

**MINUTES of MEETING of PLANNING, PROTECTIVE SERVICES AND LICENSING COMMITTEE
held in the PILLAR HALL, VICTORIA HALLS, HELENSBURGH
on MONDAY, 3 DECEMBER 2012**

Present: Councillor Sandy Taylor (Chair)

Councillor Gordon Blair	Councillor Donald MacMillan
Councillor David Kinniburgh	Councillor Alex McNaughton
Councillor Alistair MacDougall	Councillor James McQueen
Councillor Robert G MacIntyre	Councillor Richard Trail

Attending: Charles Reppke, Head of Governance and Law
Howard Young, Area Team Leader
David Moore, Planning Officer
Rosemary Noon, Applicant
David Jamieson, Puregreenspace, Applicant's Agent
Mike Hyde, Applicant's Agent

1. APOLOGIES FOR ABSENCE

Apologies for absence were intimated from Councillors Rory Colville, Robin Currie, Mary-Jean Devon, George Freeman and Fred Hall.

2. DECLARATIONS OF INTEREST

None declared.

**3. MRS ROSEMARY NOON: ERECTION OF DWELLINGHOUSE: GARDEN
GROUND OF 9 STAFFORD STREET WEST, HELENSBURGH (REF:
12/01688/PP)**

The Chair invited everyone to the meeting and Charles Reppke, Head of Governance and Law, outlined the procedure that would be followed and invited anyone who wished to speak at the meeting to identify themselves. Thereafter introductions were made and the Chair invited the Planning Officer to set out his recommendations.

PLANNING

Howard Young, Area Team Leader, spoke to the terms of the report advising that this application was for an L shaped dwelling house within the curtilage of 9 Stafford Street West, Helensburgh. The site is within the 'settlement' boundary of Helensburgh as defined by the adopted Local Plan where there is a presumption in favour of development subject to site specific criteria being met. The site is also within the Upper Helensburgh Conservation area and as such the development must preserve or enhance the character and appearance of the Conservation Area. He referred to a number of slides showing the location of the plot, the design of the proposed development, elevations, developments in the nearby vicinity of the site, and other infill developments approved in the last 2 years. The site as a whole measures approximately 960 sqm of which the area of the proposed building is approximately 540 sqm. He advised that it is

considered that the application site is large enough to accommodate a dwelling and that a new house will not appear as overdevelopment or undermine the character of the Conservation area. He advised that the design of the dwelling house was acceptable and would not impact on neighbouring properties or the surrounding area by way of overlooking, overshadowing or loss of daylight and as such accords with policy and is recommended for approval subject to the conditions detailed in the report.

APPLICANT

Bruce Jamieson of Puregreenspace advised that he and Mike Hyde of MH Planning were here to speak on behalf of the Applicant. He advised that the proposal accorded with the Development Plan and that there were no other material considerations that caused any concern. He advised that Puregreenspace were approached by Mrs Noon following the pre planning application stage with Mr Hyde and advised that Mr Hyde was here to give some more background information on this pre planning application stage.

Mike Hyde advised that he looked at the site during the initial stage and met at the site with Howard Young in November 2011. He subsequently received written confirmation from Mr Young advising that the principle of building a house on this site would be acceptable depending on the size and design of the house. Mr Hyde advised that the proposed development was not a large house on a small plot. He advised that the proposed dwelling would only occupy 29% of the whole the site and that policy allowed for dwellings up to 33% of a plot. He advised that the proposal was for a modest, well designed, new development which would be developed sensitively and that impact would be limited. He advised that he did not feel there would be any adverse impact on the setting, and no impact on nearby listed buildings with no overlooking or overshadowing. He referred to a previous planning application at Dean House when there were over 100 letters of objection and that the objectors had raised similar concerns in respect of this current application. He advised that it was clear from the end result that many of the concerns in that instance were misplaced and that this site can accommodate the development.

Bruce Jamieson advised that Puregreenspace were approached after the pre application process. He advised that Mrs Noon was not a developer and that she wished to build a special house in the area she already lived at. He advised that Puregreenspace design sustainable green houses. He advised that he had looked at how other houses were built in the surrounding area and also looked at the street patterns in the surrounding area. With the aid of plans he demonstrated that blocks in Helensburgh's Conservation area were divided North-South and that the houses on the south were set back from the road with front gardens and that the houses on the north tended to be built up to the verge with centrally located gardens to the south. He advised that this plot was 23 m wide and was one of the wider plots in the area. He referred to the original plan for the site. He advised that they had taken into consideration the objection from Helensburgh Community Council regarding integration within the local urban landscape and noted their concern that the house would dominate the site and would be out of proportion. In response to this concern he advised that the footprint of the development had now been reduced by 10% down to 159.32 sqm and that the open space ratio was now 28.8% instead of 31.7%. He advised that the amendment to the plan still included a garage in the proposal which could

have been added at a future date under permitted development rights. He advised that the development was DDA compliant and that the house would be highly adaptable in the future, whether for a family or anyone of ambulant disabled or disabled status. He advised that the proposed building will aim to meet the Gold Standard for sustainability and that the long south facing elevation means maximised solar gains, without affecting amenity of neighbouring properties. He referred to a plan showing how the property will look from the street and the height of the elevation of the proposed property in relation to neighbouring properties. He advised that further to the various objections received on the application the design was altered and since making the following amendments there have been no further objections:-

- Overall footprint of the house was reduced by 10% to take account of concerns by Helensburgh Community Council
- The open space ratio was reduced to under 29%
- The distance to the neighbour on the west boundary wall was increased by 1m to 2.5m
- The depth of the living room was lowered by 600mm to minimise impact
- The roof finish was changed from zinc to more traditional slate, responding to concerns that materials were too modern
- The zinc extrusion at the front entrance and South Gable was removed
- The new entrance in the wall was reduced by 70% to 2m
- The width of the bedroom window in the North gable was reduced to the same size as No.30

Mr Jamieson then went onto show a number of photomontages of how the proposed development would look and advised that it would be in keeping with the scale of the street. In conclusion he advised that the house would fit into the street in terms of its scale, ridge height and spacing with adjacent houses. He advised that the house would not affect the amenity of any other house in the street and would attain Gold Level of Sustainability. He advised that the house would be completely DDA compliant and would fit discreetly into the street and would be mainly concealed by the Victorian wall.

As there were no statutory consultees or other third party representatives in attendance to speak at the Hearing the Chair invited the Members to ask questions.

MEMBERS' QUESTIONS

Councillor Trail asked if Helensburgh Community Council had come back with any further comments after the alterations were made to the proposal in response to the concerns raised by objectors.

Mr Jamieson advised that they had expected further comment but there had been no further objections received since the amended Plans were submitted.

Councillor Kinniburgh advised that he was disappointed that Helensburgh Community Council had not come back with further comments. He then went onto ask if the shrubs that would be removed during development would be replaced.

Mr Jamieson advised that most of the greenery in the garden had been planted

by Mrs Noon in the last 12 years and that she would like to dig out the root balls of some of the shrubbery in order to have it replanted at the boundaries.

Councillor Kinniburgh asked Planning if condition 5 was to ensure that shrubs removed were replanted.

Mr Young advised that this was the case. He advised that initially he had concerns when some of the representations mentioned the loss of trees. The trees in the garden are not protected by a TPO. However, as the site is in the Conservation Area they are protected as if they had a TPO until a new development is proposed. At that point the Planning Department has to decide if they should be formally protected by a TPO. Following a site visit he considered that the trees to be removed did not make a significant contribution to the Conservation Area. However, it was important to include a landscaping condition to add some replacement species and to help soften the impact of the proposed development.

Councillor Kinniburgh sought clarification on what garden space would be left for the existing dwelling if the proposal was implemented.

Mr Jamieson advised that the open space ratio for the Coachhouse would be 31%.

Councillor Blair asked if adjustments had not been made to the plans would Planning have still supported this application.

Mr Young advised that the original proposal was supported and that the amendments to the plans had improved the proposal.

Councillor Kinniburgh sought clarification on the dubiety of when the access was created as there did not appear to be any record of planning permission for it.

Mr Young advised that it was his understanding that the access had been created in 1996 and that if planning permission was required at that time it was now exempt from enforcement action due to the time for taking such action now having expired. He advised that his Roads colleagues were happy with the access.

Councillor Taylor sought and received clarification on what the Gold Standard for Sustainability would entail.

Councillor Taylor asked if local materials would be used for the development.

Mr Jamieson confirmed that as far as possible locally sourced aggregate for the block work would be used and that timber would also be sourced from local timber mills.

The Chair invited Planning and the Applicant to sum up.

SUM UP

Planning

Mr Young advised that the site was within the 'settlement' boundary of Helensburgh where there was a presumption in favour of development subject to site specific criteria being met. He advised that the site was also within the Upper Helensburgh Conservation area whereby development must preserve or enhance the character and appearance of the Conservation area. He advised that the site was big enough to accommodate the dwelling house and would not appear as overdevelopment or undermine the Conservation area. He advised that the design was good and that the proposal would not impact on the surrounding area or neighbouring properties. As such the proposal accorded with policy and other material considerations and was recommended for approval subject to the conditions detailed in the report.

Applicant

Mr Jamieson advised that the proposal accorded with the Local Development Plan and that there were no material considerations or objections that would make it unacceptable. He advised that it was a well thought out design and would be a successful house when built.

The Chair asked both Planning and the Applicant to confirm they had received a fair hearing and they both confirmed this to be the case.

DEBATE

Councillor Kinniburgh advised that he was disappointed that Helensburgh Community Council was not here to clarify their position following the amendments that had been made to the proposal. He advised that the Architects had done a good job of addressing the concerns raised by the objectors. He advised that this was an excellent design and that he had no hesitation in accepting the Planner's recommendation to approve as the proposal would not affect the Conservation area.

Councillor Trail advised that he agreed with Councillor Kinniburgh and Planning. He advised that this was a fine design which would enhance and fit in well with the area.

Councillor McNaughton advised that he totally agreed with his colleagues that this was an excellent design and that the Architects had gone out of their way to address the concerns raised by objectors and that he supported this application.

Councillors Blair, MacMillan, McQueen, MacDougall and MacIntyre also indicated their support for the application.

DECISION

It was unanimously agreed to grant planning permission subject to the following conditions and reasons:-

1. The development shall be implemented in accordance with the details specified on the application form dated 03/08/2012 and the approved drawing reference numbers D001, Location Plan, D003, Ground Floor Plan (Amended), D004 (Amended), First Floor Plan, D005 (Amended), Elevations, D006 (Amended), Sections and 3D, D007 (Amended), Additional Information

and D008, Design Statement unless the prior written approval of the planning authority is obtained for other materials/finishes/for an amendment to the approved details under Section 64 of the Town and Country Planning (Scotland) Act 1997.

Reason: For the purpose of clarity, to ensure that the development is implemented in accordance with the approved details.

2. Development shall not begin until samples of materials to be use (on external surfaces of the buildings and/or in constriction of hard standings/walls/fences) have been submitted to and approved in writing by the Planning Authority. Development shall thereafter be carried out using the approved materials or such alternatives as may be agreed in writing with the Planning Authority.

Reason: In order to integrate the development into its surroundings.

3. All surface water from the site shall be treated in accordance with the principles of the Sustainable Urban Drainage Systems Manual for Scotland and Northern Ireland (2000) unless otherwise agreed with the planning authority. Details and specifications of the treatment of surface water shall be submitted for the written approval of the planning authority prior to the commencement of works which shall be implemented in accordance with the duly approved details.

Reason: To ensure that an acceptable scheme of surface water drainage is implemented.

4. Prior to the commencement of development the developer shall submit written evidence to the Planning Authority that an agreement with Scottish Water is in place for the connection of the proposed development to the public water supply (and/or public sewer).

Reason: In the interests of public health and to ensure the availability of an adequate water supply (and/or drainage system) to serve the proposed development.

5. Prior to commencement of development a scheme of boundary treatment, surface treatment and landscaping shall be submitted to and approved in writing by the Planning Authority. The scheme shall include details of:
 - i) Location, design and materials of proposed walls, fences and gates;
 - ii) Surface treatment of proposed means of access and hardstanding areas;
 - iii) Any proposed re-contouring of the site by means of existing and proposed ground levels;
 - iv) Proposed hard and soft landscape works.

The development shall not be occupied until such time as the boundary treatment, surface treatment and any re-contouring works have been completed in accordance with the duly approved scheme.

All of the hard and soft landscaping works shall be carried out in accordance, with the approved scheme during the first planting season following the commencement of the development, unless otherwise agreed in writing by the Planning Authority.

Reason: To assist with the integration of the proposal with its surroundings in the interest of amenity.

(Reference: Report by Head of Planning and Regulatory Services dated 5 November 2012, submitted)