

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
AS AMENDED BY THE PLANNING ETC (SCOTLAND) ACT 2006
PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) (SCOTLAND) ACT 1997**

Index of applications under the above acts to be considered by Planning Applications Committee on
4th September 2019

Reference No: 2018/0763/TP

Ward: 3

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Applicant:

Mr Douglas Cardiff
6 Tweedsmuir Crescent
Bearsden
Glasgow
Scotland
G61 3LE

Agent:

Kenneth Findlay
90 Thane Road
Knightswood
Glasgow
Scotland
G133BN

Site: Garage site adjacent to 10 Ravenstone Drive, Giffnock, East Renfrewshire, G46 6AL

Description: Erection of dwellinghouse following demolition of garage (planning permission in principle)

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REPORT OF HANDLING

Reference: 2018/0763/TP

Date Registered: 17th January 2019

Application Type: Planning Permission in Principle This application is a Local Development

Ward: 3 -Giffnock And Thornliebank

Co-ordinates: 256313/:660028

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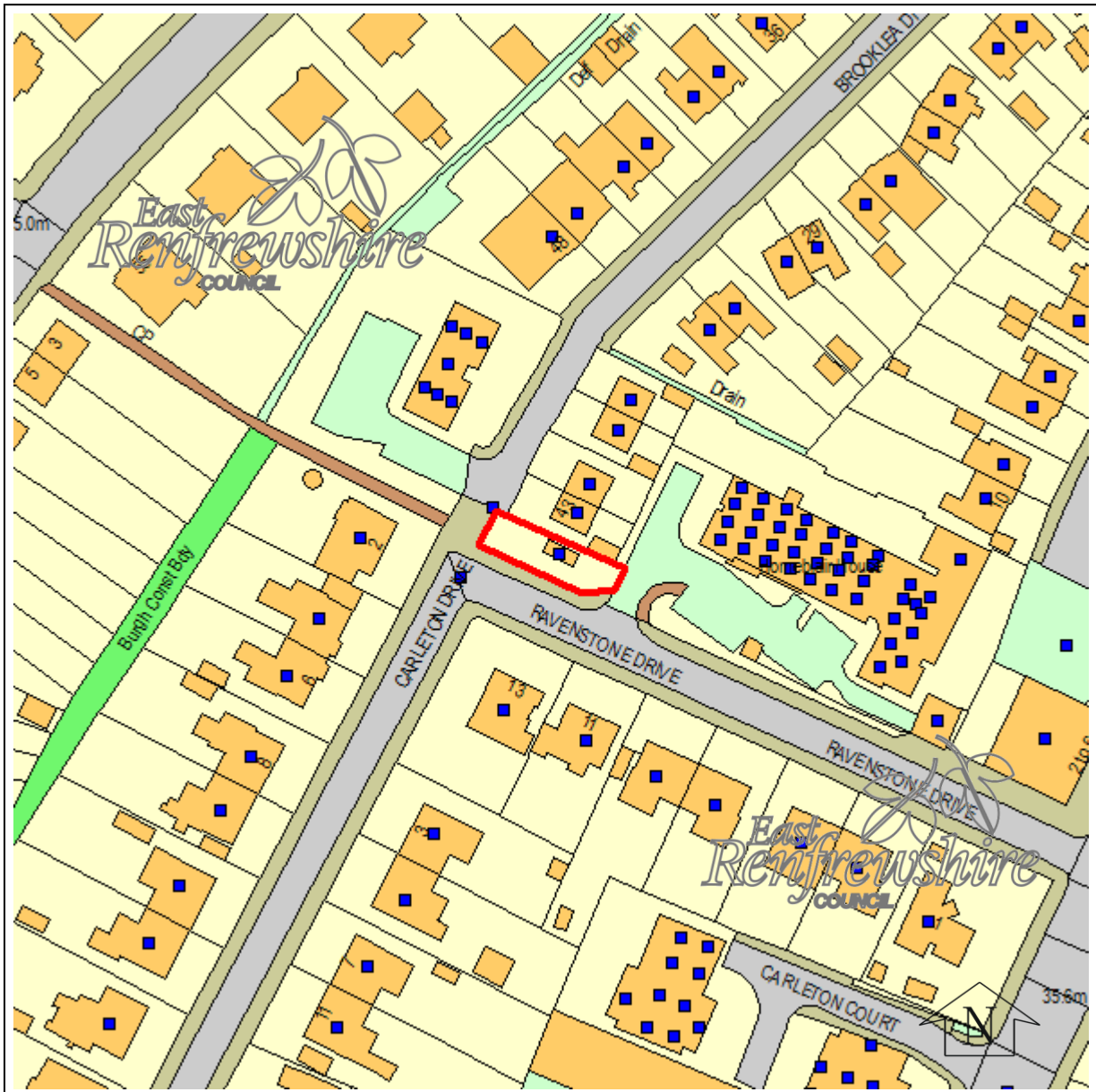
Scotland

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Giffnock
East Renfrewshire
G46 6AL

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CONSULTATIONS/COMMENTS:

Scottish Environment Protection Agency	No objections.
East Renfrewshire Council Roads Service	No objections subject to conditions.

PUBLICITY: None.

SITE NOTICES: None.

SITE HISTORY: None

REPRESENTATIONS: A total of 15 representations have been received to the application and can be summarised as follows:

- Road and pedestrian safety
- Insufficient off street parking
- Sitting, scale and design of the dwelling is out of keeping with the area
- Overshadowing
- Unightly view of waste bins
- Potential use of the private car park at Homeblair House
- Obstruction to the private car park at Homeblair House during construction
- Construction noise disturbance
- Impact on health from construction dust
- Access cannot be taken off Homeblair House as it is private
- Increase flooding within the area
- Owners of the proposed property would have to assist in maintenance costs of the road into Homeblair House

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

SUPPORTING REPORTS:

Design and Access Statement (December 2018) - Analyses and assesses the context of the site and the proposed development in terms of access, orientation, character, appearance and constraints.

Flood Risk Assessment (May 2019) and Updated Flood Risk Assessment (July 2019) - Assesses the flood risk to the site and the proposed development from nearby open and culverted watercourses. Concludes that the site remains to be at low to medium risk of flooding from fluvial sources.

ASSESSMENT:

This is a Local Development under the Town and Country Planning Hierarchy of Developments (Scotland) Regulations 2009. However the application has to be determined by the Planning Applications Committee as more than 10 objections have been received.

The application site is located on the north side of Ravenstone Drive and consists of a small plot of land on which there is a single detached garage. Approximately half the site is enclosed by low hedging (to the west) while the remaining section of the site (to the east) is open to the road. Access to the garage is taken from the access road into Homeblair House off Ravenstone Drive.

The wider area is residential in nature. The site is bounded by two storey semi-detached houses to the north and a mix of semi-detached/detached bungalows to the south and west. Homeblair House sits immediately to the east of the site and is three storeys high. Plot sizes of the houses within the area are relatively large with front and rear gardens, driveways along the sides and there is a good degree of separation between the houses. The houses are set back from the road frontage. The application site lies within a flood area identified by the Scottish Environment Protection Agency (SEPA) with a medium likelihood of flooding (0.5% annual probability or 1 in 200 year).

Planning permission in principle is sought for a one-and-a-half storey detached dwellinghouse. Drawings have been submitted with the application showing the proposed house to be centrally positioned within the plot and would be set back approximately 8m from the side (west) boundary, 8m from the opposite (east) boundary, 1m from the footway along Ravenstone Drive (south) and 700mm from the north boundary. The footprint of the house to be 41.5sqm and it is to be approximately 6m in height. In terms of design it is indicated to have a hipped roof, concrete roof tiles, upvc windows and facing brick. The drawings show one off street parking space.

The applicant's agent, in support of the application has indicated:

- The front and rear building lines of the adjacent properties on Brooklea Drive are to be maintained and will complete the streetscape
- The existing road and pavement will be re-used
- The proposal would not result in a loss of privacy or sunlight on adjacent properties
- Material choice will be in keeping with surrounding architecture
- Landscaping will be retained
- Street lighting will not be impacted
- Off street parking will be provided
- There is sufficient capacity within existing service networks

The application is required to be assessed against Policies D1, D2 and E4 of the adopted East Renfrewshire Local Development Plan as well as Supplementary Planning Guidance: Green Network and Environmental Management (SPG).

Policy D1 indicates that development should not result in a significant loss of character or amenity to the surrounding area; should be of a size, scale, massing and density in keeping with the buildings in the locality and respect local architecture, building form, design and materials; should not adversely affect neighbouring properties in terms of sunlight or privacy; and should comply with the Council's access and car-parking requirements.

Policy D2 indicates development will be supported within the general urban area where compatible with the character and amenity of the locality and surrounding land uses and where it complies with other appropriate policies of the Plan.

Policy E4 advises that at all times, avoidance will be the first principle of flood risk management. Development which could be at significant risk from flooding, and/or could increase flood risk elsewhere will be resisted. A flood risk assessment taking account of climate change will be required for any development within the Scottish Environment Protection Agency functional flood plain.

The site is considered to be a brownfield site in the urban area and as a consequence the general principle of a dwellinghouse would be compatible with the surrounding land uses. The compatibility of the proposal with the character and amenity of the area therefore remains to be assessed against detailed criteria in Policy D1 and the open space standards in the adopted Supplementary Planning Guidance: Green Network and Environmental Management (SPG).

The area, as previously stated, is characterised by properties of a reasonable size, set well back from the street frontage and set within reasonably sized plots with separation between the houses. The application site is however narrow and limited in size when compared to the neighbouring houses and the proposed house would be smaller both in footprint and height than the average for the area. The dwelling would also be close to the north and south boundaries and as such a house on the site would appear squeezed within the site. Appendix 1 of the SPG indicates minimum open space standards and provides that for new residential development private garden areas will be expected to be 1.5 times the ground floor area of the proposed house or 100 square metres, whichever is the greater. In this case, the garden space is to be provided along the east and west of the property. Taking the private garden ground as from the front elevation back, the proposal can provide 101sqm and as such meets the minimum requirements. This aspect therefore complies with Policy D1(5) and the aforementioned SPG. Notwithstanding, this aspect of the proposed development in itself does not warrant approval of the application.

In addition the required 2m set back from the side of the adjacent house (43 Brooklea Drive) as specified in the SPG cannot be achieved. As a consequence, it is considered that the combination of the small plot and the proposal for a small detached house would conflict with the established development pattern and built character of the area. The proposal therefore conflicts with criteria 1 and 2 of Policy D1 and the SPG.

Given the size, siting and orientation of the proposal, it is considered that the amenity of neighbouring properties would not be significantly prejudiced as a result of overshadowing. There would also be sufficient distance between the proposed house and neighbouring properties so as to not result in adverse overlooking/loss of privacy. This aspect therefore complies with Policy D1(3). Notwithstanding complying with these aspects of Policy D1 does not justify approval of the application.

The Council's Roads Service has raised no objections to the proposal subject to conditions specifying that one parking space be provided within the curtilage and surface water run-off from the site be contained and not allowed to issue onto the public road. These matters can be addressed by conditions should the application be granted.

SEPA have been consulted and advised that they are satisfied that the proposal is located outwith the functional floodplain and it is therefore appropriate and in line with the principles of Scottish Planning Policy. The proposal is therefore considered to comply with Policy E4 and Policy D1(9) of the adopted Local Development Plan.

To conclude, it is considered that the proposal conflicts with Policy D1 and the SPG: Green Network and Environmental Management. Non-compliance with Policy D1 also renders the proposal unsupportable in terms of Policy D2.

In terms of the information submitted in support of the application by the applicant's agent the following comments are made. Matters relating to siting within the streetscape, parking/access, overlooking/loss of privacy and overshadowing/loss of sunlight have been considered in the assessment above. The comments regarding the building line, reuse of an existing vehicular access point, finishing materials, landscaping, street lighting and servicing are acknowledged however the proposed development does not comply with Policy D1(1).

In terms of the representations that has been received the following comments are made. The concerns raised regarding road and pedestrian safety, car parking, flooding, scale and design, and loss of light/overshadowing have been considered above.

Concern regarding views of waste bins and impact on health are not material planning considerations. The comments regarding access rights, use and maintenance costs of the private car park at Homeblair House are private matters between the relevant owners and also not a material planning consideration. Any parking of construction vehicles within Homeblair House would have to be agreed between the parties involved. In relation to noise disturbance, it is unlikely that excessive noise levels would be experienced in the area given the small scale of the development however, the Council's Environmental Health Service can investigate should such issues arise. If the development is approved a condition can be attached restricting construction times.

Overall conclusion

The proposal is contrary to Policies D1 and D2 of the adopted East Renfrewshire Local Development Plan and to the terms of Appendix 1 of the Supplementary Planning Guidance: Green Network and Environmental Management. There are no material considerations that outweigh the Local Development Plan.

RECOMMENDATION: Refuse

REASONS FOR REFUSAL:

1. The proposed development is contrary to Policies D1 and D2 of the East Renfrewshire Local Plan as the site is not considered capable of accommodating a dwellinghouse compatible with, and comparable to, the established development pattern and built character of the surrounding area.
2. The proposed development is contrary to the SPG: Green Network and Environmental Management as a 2m off set from the adjacent site cannot be provided and a dwellinghouse on the site would therefore appear squeezed within the site to the detriment of the character and appearance of the area.

PLANNING OBLIGATIONS: None.

ADDITIONAL NOTES: None

ADDED VALUE: None

BACKGROUND PAPERS:

Further information on background papers can be obtained from Mrs Zara Foster on 0141 577 3128.

Ref. No.: 2018/0763/TP
(ZAFO)

DATE: 28th August 2019

DIRECTOR OF ENVIRONMENT

DEVELOPMENT PLAN:**Strategic Development Plan**

This proposal raises no strategic issues in terms of the Glasgow and the Clyde Valley Strategic Development Plan and therefore the East Renfrewshire Local Plan is the relevant policy document

Adopted East Renfrewshire Local Development Plan

Policy D1: Detailed Guidance for all Development

Proposals for development should be well designed, sympathetic to the local area and demonstrate that the following criteria have been considered, and, where appropriate, met. In some cases, where the criteria have not been met, a written justification will be required to assist with assessment.

1. The development should not result in a significant loss of character or amenity to the surrounding area;
2. The proposal should be of a size, scale, massing and density that is in keeping with the buildings in the locality and should respect local architecture, building form, design, and materials;
3. The amenity of neighbouring properties should not be adversely affected by unreasonably restricting their sunlight or privacy. Additional guidance on this issue is available in the Daylight and Sunlight Design Guide Supplementary Planning Guidance;
4. The development should not impact adversely on landscape character or the green network, involve a significant loss of trees or other important landscape, greenspace or biodiversity features;
5. Developments should incorporate green infrastructure including access, landscaping, greenspace, water management and Sustainable Urban Drainage Systems at the outset of the design process. Where appropriate, new tree or shrub planting should be incorporated using native species. The physical area of any development covered by impermeable surfaces should be kept to a minimum to assist with flood risk management. Further guidance is contained within the Green Network and Environmental Management Supplementary Planning Guidance;
6. Development should create safe and secure environments that reduce the scope for anti-social behaviour and fear of crime;
7. Developments must be designed to meet disability needs and include provision for disabled access within public areas;
8. The Council will not accept 'backland' development, that is, development without a road frontage;
9. Parking and access requirements of the Council should be met in all development and appropriate mitigation measures should be introduced to minimise the impact of new development. Development should take account of the principles set out in 'Designing Streets';
10. Development should minimise the extent of light pollution caused by street and communal lighting and any floodlighting associated with the development;
11. Developments should include provision for the recycling, storage, collection and composting of waste materials;
12. Where possible, all waste material arising from construction of the development should be retained on-site for use as part of the new development;
13. Where applicable, new development should take into account the legacy of former mining activity;

14. Development should enhance the opportunity for and access to sustainable transportation, including provision for bus infrastructure, and particularly walking and cycle opportunities including cycle parking and provision of facilities such as showers/lockers, all where appropriate. The Council will not support development on railways solums or other development that would remove opportunities to enhance pedestrian and cycle access unless mitigation measures have been demonstrated;
15. The Council requires the submission of a design statement for national and major developments. Design statements must also be submitted in cases where a local development relates to a site within a conservation area or Category A listed building in line with Planning Advice Note 68: Design Statements.
16. Where applicable, developers should explore opportunities for the provision of digital infrastructure to new homes and business premises as an integral part of development.

Policy D2: General Urban Areas

Development will be supported within the general urban areas, as defined on the Proposals Map, where compatible with the character and amenity of the locality and surrounding land uses and where it complies with other appropriate policies of the Plan.

Policy E4: Flooding

At all times, avoidance will be the first principle of flood risk management. Development which could be at significant risk from flooding, and/or could increase flood risk elsewhere will be resisted. A flood risk assessment taking account of climate change will be required for any development within the Scottish Environment Protection Agency functional flood plain.

Development that will reduce the likely incidences of flooding or vulnerability to flooding will be supported subject to compliance with other policies of the Plan.

There will be a presumption against development within functional flood plains. The functional flood plain equates to the 'medium to high risk' category. Water attenuation areas are designed to reduce the incidence of flooding in other locations and there will be a presumption against development within these areas. The Council will resist development within areas that are at risk of flooding, in accordance with the risk framework contained in Scottish Planning Policy.

Infrastructure developments may be permitted in areas of flood risk in the circumstances, and subject to the requirements, set out in the flood risk framework in Scottish Planning Policy.

GOVERNMENT GUIDANCE:

Scottish Planning Policy on Managing Flood Risk and Drainage indicates the planning system should promote a precautionary approach to flood risk from all sources; flood avoidance by safeguarding flood storage and conveying capacity, and locating development away from functional flood plains and medium to high risk areas; flood reduction by assessing flood risk and, where appropriate, undertaking natural and structural flood management measures, including flood protection, restoring natural features and characteristics, enhancing flood storage capacity, avoiding the construction of new culverts and opening existing culverts where possible; and avoidance of increased surface water flooding through requirements for Sustainable Drainage Systems and minimising the area of impermeable surface. To achieve this the planning system should prevent development which would have a significant probability of being affected by flooding or would increase the probability of flooding elsewhere. Piecemeal reduction of the functional floodplain should be avoided given the cumulative effects of reducing storage capacity.