

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: 11/00784/PP

Planning Hierarchy: Local Application

Applicant: Mr Duncan Campbell

Proposal: Sub-division of garden ground, erection of dwellinghouse and detached garage and formation of new vehicular access.

Site Address: 7 Laggary Park, Rhu, Helensburgh

SUPPLEMENTARY REPORT NO.2

1.0 SUMMARY

Members will have received a submission from the applicant regarding the above application. The key points are summarised and assessed below.

- Is the proposed development inconsistent with the conservation area or unattractive? Does the loss of two trees impact significantly on the conservation area? Tree density in the area remains very high and the number of trees on site remains higher than similar homes in the conservation area. Moreover, of the two trees that require removal, the larger has a cavity, and this weak point predicts the major limb falling. Additionally, both trees shed leaves onto the steep road reducing tyre traction in autumn and winter and leading to blockage of the burn running under the road leading to flooding.

Comment: The application site forms part of a larger area which is a TPO and which successfully integrates and softens the impact of existing residential development into its wider landscape setting. The applicant's tree survey submitted with the application indicates 13 trees within the site and one on the boundary. Of these 6 are in good condition, 6 in fair condition, 1 in poor condition and 1 dead tree. Under the original plans the dead tree will be removed while 6 others would need to be removed to accommodate proposals. Of these 6, 4 are in fair condition and 2 in good condition. Additionally, another tree in good condition may be affected by the proposals. The loss of the trees and shrubs and their replacement with a dwellinghouse, hard standing and other associated suburban development would be visually intrusive, visually discordant and would not maintain or enhance the character of the area. The state of the trees and the issue of leaves causing traction issues and flooding is the responsibility of the owner. The planning authority would look sympathetically on any appropriate works to a protected tree.

- Thirteen objections have been raised of which two people have objected twice. Of the objectors five will not be able to see the proposed development.

Comment: Anyone can object to an application. The objections are on legitimate planning grounds and are a material consideration in the assessment of the proposal along with the previous refusal of planning permission on this site.

- Along this area of Station Road there is a mixed style of housing. Directly opposite are 34 local authority houses and a modern estate. Further along the road to the south is a period house, Laggary Lodge, which is already flanked on two sides by modern houses. To the north and adjacent to the proposed site is Laggary Cottage which sits directly opposite the modern estate on Glebefield Road. Next to that is the Coach House which is directly opposite a modern detached house with integral garage (Glebe Cottage), followed by the modern houses of Torr Crescent

Comment: Station Road presents two distinct "sides" one traditional, one more modern, and clearly marks a boundary between different types of housing. It is not a transition zone but two markedly different areas. While the plot itself follows the pattern of the adjacent properties to the north east of the site, these houses are traditional lodge/gate houses sited to the very front of their sites abutting Station Road. Both the design and position of the proposed house does not reflect this existing character, instead proposes the house to be at an angle within the grounds which is out of character with the area. The applicant has indicated a potential amended footprint with the proposed house sitting gable end on to the road. This is reinforced by a simulated picture of the proposed house shown with replacement planting. It is difficult to say if the perspective is accurate in terms of depth of field but it does confirm that even with this amended footprint it will still be visually intrusive, visually discordant and contrary to policy. Sub-dividing the plot and siting a new house of modern design set back from the adjoining road and outwith the building line of the long established properties to the north would undermine the established character and settlement pattern of this area. It would be visually intrusive, visually discordant and would not maintain or enhance the character of the area.

- Approximately half of the entire site is cultivated, set to lawn and used as a family garden. The proposed development involves only the rear, unmaintained, overgrown half of the land. We propose to build a quality 4 bedroom dwellinghouse of an identical design to a house already built 400m further along Station Road. The boundary wall would be rebuilt in stone. We also propose to re-plant sympathetically trees/shrubs in order to maintain the character of the road.

Comment: The planting of replacement trees and shrubs around part of the plot will not be sufficient to retain the woodland character of the site in either the short or the long term. The site is covered by a Tree Preservation Order and the proposal will prevent significant regeneration and replanting of trees by reducing the area available for tree cover and changing the character of the site from woodland to suburban garden. The loss of trees and other vegetation cover and their replacement with a substantial dwelling, hardstanding and other associated suburban development will clearly neither preserve nor enhance the character of the area as required by development plan policy. This is reinforced by the simulated picture of the proposed house which in this location and this part of the conservation area will be visually intrusive, visually discordant and contrary to policy.

- The previous planning refusal raised a number of concerns. The first of these was precedent as there was concern that there could be copycat development at number 3 and 5 Laggary Park. This is not the case as the frontage of these

gardens could not allow for the permissible sight lines deemed necessary for a vehicular access.

Comment: Whilst each case is judged on its merits, if permission is granted, it could well set a precedent for copycat proposals, particularly as permission was previously refused on this site. It is likely that appropriate access could be provided should other development be proposed.

- The second reason for refusal under the previous application related to the detrimental impact on amenity and landscape quality. The site does not have public access and amenity can only be viewed as a balance between the appearance of trees and available light for homes and gardens. The proposal would reduce tree density and would improve light to the front gardens of several smaller family homes opposite.

Comment: Amenity is defined, inter alia, as the pleasant or normally satisfactory aspects of a location which contribute to its overall character and the enjoyment of residents or visitors. As such lighting is only one minor aspect of this. Trees form an important part of our environment and in the delivery of sustainable development. They contribute considerably to the amenity of the landscape and streetscene, add maturity to new developments, make places more attractive, and help soften the built environment by enhancing pleasant views, by breaking up view lines and by screening unattractive buildings and undesirable views. A planning authority has a legal duty to protect trees. In this case the loss of trees and other vegetation cover and their replacement with a substantial dwelling, hardstanding and other associated suburban development will clearly neither preserve or enhance the character of the area and critically undermine the amenity of adjoining properties and the surrounding area. This was clearly recognised in the previous refusal on this site.

- The third concern under the previous refusal was that the introduction of a structure into a position immediately adjacent to Station Road would detract from the established streetscape and at odds with the original design concept of Laggary Park which places no property in direct roadside position to Station Road other than long established properties. The proposed development would be outwith and unseen from Laggary Park. It would be directly opposite an estate of ex local authority housing and the modern housing (Glebefield Road) which was developed sometime after Laggary Park. This does not constitute historic or long established buildings.

Comment: This previous reason for refusal and the others are correct and still relevant. As indicated above Station Road presents two distinct "sides" and clearly marks a boundary between different types of housing. It is not a transition zone but two markedly different areas. While the plot itself follows the pattern of the adjacent properties to the north east of the site, these houses are traditional lodge/gate houses sited to the very front of their sites abutting Station Road. Both the design and position of the proposed house does not reflect this existing character, instead proposes the house to be at an angle within the grounds which is out of character with the area. Sub-dividing the plot and siting a new house of modern design set back at an angle from the adjoining road and outwith the building line of the long established properties to the north would undermine the established character and settlement pattern of this area. It would be visually intrusive, visually discordant and would not maintain or enhance the character of the area.

2.0 RECOMMENDATION

It is recommended that whilst the contents of this report are noted, they do not change the recommendation contained in the original report of handling and that planning permission should be refused for the reasons set out in that report.

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