

Delegated or Committee Planning Application Report and Report of handling as required by Schedule 2 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008 relative to applications for Planning Permission or Planning Permission in Principle

Reference No: 11/00210/PP

Planning Hierarchy: Local Application

Applicant: Dunbritton Housing Association

Proposal: Erection of a four storey residential building comprising twelve two bedroom flats.

Site Address: Scrumbles, Upland Road, Garelochhead

SUPPLEMENTARY REPORT No. 1

1.0 INTRODUCTION

The purpose of this supplementary report is to advise Members of a representation received after the main report was completed and a consultee response from the Area Roads Manager.

2.0 ADDITIONAL INFORMATION

Area Roads Manager (memo dated 14 March 2011) – No objections subject to provision of footway linking the site and the existing west footway of Hepburn Road.

Comment: This can be covered by an additional condition.

Correspondence has been received from Jackie Baillie MSP, Constituency Office, 11 High Street, Dumbarton (letter dated 8 March 2011) which comments that residents are objecting on the following grounds:

Inappropriate design out of keeping with neighbouring properties;

Comment: Councillor Freeman has drawn attention to an error in the original report which refers in the description of existing development to a 'mix of terrace and detached houses'. Surrounding development is actually predominantly terraced housing with a number of semi-detached properties. Although there are no flats of the type proposed in the vicinity, it is not considered that their absence should preclude a mix of styles and types of property provided that the amenity of existing properties is not prejudiced.

The design due to its flat roof is contrary to the Council's Design Guidance;

Comment: The amended scheme has a mix of monopitch and flat roofs which does not share the shortcomings of the earlier flat roofed proposal as the amended design adds shape and breaks up the bulk and regularity of the building.

There is concern about the increase in traffic given the already congested nature of local roads;

Comments: the Area Roads Manager has now confirmed no objection on access and parking grounds.

There are drainage issues as the gradient of the site will direct water down towards the main route of the village;

Comments: Additional run-off from the site as a result of roofs and other hard surfaces will be handled as part of the surface water drainage scheme for the development and will be subject to Building Standards approval.

Residents consider that the development will not benefit the area and could affect tourism as the site would detract from the visual amenity of the natural landscape;

Comments: It is not considered that the presence of the building will be so imposing that it would be likely to have any palpable impact upon the tourism potential of the locality.

It will not meet local housing requirements as two other existing housing development have allocated little to local residents.

Comments: Housing Association allocation policies are not material planning considerations.

2.0 CONSIDERATION OF THE NEED FOR A LOCAL HEARING

The number of representations now stands at 20, which take the form of a proforma letter. In considering whether a discretionary local hearing is warranted, it is necessary to consider the fact that this is a brownfield redevelopment site within the 'settlement' area and the fact that that the representations do not raise complex policy or technical issues which would merit additional scrutiny. Accordingly, despite the number of persons making representation, it is not considered that a local hearing is necessary in this case.

4.0 RECOMMENDATION

It is recommended that the contents of this report are noted and that the recommendation is that planning permission be approved subject to the amended conditions and reasons listed overleaf.

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Angus J Gilmour
Head of Planning & Regulatory Services

14 March 2011

CONDITIONS AND REASONS RELATIVE TO APPLICATION REF. NO 11/00210/PP

1. That the development to which this permission relates must be begun within three years from the date of this permission

Reason: In accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997

2. The development shall be implemented in accordance with the details specified on the application form dated 29/01/2010 and the approved drawing reference numbers L(P)001, L(P)0011, L(P)0012, L(P)0013, L(P)0051, L(P)0052, L(P)0100, L(P)0101, L(P)0102, L(P)0103, L(P)0104, 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.

3. 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.

4. No development shall be commenced until details of the surface water drainage system to be incorporated into the development have been submitted to and approved in writing by the Planning Authority. Such measures shall show separate means for the disposal of foul and surface water, and the provision of a Sustainable Urban Drainage System (SuDS) The scheme shall be prepared in accordance with the advice given in Planning Advice Note 61 (PAN 61) 'Planning and Sustainable Urban Drainage Systems' and the 'SuDS Design Manual' (CIRIA C697). The development shall be implemented in accordance with the duly approved surface water drainage system.

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

5. 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.

6. A detailed remediation scheme to bring the site to a condition suitable for the intended use must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: In order to ensure that contamination issues on the site have been fully investigated and dealt with.

7. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason: In order to ensure that contamination issues on the site have been fully investigated and dealt with.

8. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 6, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 7.

Reason: In order to ensure that contamination issues on the site have been fully investigated and dealt with.

9. The development shall be landscaped in accordance with a scheme which shall be submitted to and approved by the Planning Authority before development commences. The scheme shall indicate the siting, numbers, species and heights (at the time of planting) of all trees, shrubs and hedges to be planted and to the extent of any areas of earthmounding, and shall ensure:

(a) Completion of the scheme during the planting season next following the completion of the building or such other date as may be agreed in writing with the Planning Authority.

(b) The maintenance of the landscaped areas for a period of ten years or until established, whichever may be longer. Any trees or shrubs removed, or which in the opinion of the Planning Authority, are dying, being severely damaged or becoming seriously diseased within three years of planting, shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure the implementation of a satisfactory scheme of landscaping.

10. Prior to works commencing on site details of a footway to link the proposed development to the existing west footway in Hepburn Road shall be submitted to and agreed in writing by the Planning Authority. Thereafter, the footway, as agreed, shall be in place prior to the occupation of the proposed flats.

Reason: In the interests of road safety and to assist with the footway provision for the disabled.

NOTE TO APPLICANT

- In order to comply with Section 27A(1) of the Town and Country Planning (Scotland) Act 1997 (as amended), prior to works commencing on site it is the responsibility of the developer to complete and submit the attached 'Notice of Initiation of Development' to the planning authority specifying the date on which the development will start.
- In order to comply with Section 27B(1) of the Town and Country Planning (Scotland) Act 1997(as amended), it is the responsibility of the developer to submit the attached 'Notice of Completion' to the planning authority specifying the date upon which the development was completed.
- Please note the advice contained within the attached letter from Scottish Water. Please contact them direct to discuss any of the issues raised.
- Please note that MoD has no objections provided the building can withstand 5.2 Kilopascals should an incident occur.