

**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**

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**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

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**SUPPLEMENTARY REPORT NO. 4**

**1.0 ADDITIONAL INFORMATION**

Members will recall that it was agreed to continue consideration of this application following a site familiarisation, in order to allow officers to clarify with the applicant whether he wished to see the application determined as submitted, or whether on the basis of his subsequent suggestions, he wished to withdraw his current application and submit a new one for an amended position of the proposed house.

A meeting has now been held with the applicant and his agent at which they requested feedback on whether an amended scheme would be likely to prove acceptable. Officers have confirmed that it could not be supported, as it would not overcome the shortcomings identified with the original proposal. In the light of this, the applicants wish proceed with the determination of the application as submitted which is recommended for refusal for the reasons set out in the original report.

A further email from the applicants agent was received in support of their application. The key points are summarised below:

- It is their firm belief that the original layout offers the best end result with regard to the re-development and enhancement of the application site and an overall upgrading of the wider streetscene.
- The site is currently overgrown with a semi-derelict wall. The applicant proposes to remove two trees of moderate quality and replace these with two or more blossoming trees. The streetscene could then change from a semi-derelict wall to a row of blossoming trees.
- The loss of this garden ground will not affect the character or amenity of Laggary Park in any way. It is considered a development on Station Road consistent with the mixed housing on the street. Its future development will enhance its value in terms of equity as well as its contribution within the streetscene and in the short term will create employment opportunities.
- The application site mirrors the existing built form whereby house plots of a similar size and shape run alongside Station Road. The burn along the frontage of the site

makes it impractical to mirror the exact position of neighbouring properties. However the house position allows a row of trees to be retained for partial screening.

- The development site is only part of a larger wooded area. It will lose only 2 Category B trees and five Category C trees which will not be injurious to the streetscene, especially when the two Category A trees will be retained. New planting could compensate for doughtakings.
- Of the two Category B trees that would be removed, the larger has a cavity affecting the main fork which presents a long term risk of collapse towards the road. The other has a weak fork. If these trees are to be retained, the applicants seek clarification of liability in the event that the tree or major limbs fall within or outwith the garden.
- The layout meets the road safety guidelines.
- The lowering of the damaged stone wall will make it stable. This wall has become derelict, overgrown and unstable. If this must be retained the applicants require clarification of liability in relation to the wall falling in to Station Road.
- There would be no loss of privacy to any neighbouring houses. The development would also ensure better ongoing maintenance of the site and the small burn which runs through it. The applicant has no plans to employ a gardener nor commit time to maintenance. The garden will be partitioned from the main garden of 7 Laggary Park.
- The scale and design of the proposed house was deemed acceptable at pre-application stage. It is of a better design and uses better materials than most of those in the vicinity. Furthermore, a very similar house was granted permission in the last few years further up Station Road.

## **2.0 RECOMMENDATION**

It is recommended that Members note the terms of this report and refuse the application for the reasons set out in the original report.

**Angus J Gilmour**  
**Head of Planning & Regulatory Services**  
**07 December 2011**

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