

Hazel Kelly MacInnes
Committee Services Officer
Customer Services
Argyll and Bute Council
Kilmory
Lochgilphead
PA31 8RT

9th November, 2017

Dear Sirs,

Case 17/0008/LRB: 32 MacLeod Drive, Helensburgh – Response to Council Statement of Case and Third Party Comments

I refer to the above subject and your email of 26th October, 2017, inviting our further comments relative to the rebuttal submission made by the Council Planning Officer in their 'Statement of Case' relative to our grounds for review, together with the further comments received from Helensburgh Community Council and the neighbouring objector to the planning application, Mrs Jamieson.

We would comment on each of the parties' submissions as follows:

Council Case Planning Officer

The case planning officer states that no further comments are necessary and then goes on to make some additional comments outlined below in turn with our response.

In point A the Officer suggests that the applicants are '*squeezing in another house*' and creating a '*two-tier plot*' and that this is out of keeping with the area which is '*dominated by a linear, one plot depth, development pattern*'.

The use of the expression 'squeezing in' is highly subjective terminology and has no locus in any assessment of the planning application. The suggestion the applicant is creating a two-tier plot ignores the fact that the existing donor plot has dual frontage, the existing property access is taken from the access road between the application site and the property of the sole objector to the planning application. The proposed dwelling would on the other hand have access direct off MacLeod Drive. This isn't two tier development; to be so would require a single access to both properties. In any event the Local Development Plan has no policy restriction on two tier development.

The officer expresses the view that the development would be incompatible with an area dominated by linear, one plot depth development; whether or not it is dominated by this type of development, clearly

Cameron Planning

other types of development pattern persist in the area, as acknowledged in Mrs Jamieson's comments (see below).

In point B, the same point is made about two tier development; this is answered above but suffice to say, this is not two tier development, the property has dual road frontage, the existing property will take access from the access road to the east, the new property benefits from a new access from Macleod Drive.

The officer in effect dismisses the history of the plot and the fact it predates the modern estate development and argues that the modern estate development pattern supersedes the historic layout. This is fundamentally wrong; there is no policy basis to this assertion and in any event both the donor remaining plot and new plot would be consistent with modern plot sizes in the wider estate area. The position of the Planning Officer is to give undue weight to a modern estate layout where this is not warranted.

As regards point C, in relation to privacy, the officer is incorrect in his comments relative to the use of obscure glass, the window serves a bathroom not a hallway as he states; this is a simple misreading of the plans under consideration. The use of obscure glass is standard in many development scenarios and is regularly used as a means of protecting overlooking and privacy issues.

It is overstating the case for the officer to suggest that this shows that the development is '*indicative of the restrictive and limited nature of the site and shows that a second house could not be comfortably accommodated on this plot without undermining residential amenity*'. This is simply not true, the use of obscure glass is standard in a bathroom, residential amenity is not undermined.

Helensburgh Community Council

As regards HCC response, whether they were enthusiastic in their response or not, the fact is that they did not object to the application, their original submission states that the Community Council '*supports a dwellinghouse being built on this site*' The principle of development is therefore one that is acceptable to the Community Council, they find no issue around existing development patterns, linear developments etc.

Neighbour Objection

As regards the submission from the adjoining proprietor and objector to the east of the property, we note the following, using the references in the response:

Point 1.3 – the drawings under consideration are the revised drawings submitted to the planning authority in February 2017 and these are the drawings on which the application has been determined. It is therefore these drawings that the Local Review Board must make their decision on.

Point 2.4 – the level of landscaping proposed is in our view appropriate to the development. The comment '*complete removal of the hedge*' is not correct as the western hedge boundary remains. The hedge removal which causes the objector concern is the removal of the leylandii hedge on the eastern boundary facing the access road and the objector's property. It is noted that the objector's property has a combination of beech hedge and timber screen fence on the western boundary set back from the access road, the replacement of the hedge on the application site boundary and its replacement with a screen

Cameron Planning

fence has no impact on privacy and retains an acceptable degree of privacy for both properties. It would be surprising if Planning advocated planting or retaining a leylandii hedge given the tree's reputation.

Point 3.5 – the objector has submitted a new plan to make a point about the location of the dwelling within the plot; it isn't clear what this tries to achieve. The only plans that the Local Review Board can consider in the planning application are those revised plans that are contained within the application.

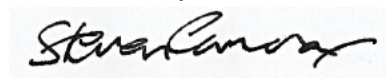
Point 3.10 – the objector makes the point that the existing property sits comfortably in its grounds and this would be compromised by the development. The Review Board is reminded that the application site is not located in a Conservation Area nor is the property a Listed Building and whilst context and character are important considerations, the degree to which the development affects the setting of the donor property is in this instance not an issue. It is noted further, to highlight the subjective nature of such comments, that the Community Council in their original representation made the point that the application site was a '*wonderful site*' the development of which doesn't detract from the existing dwelling.

Point 3.20 – the objector challenges the removal of the hedge fronting onto Macleod Drive as it provides suitable landscape break between the '*smaller estate houses*' to the west and '*the larger houses to the east*', including her own property. The comment highlights that there is no dominant plot size and that there are different house types across the area. The hedge itself is leylandii and is singularly unsuitable as a hedge fronting onto the estate road in this location or as a screen between the properties.

Conclusion

In summary, there is nothing in the comments raised or the Council's Statement of Case that is sufficiently persuasive in the rebuttals presented and we remain of the view that, respectfully, seeks the Local Review Board to consider the application to review the Council's decision in a positive manner.

Yours sincerely,



Steven Cameron
Cameron Planning

Tel : 07747 053070
E-mail : steven@cameronplanning.com