes Bishopton – relevant dimensions

APPENDIX 3

Typical 3 Bedroom Detached House



ALTERNATIVE LIFETIME HOMES LAYOUT 3 BEDROOM HOUSE

Drawing Title: Lifetime Homes Compliant House Range Plans
Job Reference: CGL-LTH-001
Drawing Number: LTH 206
Scale: 1:50 @ A3