

Agenda

Local Review Body

Date: Wednesday, 23 August 2023

Time: 14:00

Venue: Civic Space, 16 Church Street, Dumbarton

Contact: Nicola.moorcroft@west-dunbarton.gov.uk
committee.admin@west-dunbarton.gov.uk

Dear Member

Please attend a meeting of the **Local Review Body** as detailed above.

The business is shown on the attached agenda.

Yours faithfully

PETER HESSET

Chief Executive

Distribution:-

Councillor Lawrence O'Neill (Chair)
Councillor Gurpreet Singh Johal (Vice Chair)
Councillor Ian Dickson
Councillor Daniel Lennie
Provost Douglas McAllister
Councillor June McKay
Councillor Karen Murray Conaghan
Councillor Chris Pollock
Councillor Hazel Sorrell
Councillor Sophie Traynor

All other Councillors for information

Date of issue: 9 August 2023

LOCAL REVIEW BODY

WEDNESDAY, 23 AUGUST 2023

AGENDA

1 APOLOGIES

2 DECLARATIONS OF INTEREST

Members are invited to declare if they have an interest in any of the items of business on this agenda and the reasons for such declarations.

3 PROCEDURE 5 - 6

Submit copy of Procedure to be followed at the meeting.

4 MINUTES OF PREVIOUS MEETING 7 - 9

Submit for approval as a correct record, the Minutes of Meeting of the Local Review Body (LRB), held on 27 June 2023.

5 APPLICATION FOR REVIEW: DC22/214/FUL 11 - 89
8, BONHILL VIEW, BONHILL, G83 0SZ

Submit review papers for the above application.

WEST DUNBARTONSHIRE COUNCIL

LOCAL REVIEW BODY

PROCEDURE TO BE FOLLOWED AT MEETING

1. The Chair will introduce himself and the Members of the Review Body.
2. The Planning Adviser will outline the details of the application.
3. The Members of the Local Review Body will then ask any appropriate questions to the officers present, i.e. Planning Adviser of the Local Review Body and Legal Adviser.
4. If the Local Review Body then considers that there is sufficient information from the material before it, including the notice of review, the decision notice, and report of handling, and any further representations from interested parties, it may proceed to determine the review.
5. The Chair and the other Members of the Review Body will consider the information before them in terms of the submission by the applicant, the interested parties including any statutory consultees or other parties who have made representations and the report of handling.
6. If the Local Review Body decides that it requires further information or representations before it can determine the review they should agree what form this information should take, i.e.
 - Site visit
 - Written submissions
 - The holding of one or more hearing sessions
- 6.1 Written Submissions: The Local Review Body can request written submissions from the applicant or appointed officer, any other body or person they wish to receive information from. The Local Review Body should decide the matters on which the written submissions should address.
- 6.2 Hearings: If the Local Review Body decides that it wishes to hold a hearing in respect of the case, it should determine what matters it would wish to be considered at the hearing. The hearing will comprise of the applicant, any interested party who made representations in relation to specified matters, the appointed officer and any other body or person from whom the Local Review Body wishes to receive further representations or to provide information on specified matters.

- 6.3 Site Inspection: If the Local Review Body decides to hold a site visit, it must decide if the site visit is to be unaccompanied or accompanied by the applicant and any other party the Local Review Body considers should attend.
7. The Local Review Body can also agree to appoint an assessor to advise on specific matters generally of a specialist or technical nature. Where an assessor is appointed, those entitled to a hearing will be advised of the name of the assessor and the matters which they are appointed to advise on. The assessor may make a written report to the review body after the close of the hearing, which will be made publicly available.
8. After the written submissions, hearing or site inspection, the Local Review Body will move to determine the review and will outline their reasons to approve or refuse the review case.

LOCAL REVIEW BODY

At a Meeting of the Local Review Body held in the Civic Space, 16 Church Street, Dumbarton, on Tuesday, 27 June 2023 at 2.00 p.m.

Present: Councillors Karen Conaghan, Gurpreet Singh Johal, June McKay, Lawrence O'Neill, Chris Pollock and Hazel Sorrell

Attending: Alan Williamson, Team Leader, Development Planning and Place (Planning Adviser); Nigel Ettles, Legal Adviser; and Nicola Moorcroft, Committee Officer.

Also attending: Mr and Mrs Connolly (applicants)

Apologies: Apologies were intimated on behalf of Provost Douglas McAllister, Councillors Ian Dickson, Daniel Lennie and Sophie Traynor

Councillor Lawrence O'Neill in the Chair

DECLARATIONS OF INTEREST

It was noted that there were no declarations of interest in any of the items of business on the agenda.

APPLICATION FOR REVIEW

DC21/246/FUL – Installation of driveway at 96 Dalgleish Avenue, Duntocher G81 6DZ

Review papers were submitted for the above application.

Alan Williamson, Planning Adviser, outlined the details of the application. Prior to the determination of the Review, the Chair, Councillor O'Neill, thanked the Planning Adviser and invited the Local Review Body (LRB) to comment on whether they considered they had sufficient information to enable them to determine the Review.

Following discussion, Members agreed that they had sufficient information to enable them to determine the review.

Having considered all of the information before them, the LRB agreed to overturn the determination of the Appointed Officer and that planning permission be granted, subject to conditions as shown in Appendix 1 to these Minutes.

The meeting closed at 2:25 p.m.

DRAFT

APPENDIX 1

**DC21/246/FUL – Installation of a driveway at 96 Dalgleish Avenue,
Duntocher, Clydebank, G81 6DZ.**

CONDITIONS:

1. Prior to the commencement of works on site, details of the finishes for the block work wall and mono block driveway hereby approved shall be submitted to and approved in writing by the Planning Authority. Thereafter, the finishes shall be implemented as approved.

Reason: In the interests of visual amenity.

2. All surface water from the driveway hereby approved shall be intercepted within the site.

Reason: To avoid run-off in the interests of road safety.

DRAFT

APPLICATION FOR REVIEW:

DC22/214/FUL



16 Church Street Dumbarton G82 1QL Tel: 0141 951 7930 Email: development.management@west-dunbarton.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100621497-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☒ Applicant ☐ Agent

Applicant Details

Please enter Applicant details

| | | | |
|----------------------|------------------------------------|------------------------------------------------------|-----------------------------------------------|
| Title: | <input type="text" value="Mr"/> | You must enter a Building Name or Number, or both: * | |
| Other Title: | <input type="text"/> | Building Name: | <input type="text" value="Bonhill View"/> |
| First Name: * | <input type="text" value="John"/> | Building Number: | <input type="text" value="8"/> |
| Last Name: * | <input type="text" value="Bruce"/> | Address 1 (Street): * | <input type="text" value="8 Bonhill View"/> |
| Company/Organisation | <input type="text"/> | Address 2: | <input type="text" value="Riverside Estate"/> |
| Telephone Number: * | <input type="text" value=""/> | Town/City: * | <input type="text" value="Alexandria"/> |
| Extension Number: | <input type="text"/> | Country: * | <input type="text" value="Scotland"/> |
| Mobile Number: | <input type="text" value=""/> | Postcode: * | <input type="text" value="G83 0SZ"/> |
| Fax Number: | <input type="text"/> | | |
| Email Address: * | <input type="text" value=""/> | | |

Site Address Details

Planning Authority:

West Dunbartonshire Council

Full postal address of the site (including postcode where available):

Address 1:

8 BONHILL VIEW

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

ALEXANDRIA

Post Code:

G83 0SZ

Please identify/describe the location of the site or sites

Northing

679820

Easting

239531

Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Convert area of land into a garden plot and associated works.

Type of Application

What type of application did you submit to the planning authority? *



Application for planning permission (including householder application but excluding application to work minerals).



Application for planning permission in principle.



Further application.



Application for approval of matters specified in conditions.

| | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------|
| What does your review relate to? * <input checked="" type="checkbox"/> Refusal Notice. <input type="checkbox"/> Grant of permission with Conditions imposed. <input type="checkbox"/> No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal. | |
| Statement of reasons for seeking review You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters) Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account. You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances. <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> Please see attached supporting documents. Review 1,2,3,4,5,6,7,8,9, & 10 Review A,B & C </div> | |
| Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters) <div style="border: 1px solid black; height: 60px; margin-top: 10px;"></div> | |
| Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters) <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> Attached electronically Review 1,2,3,4,5,6,7,8,9 & 10 Review A,B & C </div> | |
| Application Details | |
| Please provide the application reference no. given to you by your planning authority for your previous application. | <div style="border: 1px solid black; padding: 2px;">DC22/214/FUL</div> |
| What date was the application submitted to the planning authority? * | <div style="border: 1px solid black; padding: 2px;">11/11/2022</div> |
| What date was the decision issued by the planning authority? * | <div style="border: 1px solid black; padding: 2px;">22/03/2023</div> |

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

☒ Yes ☐ No

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? *

☒ Yes ☐ No

Is it possible for the site to be accessed safely and without barriers to entry? *

☒ Yes ☐ No

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant? *

☒ Yes ☐ No

Have you provided the date and reference number of the application which is the subject of this review? *

☒ Yes ☐ No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

☐ Yes ☐ No ☒ N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

☒ Yes ☐ No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *

☒ Yes ☐ No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr John Bruce

Declaration Date: 21/06/2023

Title : 31sq.m at Bonhill View, Alexandria

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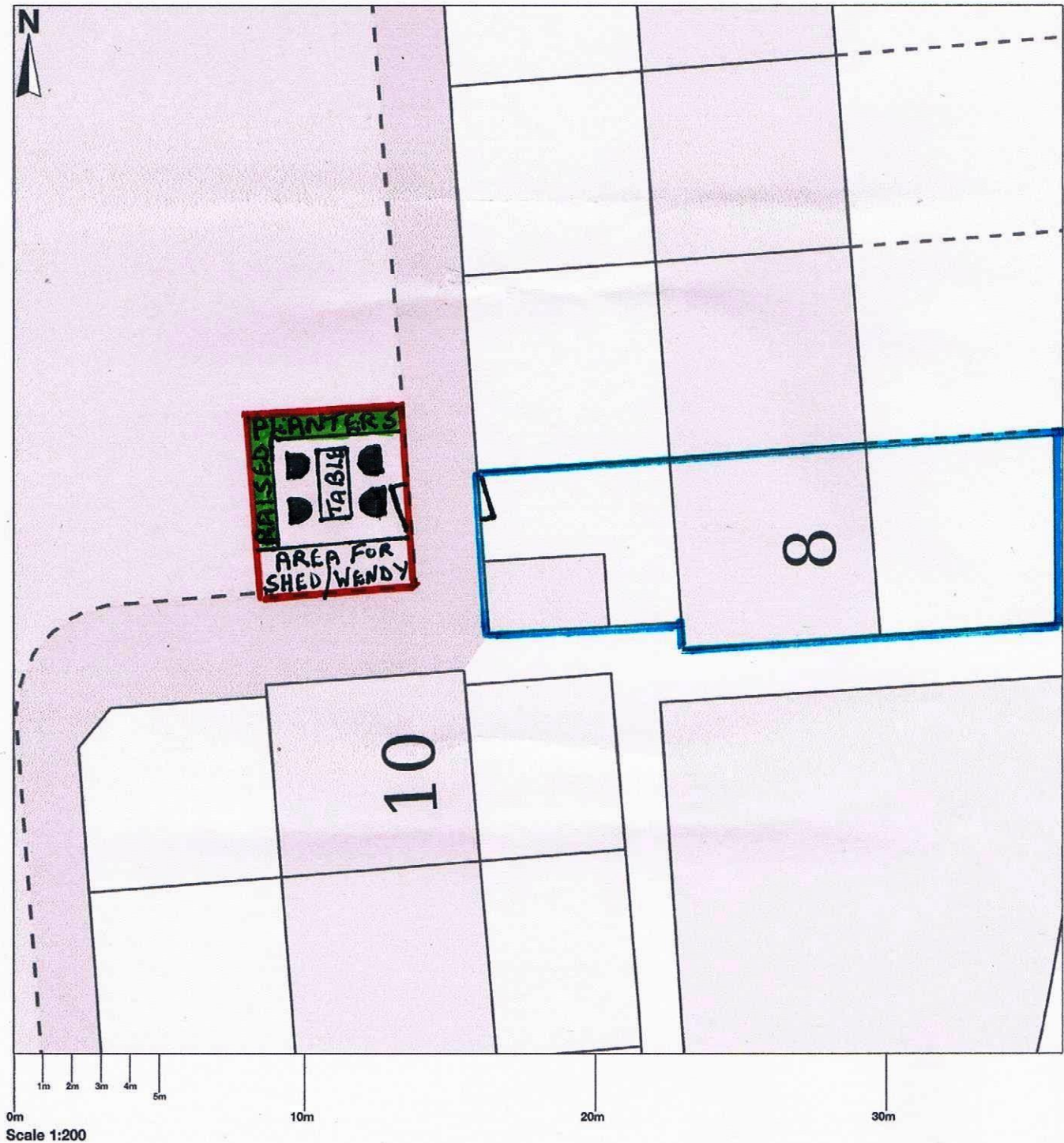
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West
Dunbartonshire
COUNCIL





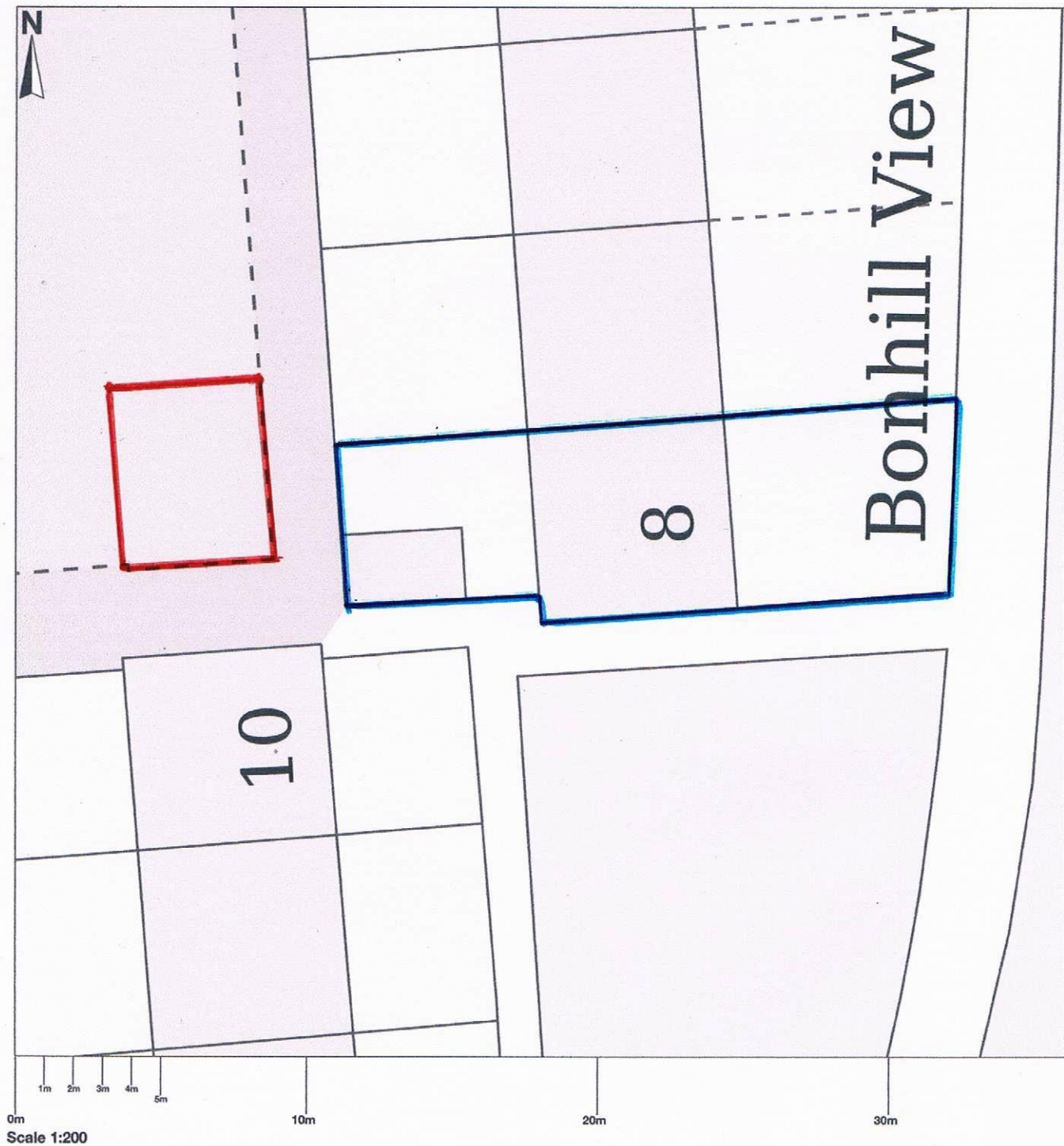
8 Bonhill View, Alexandria, G83 0SZ



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8 Bonhill View, Alexandria, G83 0SZ



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Details of layout and use of area

- The layout will consist of raised planters or large flower tubs with hanging baskets.
- The concrete base will remain undisturbed and overlaid with artificial grass.
- A garden shed and Wendy house are being considered.
- The proposed area of land is 25% (6.0M x 5.2M) or (31.2m²) of existing redundant concrete garage base which in total measures (24.0M x 5.2M) or (124.8m²).
- The area would be the preferred option by planning, either enclosed with timber palisade fence to match adjacent fencing or brick and roughcast to match adjacent gable end.
- Entrance to area would be by single gate or door opposite existing garden gate.
- The area would be adjacent to existing garden and not adjoining as not to disturb any possible nearby services or interfere with common pathways.
- Existing **Drainage, Services, Right of Ways, Footpaths** and **Gate Access** would not be disturbed, obstructed, altered or compromised in any way.

From: [Development Management](#)
To: [planning scanindex](#)
Subject: FW: Consultation DC22/214/FUL FUL 8 Bonhill View
Date: 10 February 2023 10:12:35

From: Environmental Health <Environmental.Health@west-dunbarton.gov.uk>
Sent: 09 February 2023 10:01
To: Development Management <Development.Management@west-dunbarton.gov.uk>
Cc: Amy Melkevik <Amy.Melkevik@west-dunbarton.gov.uk>
Subject: FW: Consultation DC22/214/FUL FUL 8 Bonhill View

Hi Amy

With regard to the above Planning Application, no comments from Environmental Health.

Regards

Environmental and Public Protection Group
Environmental Health
Regulatory Services
West Dunbartonshire Council
16 Church Street
Dumbarton
G82 1QL

Tel: 0141 951 7957

From: Raymond Walsh [mailto:Raymond.Walsh@west-dunbarton.gov.uk]

Sent: 08 April 2021 16:43

To: 'john bruce'

Cc: John Walker (Engineering Assistant)

Subject: RE: Purchase of land / Garden plot extension - 8 Bonhill View

Dear Mr Bruce

Thank you for your attached enquiry, I can advise Roads Services have assessed your revised proposal to relocate the existing parking provision westwards and utilise the concrete plinth as private garden.

I would note that as the revised proposal retains the common access path and parking provision is relocated not reduced then Roads Services would have no objection to the proposal.

You will need to progress the proposal via Planning ,Estates and Housing Services.

I trust that this clarifies our position and allows you to progress the proposal

Regards

Raymond Walsh

Ariel view of my 25% proposed garden plot site

Write a description for your map.



Case Officer's Appraisal Query.

May I query one statement made by the Case Officer.

“Whilst the proposed garden does not block the gate of number 10 the suggestion that the parking would move to the west would block the existing access”.

Please see supporting document ‘Review 2’ which demonstrates by measured scale that an extra wide pavement exists at the access gate to number 10.

Also when the former row of garages existed they were no restricted access issues.

Regards

John

STATEMENT OF REASONS FOR REQUESTING A REVIEW

Dear Review Body,

My proposal is to convert 25% of a concrete strip base, where many years ago stood a row of garages that unfortunately succumb to storm damage and had to be demolished.

After reading the Case Officer's 'Report of Handling' many times it is clear my proposal has been viewed, and understandably so, as a stand alone garden plot which could be considered to be an incongruous feature and out of place within the context of the location as has been stated.

However, I feel these statements would no longer be credible if my proposal was approved which would allow other neighbours or residents to apply for planning permission to populate the remaining 75%. Please see supporting document (Review 7) showing location and percentages.

To allow this concrete base strip to be fully populated which would enhance the quality of lives for many, someone has to be allowed to take the first step.

I would ask the Review Body to envisage this area potentially as a well maintained and much needed row of additional garden plots.

In my full planning application I assumed I had no right to discuss what potentially the future could hold for the remaining 75%.

A timber palisade fence could be stipulated to enclose these plots when they in turn became populated. On completion this would screen off all from public view and more importantly, identically match all the neighbouring gardens with uniformity being achieved.

Please see supporting documents (Review A,B & C) showing how the existing parking arrangement simply moves forward to allow this entire concrete strip base to be fully populated with additional garden plots.

Yes, a narrow pathway would separate these new plots from the adjacent gardens, however this is not unique within West Dunbartonshire. If this path is still considered to be a reason for refusal, would changing the word 'Plot' to 'Allotment' make any difference?

I would ask you to review my proposal on the positive points below:

- **Road Services** raising no objections (Supporting document 'Review 6')
- **Environmental Health** making no comment or objection (Supporting document 'Review 5')
- **Housing Dept.** agreeing to sell me the land.
- **Estates Dept.** supplied land purchase valuation.
- **Case Officer** having quashed the main concerns of the objectors.

May I ask that the 'needs of the people' be considered at this location as this proposal and the certain proposals that would follow to fully populate this concrete base strip, would undoubtedly enhance the quality of their lives.

Regards

John Bruce

Points to be considered against Recommendations and Reasons for Refusal.

As the main reason of refusal appears to be my proposal would ‘stick out as a sore thumb’ as this is being viewed as a stand-alone garden plot. Unfortunately this was not envisaged as part of a future row of much needed addition garden areas as I obviously wrongly assumed it could be.

Please consider the following points which may nullify many of the reasons stated by the Case Officer that do not comply with the Local Development Plans, various Policies and National Planning Framework, if my proposal and other future planning applications were approved to fully populate this concrete base strip.

1. The position of the garden would then demonstrate an understanding of the local context.
2. The position of the garden would not be detrimental to the residential character and amenity of the existing residential area due to it being enclosed with an identical timber palisade fence screening off all from public view.
3. My proposal may then accord to an acceptable level against all the reasons and recommendations for refusal stated by the Case Officer.
4. However, Policy CP1 does state “creating sustainable places which puts the needs of the people first.
5. Also within the ‘National Framework 4’ under Ministerial foreword it states “how we will work together in the coming years to improve people’s lives”

Irrespective of the outcome to my review, I would like to thank the Case officer and the Review Body for their time and input.

Regards,

John Bruce

Car Parking Area

Existing parking arrangement



10

Existing Gardens

8

6

4

2

Bonhill View

Interim parking arrangement



Request to
purchase
25% of
total area



10

Existing Gardens

8

6

4

2

Bonhill View

New parking arrangement



25%

25%

25%

25%

10

Existing Gardens

8

6

4

2

Bonhill View

REVIEW CORRESPONDENCE:

DC22/214/FUL

Message: OBJECTION TO

Planning Application - DC22/214/FUL - 8 Bonhill View, Alexandria, G830SZ

With regard to statement of reasons for seeking review -

1. This is NOT a review. It is entirely an NEW proposal and should be regarded as such.

2. "Have you raised any matters....?"

Applicant has ticked "NO" box, but, in fact he raises a number of new matters!

3. Applicant is extending his ambitions beyond the area behind his own property to take in the entire area behind all four houses in the row (Nos. 2,4,6,8)

4. We have ABSOLUTELY NO INTENTION of applying for planning permission to extend our garden area. We have no desire whatever to be put to the expense of buying land or to endure the upheaval and inconvenience involved in the applicant's proposal.

5. Applicant's assertion that such change would "enhance the quality of lives for many" is blatant self-interest. We most certainly DO NOT regard such a proposal as in any way enhancing our quality of life. Quite the reverse!

6. Additional garden plots are certainly NOT regarded by us as "much needed"!

7. Applicant has no right whatsoever to impose "uniformity" on all fences in the row.

8. "Needs of the people"... "Enhance the quality of their lives". Such language is entirely subjective. The applicant should stick

to honestly speaking for himself, rather than posing as a public benefactor. We certainly do not regard his personal

ambitions as relating to our needs or to the quality of our lives. The applicant has never at any time discussed his proposals

with us. His proposals would in fact be DETRIMENTAL to the quality of our lives.

In particular, we object in the strongest terms to the applicant's desire to extend his personal will beyond the confines of the area behind his own property to take in the entire parking area behind all four houses!

To conclude -

The panel should confirm the Case Officer's original decision to reject the proposal.

[REDACTED]

Response to Notice of Review of DC22/214/FUL by J Talbot

1. It is noticed that on the application form requesting a review, under the section on page 3 **“Statement of Reasons for seeking a Review”**, where it asks the applicant **“Have you raised any matters which were not before the appointed officer at the time the determination on your application was made?”** The applicant has responded **“No”**. As this is a Review of Planning application DC22/214/FUL and no new matters have been raised then the attachments to this request should not be considered.
2. However, if point 1 is not accepted then I believe that following a reading of the Notice of Review the Applicant is asking for a review of a different planning application to the original. This in fact is a **NEW planning application** impacting on additional residents (4/5 households) and obstructing access to my off-road parking at the rear of No 10 Bonhill View. and this revised application should have to undergo the full consultation process.
3. I previously declared an interest in purchasing this area of land to prevent this playpark within 2m of my living room wall and was advised by Sales that this piece of land was not for sale. I asked to be notified if this land became available. So, I would wish to be advised if this piece of land was for sale.
4. As marked up on item Review 2, this shows my access requirement to my vehicle parking space. This proposal in the original and new application demonstrates how my access would be blocked off.
5. In Review item 4 which details the points of the original application the final bullet is incorrect where it states that gate access would not be disturbed. As shown on Review 2 mark up my gate and access to vehicle parking is disturbed and blocked.
6. In Review item 6 Raymond Walsh states that **“...I would note that as the revised proposal retains the common access path and parking provision is relocated not reduced...”** This is incorrect parking provision will be reduced to maintain access to No 10 vehicle Parking, my partner is a BLUE BADGE holder and currently there is no provision.
7. Review item 7 is attached, marked up to show access requirement for No 10. It clearly shows this Application has grown by 75% without consultation and should be considered as a new application.
8. Within Review item 8 Case Officer's Appraisal Query the marked- up Review 2 clearly shows that while the pedestrian gate access to rear of Numbers 10 and 12 Bonhill is not restricted. The Vehicle Gate Access to Number 10 is restricted. When the Garages were there the Vehicle owners parked their cars in the Garages therefore obviously there was no restricted access issues.
9. In Review item 9 I believe that this document is superfluous as it deals mainly in hypotheticals about what others may or may not do at sometime or other in the future and should be dismissed. No new factual statements have been made. At paragraph 7 the applicant is trying to specify what other residents should do and control their individuality. Paragraph 8 is hypothetical re garden plots but also in

In Reply to Mr & Mrs Scobie's Objections 19/07/2023 to Notice of Review DC22/214/FUL

My 'Notice of Review' is not a new proposal. **It's a simple request for the Review Body to consider a suggestion.** It could be considered, that my proposal, along with the future potential of the remaining 75% which if further applications were submitted and approved, this strip of land, which was once occupied by a row of 8 feet high brick garages could be transformed, in time, into a uniformed strip of garden plots for any resident that needs additional garden space or by those who presently have no garden.

If the Review Body thought this suggestion had some chance of coming to fruition then my proposal could possibly now be viewed with this in mind and not as a stand alone garden plot.

All attachments and matters I've raised are appertaining to my proposal and its position within the concrete strip base.

Mr & Mrs Scobie have submitted the only objection to my proposal from all the houses (Nos. 2,4,6,8) situated directly behind this concrete strip base. All the other neighbours are either similarly interested or have absolutely no objection.

I can confirm if requested at the Review Hearing that there are neighbours interested in additional garden space.

It may be helpful to all if Mr & Mrs Scobie could define why my proposed garden plot being some distance from their property would be **"in fact be DETRIMENTAL to their quality of our lives"** and why with no significant works required to create this plot would cause them to **"endure the upheaval"**.

By their objection it is clear Mr & Mrs Scobie do not wish any part of this concrete strip to be populated thus denying my family and perhaps others, in time, the chance to enjoy much needed additional garden space which undoubtedly would **"enhance the quality of lives for many"**.

My ambitions are presently for my own proposal, however, my suggestion if approved may allow others to have similar ambitions.

I do not impose "uniformity" on all fences in a row, but merely suggesting a timber palisade fence would be more in keeping with the character of the surrounding area which would screen off all from public view.

As a father the only **'self interest'** I have is for my family and in particular my eight year old daughter to have a little bit more and much needed space. The aerial view in my **'Review No.6'** highlights how small and congested the rear gardens of Bonhill View are, which became very apparent to me during Covid.

Regards

John Bruce

In Reply to Mr Talbot's Responses 13/07/2023 **Notice of Review DC22/214/FUL**

My 'Notice of Review' is not a new planning application. It's a simple request for the Review Body to consider a suggestion. It could be considered, that my proposal, along with the future potential of the remaining 75% which if further applications were submitted and approved, this strip of land, which was once occupied by a row of 8 feet high brick garages could be transformed, in time, into a uniformed strip of garden plots for any resident that needs additional garden space or by those who presently have no garden. If the Review Body thought this suggestion had some chance of coming to fruition then my proposal could possibly now be viewed with this in mind.

Obstructing Off-Road Parking

Mr Talbot's main concern appears to be my proposal would cause obstruction to his off-road parking as he refers to this within **Nos. 2, 4, 5, 6, 8 & 9 of his 11** point response. However, the following Case Officer's statement from the 'Report of Handling' under '**6 Appraisal**' clarifies this crucial point :-

"The blocking of access to the gated rear garden of number 10 has also been raised. There are no such records of such a gate being granted permission by either Roads Service or the Planning Service. Due to its configuration it would be unlikely to be supported".

If this statement is indeed correct and having strictly followed the WDC Planning guidelines, procedures and paid the appropriate fees to get to this stage, I would be disappointed if this, being Mr Talbot's main concern, was not dismissed.

Blue Badge

Mr Talbot raises another concern in his point **No.6** where he states "my partner is a BLUE BADGE holder and currently there is no provision", the following Case Officer's statement under '**6 Appraisal**' again clarifies a crucial point :-

"There is no impact upon disabled spaces".

In addition, may I point out that a disabled bay which is no longer utilised lies within a few metres of Mr Talbot's house.

Pedestrian Gate Access

In my Review 8 – '**Case Officer's Appraisal Query**' the Case Officer suggests the existing access to No. 10 may be blocked. However, Mr Talbot clearly supports my query as he states in his point No.8 :-

"Review 2 clearly shows that while the pedestrian gate access to rear of Number 10 and 12 Bonhill is not restricted. The Vehicle Gate Access to Number 10 is restricted".

Supposition and Hypothetical

In response to points No. 9 & 10, I can confirm if requested at the Review Hearing that there are neighbours and residents interested in additional garden space.

Regards

moving the parking to the west it blocks access to the off-road parking at the rear of No 10. In 1st Bullet point as stated in 6 above the Roads dept statement is incorrect. As stated in 3 above I had declared an interest in purchasing the land and was told it was not for sale. Final bullet point re the Case Officer has not quashed the main concerns of the objectors and the applicants statement is incorrect.

- 10 In Review Document 10, para 1 is supposition that other residents would follow this has not been confirmed. Para 2 again is supposition that other residents would follow this proposal. For points 1 to 5 they are all hypothetical, they do not nullify the case officers points for objection. They do not put the needs of the people first only the applicants need. How has the applicant demonstrated the "working together" principle when he has not engaged with his neighbours.
- 11 In conclusion as the applicant has made no new factual matters in relation to the original planning application DC22/214/FUL, I believe that the Panel should confirm the Case Officers determination and that there should be no change to the original outcome. If the public can attend the review panel assessment, I would like to take up the opportunity to attend.

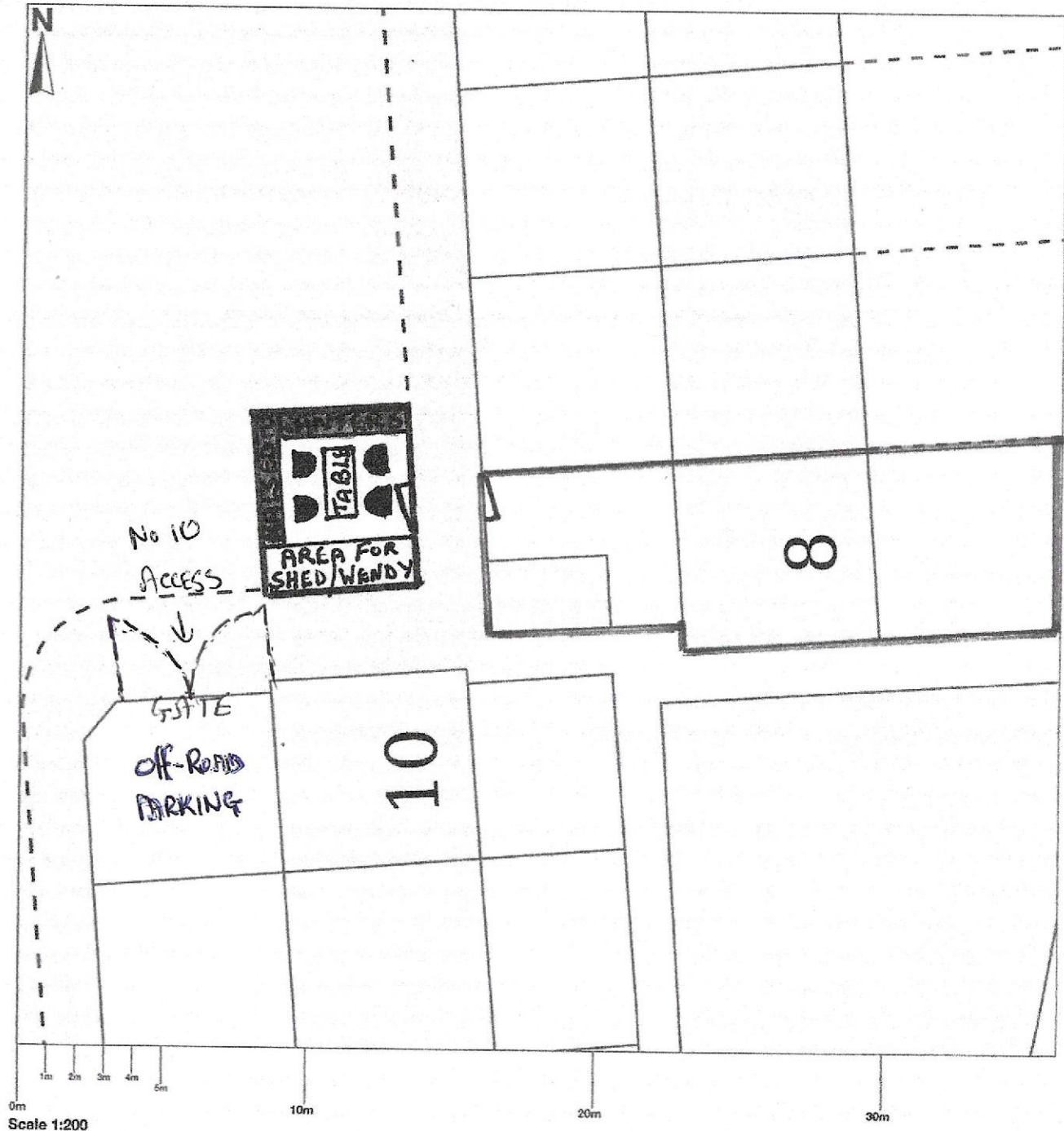
Regards
John Talbot
10 Bonhill View



**UK
Planning
Maps**



8 Bonhill View, Alexandria, G83 0SZ



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7

Ariel view of my 25% proposed garden plot site

Write a description for your map.

O'Brien's Newsagents

QUE ST

Bridge St

Bridge St

Bridge St

Access Required
to front of Plot 1

75%

25%

Angus St

G83 0SZ

A

Car Parking Area

Access Required to off-Road Parking
at Rear of NO 10
Existing parking arrangement



10

Existing Gardens

8

6

4

2

Bonhill View

13 c

PROPOSED

New parking arrangement

BLOCKS ACCESS TO ROAD OF NO 10



25%

25%

25%

25%

10

Existing Gardens

8

6

4

2

Bonhill View

PLANNING APPLICATION:

DC22/214/FUL



16 Church Street Dumbarton G82 1QL Tel: 0141 951 7930 Email: development.management@west-dunbarton.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100606363-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Type of Application

What is this application for? Please select one of the following: *

- ☒ Application for planning permission (including changes of use and surface mineral working).
- ☐ Application for planning permission in principle.
- ☐ Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- ☐ Application for Approval of Matters specified in conditions.

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

I have received a valuation from WDC estates dept. for a piece of land (31m2) to the rear of my property which at present is part of a redundant concrete garage base. My intention is to convert this small area of land into a garden plot thus extending my garden. The depts. of Roads and Housing have no objections with my proposal.

Is this a temporary permission? *

☐ Yes ☒ No

If a change of use is to be included in the proposal has it already taken place?
(Answer 'No' if there is no change of use.) *

☐ Yes ☒ No

Has the work already been started and/or completed? *

☒ No ☐ Yes – Started ☐ Yes - Completed

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☒ Applicant ☐ Agent

Applicant Details

Please enter Applicant details

| | | | |
|----------------------|---------------------------------------|------------------------------------------------------|-----------------------------------------------|
| Title: | <input type="text" value="Mr"/> | You must enter a Building Name or Number, or both: * | |
| Other Title: | <input type="text"/> | Building Name: | <input type="text" value="Bonhill View"/> |
| First Name: * | <input type="text" value="John"/> | Building Number: | <input type="text" value="8"/> |
| Last Name: * | <input type="text" value="Bruce"/> | Address 1 (Street): * | <input type="text" value="8 Bonhill View"/> |
| Company/Organisation | <input type="text"/> | Address 2: | <input type="text" value="Riverside Estate"/> |
| Telephone Number: * | <input type="text" value="REDACTED"/> | Town/City: * | <input type="text" value="Alexandria"/> |
| Extension Number: | <input type="text"/> | Country: * | <input type="text" value="Scotland"/> |
| Mobile Number: | <input type="text" value="REDACTED"/> | Postcode: * | <input type="text" value="G83 0SZ"/> |
| Fax Number: | <input type="text"/> | | |
| Email Address: * | <input type="text" value="REDACTED"/> | | |

Site Address Details

| | |
|-----------------------------------------------------------------------|----------------------------------------------------------|
| Planning Authority: | <input type="text" value="West Dunbartonshire Council"/> |
| Full postal address of the site (including postcode where available): | |
| Address 1: | <input type="text" value="8 BONHILL VIEW"/> |
| Address 2: | <input type="text"/> |
| Address 3: | <input type="text"/> |
| Address 4: | <input type="text"/> |
| Address 5: | <input type="text"/> |
| Town/City/Settlement: | <input type="text" value="ALEXANDRIA"/> |
| Post Code: | <input type="text" value="G83 0SZ"/> |

Please identify/describe the location of the site or sites

| | | | |
|----------|-------------------------------------|---------|-------------------------------------|
| Northing | <input type="text" value="679820"/> | Easting | <input type="text" value="239531"/> |
|----------|-------------------------------------|---------|-------------------------------------|

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

☒ Yes ☐ No

Pre-Application Discussion Details Cont.

In what format was the feedback given? *

☒ Meeting ☒ Telephone ☐ Letter ☒ Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) * (max 500 characters)

WDC Lead Planning Officer Mr Ross Lee met me on site who gave me positive feedback and clarified the requirements of my proposal from a planning perspective.

Title:

Mr

Other title:

Lead Planning Officer (WDC)

First Name:

Ross

Last Name:

Lee

Correspondence Reference Number:

Date (dd/mm/yyyy):

06/05/2021

Note 1. A Processing agreement involves setting out the key stages involved in determining a planning application, identifying what information is required and from whom and setting timescales for the delivery of various stages of the process.

Site Area

Please state the site area:

31.00

Please state the measurement type used:

☐ Hectares (ha) ☒ Square Metres (sq.m)

Existing Use

Please describe the current or most recent use: * (Max 500 characters)

Cars park needlessly along redundant concrete garage base ever since the row of seven single brick built garages were storm damaged and demolished approx 20 years ago. Roads Services and Housing have no objections and I have been issued with a valuation from the estates dept. My proposal is to convert 25% of this base into a garden plot at the rear of my owned property.

Access and Parking

Are you proposing a new altered vehicle access to or from a public road? *

☐ Yes ☒ No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? *

☐ Yes ☒ No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

| | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------|
| How many vehicle parking spaces (garaging and open parking) currently exist on the application Site? | <input style="width: 80%;" type="text" value="0"/> |
| How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? * | <input style="width: 80%;" type="text" value="0"/> |
| Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces). | |

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? * ☐ Yes ☒ No

Do your proposals make provision for sustainable drainage of surface water?? * ☐ Yes ☒ No
 (e.g. SUDS arrangements) *

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? *

☐ Yes

☐ No, using a private water supply

☒ No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

Assessment of Flood Risk

Is the site within an area of known risk of flooding? * ☐ Yes ☒ No ☐ Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? * ☐ Yes ☒ No ☐ Don't Know

Trees

Are there any trees on or adjacent to the application site? * ☐ Yes ☒ No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? * ☐ Yes ☒ No

If Yes or No, please provide further details: * (Max 500 characters)

Converting area to a garden plot.

Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? * ☐ Yes ☒ No

All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? *

☐ Yes ☒ No

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013 *

☐ Yes ☒ No ☐ Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

☐ Yes ☒ No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? *

☐ Yes ☒ No

Is any of the land part of an agricultural holding? *

☐ Yes ☒ No

Are you able to identify and give appropriate notice to ALL the other owners? *

☒ Yes ☐ No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate B

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

I hereby certify that

(1) - No person other than myself/the applicant was an owner [Note 4] of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application;

or –

(1) - I have/The Applicant has served notice on every person other than myself/the applicant who, at the beginning of the period of 21 days ending with the date of the accompanying application was owner [Note 4] of any part of the land to which the application relates.

Name:

West Dunbartonshire Council WDC Offices WDC Headquarters

Address:

West Dunbartonshire Council WDC Headquarters, 16, Church Street, Dumbarton, Dunbartonshire, Scotland, G82 1QL

Date of Service of Notice: *

08/12/2022

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding;

or –

(2) - The land or part of the land to which the application relates constitutes or forms part of an agricultural holding and I have/the applicant has served notice on every person other than myself/himself who, at the beginning of the period of 21 days ending with the date of the accompanying application was an agricultural tenant. These persons are:

Name:

Address:

Date of Service of Notice: *

Signed: Mr John Bruce

On behalf of:

Date: 10/11/2022

☒ Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

☐ Yes ☐ No ☒ Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? *

☐ Yes ☐ No ☒ Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? *

☐ Yes ☐ No ☒ Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *

☐ Yes ☐ No ☒ Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? *

☐ Yes ☐ No ☒ Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *

☐ Yes ☐ No ☒ Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

☒ Site Layout Plan or Block plan.

☐ Elevations.

☐ Floor plans.

☐ Cross sections.

☐ Roof plan.

☐ Master Plan/Framework Plan.

☐ Landscape plan.

☒ Photographs and/or photomontages.

☐ Other.

If Other, please specify: * (Max 500 characters)

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *

☐ Yes ☒ N/A

A Design Statement or Design and Access Statement. *

☐ Yes ☒ N/A

A Flood Risk Assessment. *

☐ Yes ☒ N/A

A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). *

☐ Yes ☒ N/A

Drainage/SUDS layout. *

☐ Yes ☒ N/A

A Transport Assessment or Travel Plan

☐ Yes ☒ N/A

Contaminated Land Assessment. *

☐ Yes ☒ N/A

Habitat Survey. *

☐ Yes ☒ N/A

A Processing Agreement. *

☐ Yes ☒ N/A

Other Statements (please specify). (Max 500 characters)

Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Mr John Bruce

Declaration Date: 10/11/2022

Payment Details

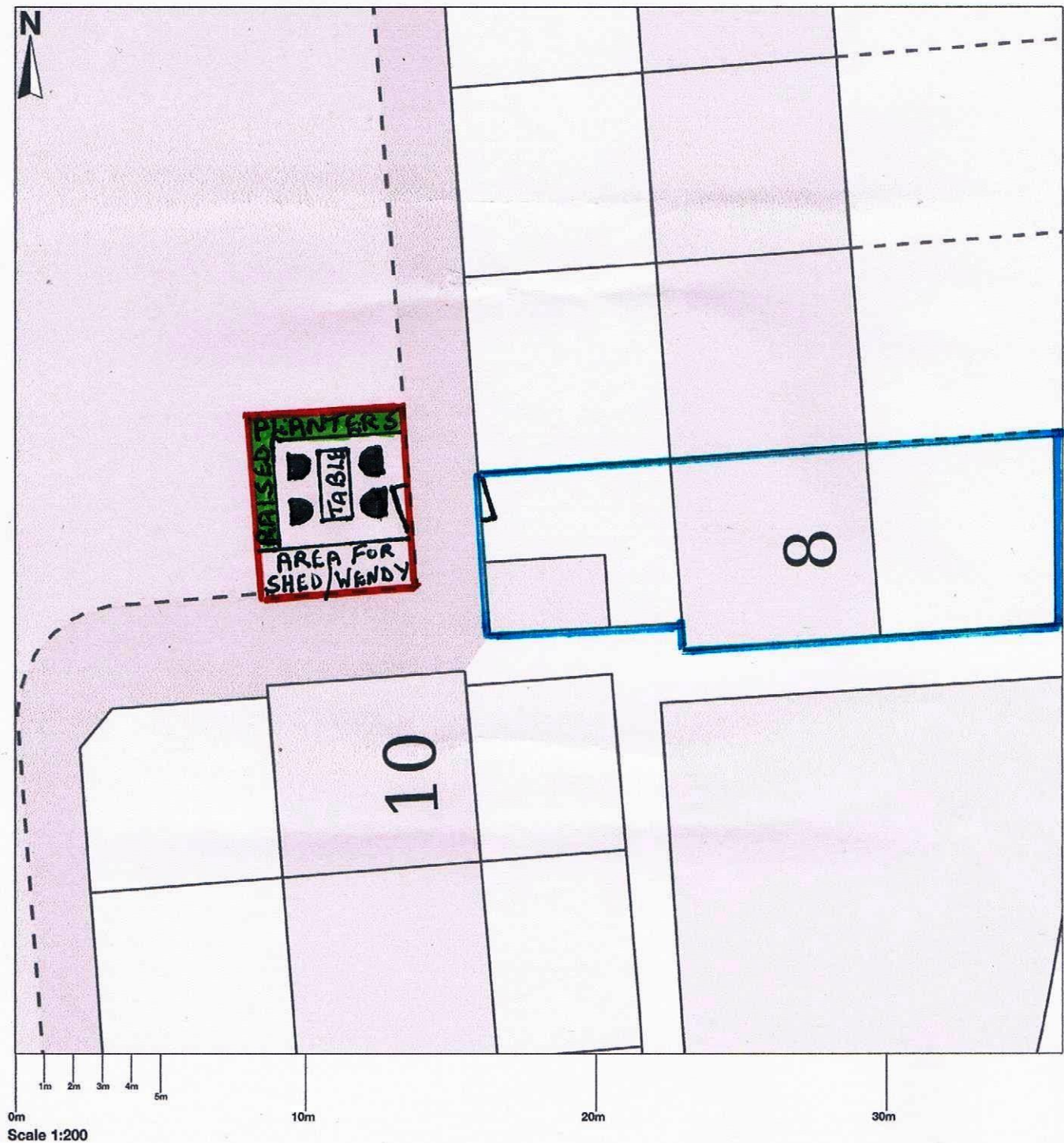
Online payment: 730604

Payment date: 11/11/2022 13:26:03

Created: 11/11/2022 13:26



8 Bonhill View, Alexandria, G83 0SZ



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Details of layout and use of area

- The layout will consist of raised planters or large flower tubs with hanging baskets.
- The concrete base will remain undisturbed and overlaid with artificial grass.
- A garden shed and Wendy house are being considered.
- The proposed area of land is 25% (6.0M x 5.2M) or (31.2m²) of existing redundant concrete garage base which in total measures (24.0M x 5.2M) or (124.8m²).
- The area would be the preferred option by planning, either enclosed with timber palisade fence to match adjacent fencing or brick and roughcast to match adjacent gable end.
- Entrance to area would be by single gate or door opposite existing garden gate.
- The area would be adjacent to existing garden and not adjoining as not to disturb any possible nearby services or interfere with common pathways.
- Existing **Drainage, Services, Right of Ways, Footpaths** and **Gate Access** would not be disturbed, obstructed, altered or compromised in any way.

West Dunbartonshire Council

Title : 31sq.m at Bonhill View, Alexandria

Map No : AM701

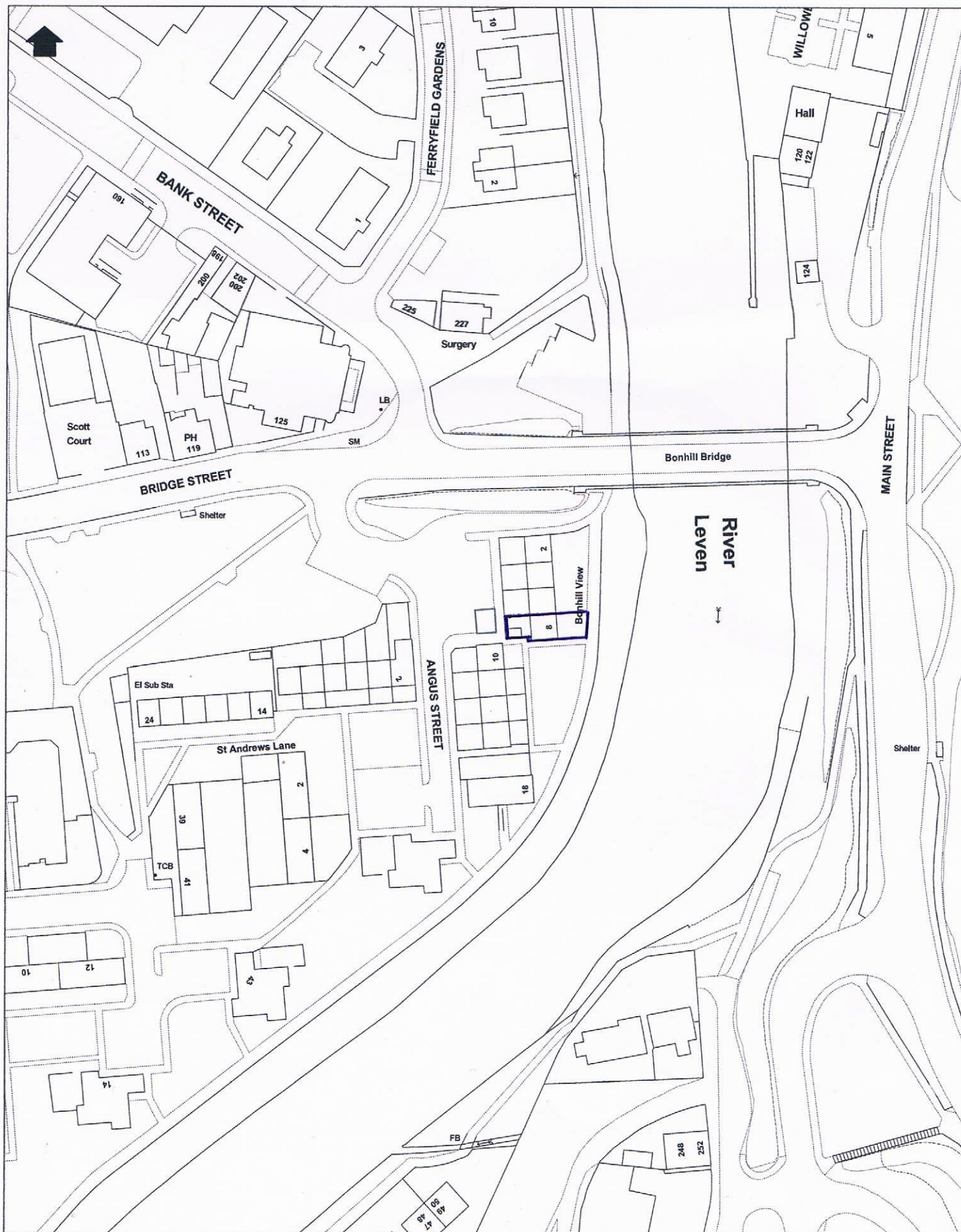
Map Ref : NS3979NE

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Date : 07/10/2022

Scale : 1:1250

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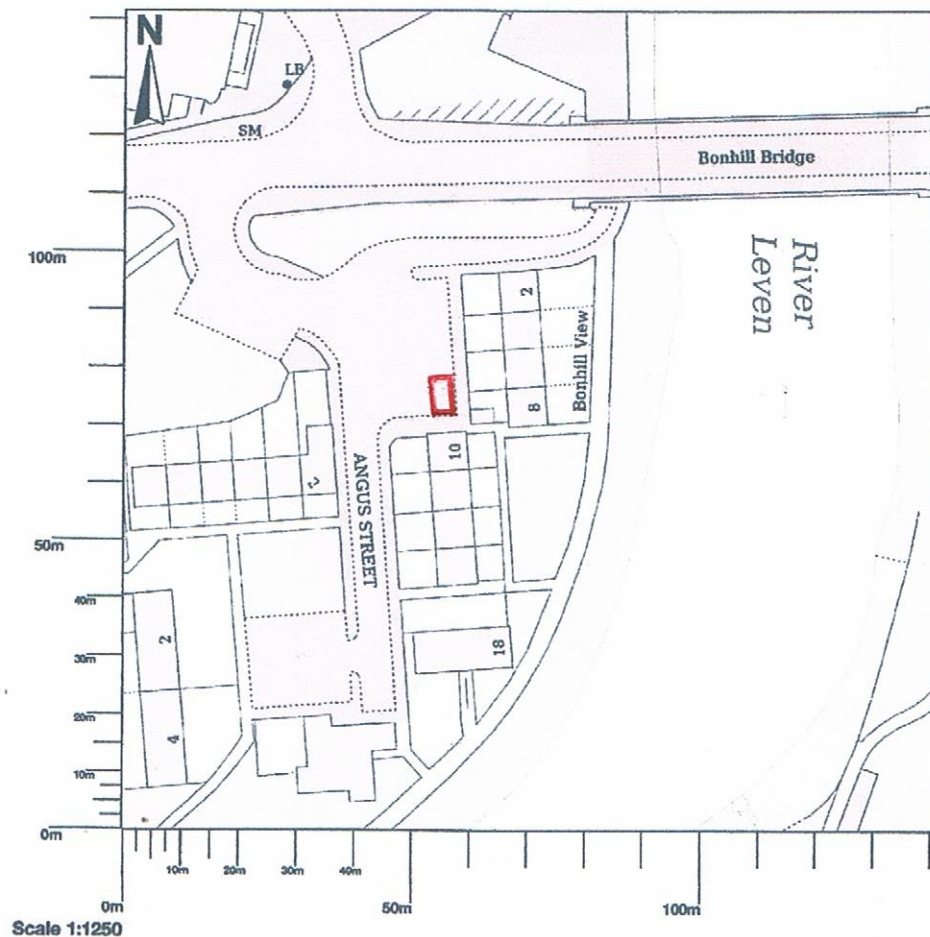




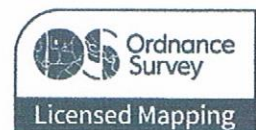


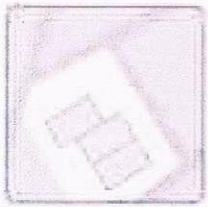
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8 Bonhill View, Alexandria, G83 0SZ

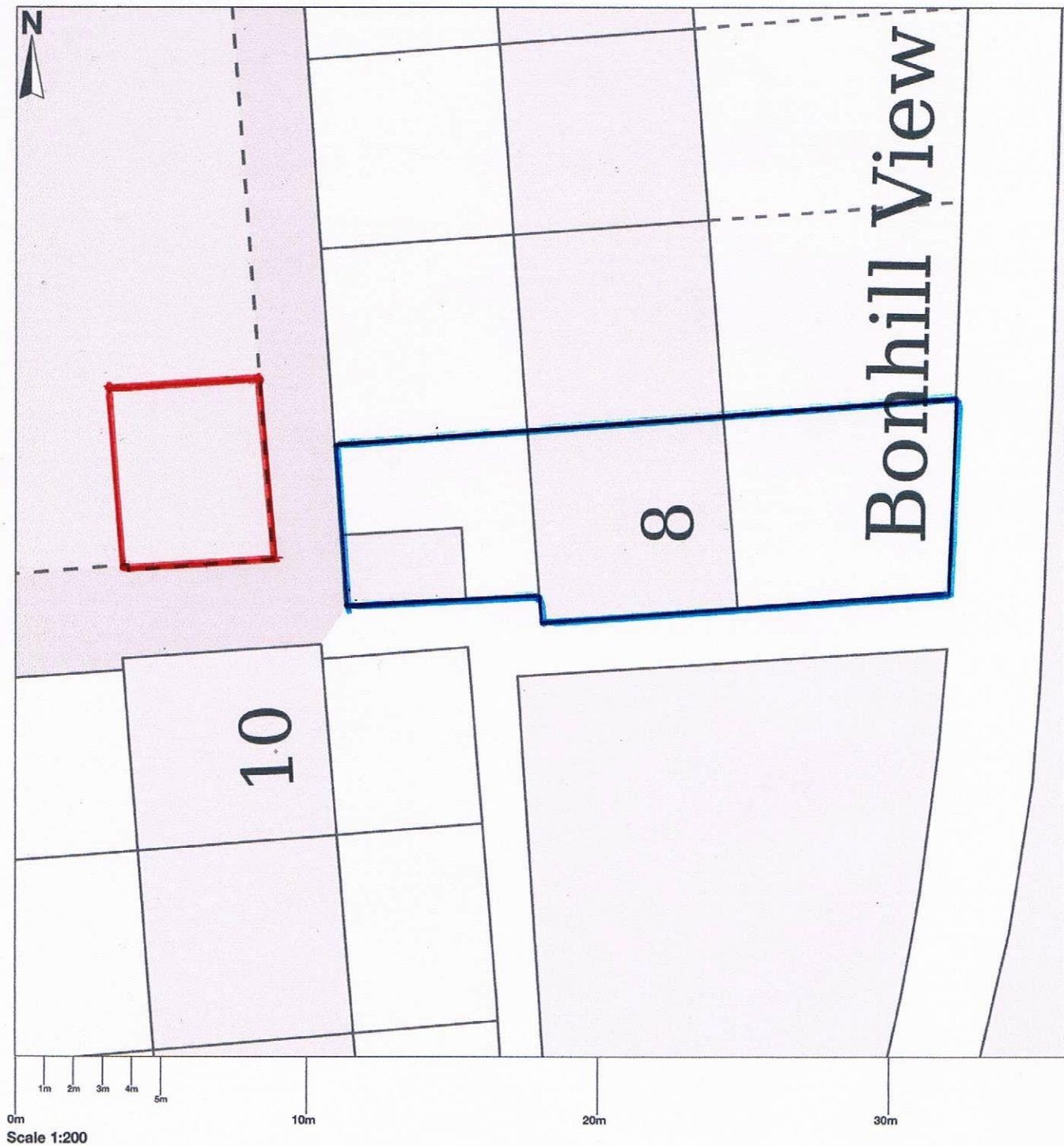


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8 Bonhill View, Alexandria, G83 0SZ



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Please see below a list of points which should clarify comments and issues made in a recent objection to my proposal from a concerned neighbour.

1. All existing drainage, services, right of ways, common footpaths, gate and bin access would not be disturbed, obstructed, altered or compromised in any way.
2. The existing redundant concrete garage base which covers the entire area of this plot of land will not be disturbed as shown in my 'Detailed in layout and use of area' submission.
3. The Council have assessed my proposal to relocate the existing parking provision westwards and utilise the concrete plinth as private garden. They note that as the proposal retains the common access path and parking provision is relocated 'not reduced' they would have no objection to the proposal.
4. Under my proposal, all neighbours including Mr J. McGuigan (90yrs old) who supports my application would not require to walk any further to their normal parking place.
5. Under my proposal nobody would require to park their vehicle any further from their property.
6. In addition to this car parking area which has been designated and sign posted '**Residents Only**' by the council there is adjacent car parking provision on entering Angus Street.
7. As all common pathways are retained there would be no restricted access to any property.
8. No ground works are required in this application.
9. My family have lived in Bonhill View since 1966 and where none of the houses have ever flooded. I would not dispute living next to a river would not be designated a possible vulnerable area, however, this area of land is at the highest point of the car park and higher than my existing rear garden.
10. Please note my existing rear garden is much closer to my neighbour's property at No. 10 than my proposed garden plot.
11. Rightly or wrongly I viewed my application as only concerning my neighbours at 2,4 & 6 Bonhill View and discussed my proposal with them as this redundant garage base is directly behind their property.
12. This application would not have any detrimental impact on my neighbours or affect their well being in any way.

Garden Plot (2)

Write a description for your map.



Angus St

Car Park

Redundant concrete
garage bases

Common Pathway

Bridge St

8 6 4 2

Bonhill View

Bonhill Bridge

River
Leven

10

Redundant garage bases

25% of (24m x 5.2m) = 31.2 m²

Existing Gardens

8

6

4

2

Bonhill View

**PLANNING APPLICATION CONSULTATION
RESPONSES**

DC22/214/FUL

From: [Development Management](#)
To: [planning scanindex](#)
Subject: FW: Consultation DC22/214/FUL FUL 8 Bonhill View
Date: 10 February 2023 10:12:35

From: Environmental Health <Environmental.Health@west-dunbarton.gov.uk>
Sent: 09 February 2023 10:01
To: Development Management <Development.Management@west-dunbarton.gov.uk>
Cc: Amy Melkevik <Amy.Melkevik@west-dunbarton.gov.uk>
Subject: FW: Consultation DC22/214/FUL FUL 8 Bonhill View

Hi Amy

With regard to the above Planning Application, no comments from Environmental Health.

Regards

Environmental and Public Protection Group
Environmental Health
Regulatory Services
West Dunbartonshire Council
16 Church Street
Dumbarton
G82 1QL

Tel: 0141 951 7957

From: [Amy Melkevik](#)
To: [planning scanindex](#)
Subject: FW: 2022-Blank Road Proforma.xlsx
Date: 27 February 2023 15:59:40
Attachments: [2022-Blank Road Proforma.xlsx](#)

Roads consultation response for planning application DC22/214/FUL.

Thanks
Amy

From: Raymond Walsh <Raymond.Walsh@west-dunbarton.gov.uk>
Sent: 27 February 2023 15:48
To: Amy Melkevik <Amy.Melkevik@west-dunbarton.gov.uk>
Cc: Liam Greene <Liam.Greene@west-dunbarton.gov.uk>
Subject: 2022-Blank Road Proforma.xlsx

Contact:
Tel:

| Proposal Acceptable? | Y or N |
|---------------------------------------------------------------|--------|
| 1. EXISTING ROADS | |
| (a) General Impact of Development | Y |
| (b) Type of Connection(s) (road junction/footway crossing) | |
| (c) Location(s) of Connection(s) | |
| (d) Sightlines (.....) | |
| (e) Active Travel Provision | |
| 2. NEW ROADS | |
| (a) Widths (.....) | |
| (b) Layout (horizontal/vertical alignment) | |
| (c) Junction details (location/s/radii/sightlines) | |
| (d) Turning Facilities | |
| (e) Traffic Calming | |
| (f) Active Travel Provision | |
| (g) Provision of Utilities | |
| 3. SERVICING AND CAR PARKING | |
| (a) Servicing Arrangements/Driveways | |
| (b) Car and Cycle Parking Provision (.....) | |
| (c) Maximum Parking Standards | |
| (d) Layout of Parking Bays/Garages | |

[illegible]

| | |
|-------------------|---------------|
| 4. RECOMMENDATION | No objections |
|-------------------|---------------|

6. NOTES FOR INTIMATION TO APPLICANT

| | |
|--------------------------------------------|--|
| (i) Construction Consent (S21)* | |
| (ii) Road Bonds (S17)* | |
| (iii) Road Opening Permit (S56)* | |
| (iv) Transportation Statement / Assessment | |
| (v) Flood Risk Assessment | |

Copies to:

PLANNING APPLICATION REPRESENTATIONS

DC22/214/FUL

Comment on Planning Application

About You

Please provide details about yourself

Forename *

Mary H

Surname *

Scobie

Address *

4 Bonhill View, Alexandria, G830SZ

Details

Please provide details regarding this planning application

Case Type

FUL

Comments *

The planning proposal would significantly encroach on the parking area which has for many years been used by numbers 2, 4, 6, 8, 10 and 12 Bonhill View - plus visitors. Accordingly, I strongly oppose the application.

Do you support the proposal

No

Comment on Planning Application

About You

Please provide details about yourself

Forename *

James

Surname *

McGuigan

Address *

12 Bonhill View
Alexandria
G830SZ

Details

Please provide details regarding this planning application

Case Type

FUL

Comments *

The area proposed is part of the original base for residents garages. Since the garages were demolished this area has traditionally been used for car parking for the residents of 2,4,6,8,10 and 12 Bonhill View. Can you please confirm that the area around the proposed development will be available for legal parking for these residents.

Do you support the proposal

Yes

Comment on Planning Application

About You

Please provide details about yourself

Forename *

William D & Mary H

Surname *

Scobie

Address *

4 Bonhill View, Alexandria, G830SZ

Details

Please provide details regarding this planning application

Case Type

FUL

Comments *

In response to the applicant's "clarify comments and issues" statement, we would like to address various assertions therein.

Regarding Item 2 - The applicant refers to "redundant concrete garage base". The area in question is far from "redundant". It is in fact normally used for parking by residents of numbers 2 (two vehicles), 4 (one vehicle), 6 (two vehicles), 8 (one vehicle) 10 (one vehicle) and 12 (one vehicle) - totalling 8 vehicles.

The applicant uses the phrase - "relocate the existing parking provision westwards". By this it is assumed that he refers to a strip of parking in Angus Street which is habitually used by residents of St. Andrews Lane, by visitors to the soft play premises in the Public Hall, by patrons of the Laughing Fox public house, by customers of Rainbows takeaway food shop, by customers of Cafe India takeaway restaurant and other members of the public.

Comment on Planning Application

The applicant's assertion that residents would not have to walk any further to their normal parking place can be shown by the above to be erroneous, because even if parking space was available in Angus Street, it most certainly requires residents to walk significantly further.

In Item 9 the applicant states that "none of the houses have ever flooded". Strictly speaking this is true, but a number of years ago when the River Leven burst its banks the water came quite literally to the doorsteps of houses in Bonhill View.

The applicant refers to his assumption that his proposal would only affect residents of numbers 2, 4 & 6 Bonhill View, and yet he cites the "support" of the resident of number 12, mentioning the resident's age and incorrectly stating that he would not have to walk further to his car.

Regarding Item 12 - The proposal would indeed have a "detrimental impact" on his neighbours in the sense that their parking options would be significantly reduced.

Do you support the proposal

No

Comment on Planning Application

About You

Please provide details about yourself

Forename *

John

Surname *

Talbot

Address *

10

Bonhill View

Details

Please provide details regarding this planning application

Case Type

FUL

Comments *

In Reply to response to comments on Proposal dated 31 January 2023.

In point 2 the applicant states that "the plot of land (i.e. concrete base) will not be disturbed." How is the proposed fencing around the area to be fixed?

In point 3 when the applicant states "to relocate the existing parking provision Westwards" Currently there is insufficient parking space available (i.e. 2 cars /house) currently visitors park behind residents to prevent obstruction. If it is off the concrete hardstanding onto the adjacent tarmac then the cars will BLOCK my gated access to the rear of no 10 where I park my motorhome off the street so as not to impact on other residents parking . I am assuming this is what is meant as it is stated that no one will require to walk further as stated in points 4 and 5.

Comment on Planning Application

point 6 contradicts statements in points 4 & 5 re additional distance to walk.

point 8 states no groundworks, how is fencing around proposed area to be fixed?

Re point 9, The Area is in a designated vulnerable area and has been subject to flooding in the last 20 years. A Flood assessment should be undertaken.

Re point 10 the rear wall acts as a noise barrier which would not be around the proposed area. The proposed area is parallel to my Living Room wall approx 1m from it, therefore an increase in Noise from gatherings in this area.

point 11 is a matter of opinion which is the opposite of mine. personal opinion should not be taken into account.

Do you support the proposal

No

Comment on Planning Application

About You

Please provide details about yourself

Forename *

John

Surname *

Talbot

Address *

10
Bonhill View

Details

Please provide details regarding this planning application

Case Type

FUL

Comments *

1. There has been no previous discussion on this submission. The first I was aware of this proposal was when I received the neighbour notification.

2. On the application form on page 3 under existing use it states that cars park needlessly along the redundant garage base this is an incorrect statement, as there is insufficient parking in Angus Street for the current houses of Bonhill View, Angus Street and St Andrew's Lane. The area has been used for car parking since the garages were demolished circa 20 years ago including by the applicant.

3. My elderly Neighbour (90yrs Approx) parks his car adjacent to No 10 Gable end on the proposed site to minimise the distance he has to walk and my partner is a blue badge holder, this proposal would require her to park further from my property at No 10 when she visits and increase the distance she would have to walk. Visitors to Bonhill View tend to park behind residents cars to make best use of the space available this would be unavailable for this 6.m area. It would also greatly reduce the number of parking spaces available and effect where No's 6, 8, 10 and 12

Comment on Planning Application

Bonhill view would be able to park.

4. On page 4 of the submission under Assessment of Flood Risk the applicant states that the site is not within an area of known risk of flooding. This is Incorrect this area is identified within SEPA Document Loch Lomond and Vale of Leven (Potentially Vulnerable Area 11/01) as at risk of flooding, which did Occur around 2006. As such this application should require a Flood Risk Assessment.

5. Can you please advise when the area of land was advertised for sale? where was it advertised? has the sale been completed as it greatly impacts on other residents and possibly restrict access to my property.

6. There will be a possible noise nuisance from the conduct of garden parties within the proposed area.

7. The proposed location of this Garden patio is no more than 1 metre from my property (i.e.my Living Room wall).

8. I strongly object to this proposal.

Do you support the proposal

No

Comment on Planning Application

About You

Please provide details about yourself

Forename *

William D

Surname *

Scobie

Address *

4 Bonhill View, Alexandria, G830SZ

Details

Please provide details regarding this planning application

Case Type

FUL

Comments *

The planning proposal would significantly encroach on the parking area which has for many years been used by numbers 2, 4, 6, 8, 10 and 12 Bonhill View - plus visitors. Accordingly, I strongly oppose the application.

Do you support the proposal

No

APPOINTED OFFICER'S DECISION:

DC22/214/FUL

WEST DUNBARTONSHIRE COUNCIL

REPORT OF HANDLING (Delegated)

APP NO: DC22/214/FUL

CASE OFFICER: Amy Melkevik

ADDRESS/SITE: 8 Bonhill View, Alexandria, G83 0SZ

PROPOSAL: Convert area of land into a garden plot and associated works

1. Site Description/Development Details

This is an application for planning permission to create a garden space on land adjacent to 8 Bonhill View in Alexandria. 8 Bonhill View is an end terraced dwellinghouse with its principle elevation facing the River Leven. It has a grassed front garden and a fenced in rear garden. Bonhill View is accessed by vehicles from Angus Street with a strip of parking to the rear of 2, 4, 6 and 8 Bonhill View. There is an existing concrete base on which garages were previously sited, however these have been demolished approximately 20 years ago. The land has since been used as parking spaces denoted by signage from West Dunbartonshire Council stating "Residents parking only".

It is proposed that to the rear of 8 Bonhill View, a section of the concrete base shall be used as a garden space. The existing garden of 8 Bonhill View and the proposed garden would be separated by the existing footpath. The proposed layout plan shows planters along the edge of the site as well as an area for a shed or Wendy house, however no details have been provided of such a building. A supporting statement notes that the concrete base will be undisturbed and artificial grass used and that there will be a gate opposite the existing rear gate for 8 Bonhill View. It is further indicated that the area will be enclosed by either a timber fence or wall.

2. Consultations

West Dunbartonshire Council Environmental Health confirm they have no comments on the proposal.

West Dunbartonshire Council Roads raise no objections.

3. Application Publicity

Not required.

4. Representations

5 letters of objection were received from 3 individuals. The points raised as part of their objections can be summarised as:

- There was no previous discussion on the submission.
- When and where was the land for sale?
- No Flood Risk assessment has been provided.
- The location of the garden is no more than 1m away from my property.

- How is the proposed fencing around the area to be fixed?
- There is possible noise nuisance from garden parties.
- The rear wall acts as a noise barrier which would not be around the proposed area.
- The number of parking spaces would be reduced.
- Parking for residents and visitors of Bonhill View would be impacted.
- The car parking is not needless as there is a shortage of parking in the area.
- The proposal will block my gated access to the rear of no. 10
- Elderly neighbours and blue badge holders would have to park further away.

One letter marked as support was received but does highlight points and questions which can be summarised as:

- The area has been used as car parking. Can you confirm that the area around the development will be available for parking?

5. Relevant Policy

National Planning Framework 4

- Policy 1 - Tackling the climate and nature crisis
- Policy 2 - Climate mitigation and adaptation
- Policy 14 - Design quality and place
- Policy 22 - Flood risk and water management
- Policy 23 – Health and safety

West Dunbartonshire Local Plan

- Policy GD 1 - Development Control
- Policy H5 - Development within Existing Residential Areas

West Dunbartonshire Local Development Plan Proposed Plan

On 19th September 2018 the Planning Committee approved Local Development Plan 2: Proposed Plan for consultation. It is therefore the Council's most up to date policy position and it is a material consideration in the assessment of planning applications. The Examination Report of LDP 2 was received on 22nd April 2020 and the modified LDP 2 and associated documents was presented to the August Planning Committee. The Planning Committee approved LDP2 and this has now been sent to the Scottish Ministers for Adoption. LDP2 is therefore afforded significant weight in the assessment and determination of planning applications at this time.

- Policy CP1 Creating Places
- Policy H4 Residential Amenity

6. Appraisal

National Planning Framework 4 (NPF4) sets out the national planning policy position within the Development Plan with a range of policies applicable to this proposal. Policy 14 states that development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale. The Policy goes on to require that development proposals take account of the six qualities of successful places and advises that development proposals that are poorly designed, detrimental to the amenity of the surrounding area will not be supported. Policy GD 1 of the Local Plan (LP) and Policy CP1 of the Local Development Plan 2 (LDP2) relate to the quality, design, and character of an area. Policy CP1 states that

new development shall take a design led approach to creating sustainable places which put the needs of people first and demonstrate the six qualities of successful places. Developments are required to demonstrate an understanding of the local context and contribute positively towards the distinctive identity of West Dunbartonshire retaining, reinforcing and responding to established patterns of development.

In assessing the proposal, it is noted that the existing pattern of development on Bonhill View comprises dwellinghouses in a setting of private gardens with parking to the rear, off Angus Street. At the end of Angus Street there are public greenspaces with trees and shrubs. It is considered that the proposed garden would however be out of keeping with the established pattern of development. The proposed garden would create an area which is both physically and visually separate from the plot of the adjacent house and with the existing pathway situated between the application site and adjacent garden, there would be no connection between the existing garden and proposed area. This arrangement is not considered to accord with the prevailing pattern of development. Whilst there is public green space with planting on Angus Street this is open and the proposed garden space is to be domestic and enclosed although no details of wall or fence heights have been provided. A garden shed or Wendy house has been noted as a consideration however again no details have been provided. Notwithstanding this, it is considered that the arrangement would be out of keeping with the area with a domestic shed or Wendy house being located within a public space. Overall, the formation of a separate and self-contained, enclosed garden area together with associated wall or fence and outbuildings would result in an incongruous feature within an existing parking court which does not follow the prevailing pattern of development to the visual detriment of the locality. Whilst the proposed garden space may be a personal improvement for the applicant, it is out of place within the context of the location, and does not improve the area for the neighbouring properties with alterations to the parking arrangement. As such given the concerns it is considered that the development is not supported by either Policy 14 of NPF4 or Policy CP1 of proposed LDP2.

In further assessing the proposal, Policy H5 of the LP and Policy H4 of proposed LPD2 focus on residential amenity. Policy H4 states that the Council will protect, preserve and enhance the residential character and amenity of existing residential areas at all times. It is considered that the proposal does not enhance the residential character of the area due to out of place siting within what is currently vehicle parking. As such the proposal is not supported by Policy H5 of the LP and Policy H4 of proposed LDP2.

Notwithstanding the above, it rests to consider whether there are any other reasons as to why the development proposal would be unacceptable. The proposed garden is close to other garden spaces which could also have the potential for noise creation. Rear walls acting as noise barriers has also been noted in relation to the proposal, however the boundary treatments between properties in this area is slatted fences. The creation of a garden in this location would not be considered unacceptable in terms of noise.

The issue of flooding is highlighted in the objections received and it is questioned whether a Flood Risk Assessment (FRA) has been done for the proposal. A FRA has not been requested as part of the application. Whilst the proposal is in an area of high risk for river flooding and surface water flooding, a garden is no more of a vulnerable land use than vehicle parking. The proposed development would also not in itself lead to any flooding or drainage concerns. The development also does not raise any concerns in connection with climate adaption or the climate and nature crisis

Turning to the other points raised in the representations not already considered as part of the assessment above, it is noted in the objections that there was no previous discussion on the submission. This is not a requirement of the planning process and the application was appropriately neighbour notified. It was asked when and where the site was advertised for

sale. These questions were passed to the Council's Assets Team as the land is owned by the Council, however it is not a consideration of the planning process.

It has been stated that the proposed garden is 1m away from a property. 10 Bonhill View is the closest property with over 3m separation, and no windows which would be encroached on. Other gardens in the area are closer to neighbouring properties and as such this is not a concern.

How the fencing is proposed to be fixed has been questioned. Details of this have not been asked for due to the recommendation for refusal.

Much of the concern raised by the objectors is in relation to the removal of parking spaces. It is agreed that the creation of a garden space in this location would alter the parking arrangement. The applicant has submitted drawings showing that parking could be achieved, outside of the line the existing parking arrangement to the west of the proposed garden space. However this is outside of the existing arrangement and not marked. As such it would not be immediately obvious that this was part of the parking provision. The Roads Service were consulted on the applications and have raised no objections. Whilst objections have been made that there is not sufficient parking in the area, this has not been highlighted as a concern by the Roads Service. Elderly and disabled persons having to walk further to park has been raised as an objection, however there is no impact upon designated disabled spaces.

The blocking of access to the gated rear garden of number 10 has also been raised. There are no records of such a gate being granted permission by either the Roads Service or the Planning Service. Due to its configuration it would be unlikely to be supported. Whilst the proposed garden does not block the gate of number 10 the suggestion that the parking would move to the west would block the existing access.

In conclusion, the creation of a garden plot to the rear of 8 Bonhill View is not supported by National Planning Framework 4 Policy 14 together with adopted West Dunbartonshire Local Plan Policy 5 and the West Dunbartonshire Local Development Plan 2 policies CP1 and H4. The proposed garden is a domestic use physically unconnected to a domestic property. The garden would not be in keeping with the character and settlement pattern of the immediate area and as such should a recommendation for refusal is made.

7. Recommendation

Planning permission be refused for the following reasons:

1. The position of the garden does not demonstrate an understanding of the local context as it is domestic garden space within a public space. The proposed siting it out of keeping with the established pattern of development with no physical connection to the dwellinghouse it is to serve. The proposal therefore does not accord with Policy 14 of the National Planning Framework 4 and Policy CP1 of the proposed West Dunbartonshire Local Development Plan 2
2. The position of the garden does not enhance the residential character and amenity of the existing residential area due to its location with what has been used as parking. The proposal therefore does not accord with Policy H5 of the adopted West Dunbartonshire Local Plan and H4 of the proposed West Dunbartonshire Local Development Plan 2.

8. Added Value

None.

FOR NOTING

1. The plans referred to as part of this decision are:
 - Location Plan 2
 - Layout and Use
 - Outlined Areas

Refusal of Planning Permission

WEST DUNBARTONSHIRE COUNCIL
TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT
PROCEDURE) (SCOTLAND) REGULATIONS

Proposal Convert area of land into a garden plot and associated works

Site 8 Bonhill View
Alexandria
G83 0SZ

Applicant Mr John Bruce

Agent N/A

Class of Development Local Development

Decision Type Delegated

WEST DUNBARTONSHIRE COUNCIL, AS PLANNING AUTHORITY, IN EXERCISE OF THEIR POWERS UNDER THE ABOVE-MENTIONED ACTS AND ORDERS, AND HAVING CONSIDERED YOUR PROPOSED DEVELOPMENT, THE PLAN(S) DOCQUETTED AS RELATIVE THERETO AND THE PARTICULARS GIVEN IN THE ABOVE APPLICATION, HEREBY:-

DECISION: REFUSE PLANNING PERMISSION FOR THE REASON(S) CONTAINED IN THE ACCOMPANYING PAPER(S) APART.

DATED THIS: 27th day of February 2023

Signed 
For West Dunbartonshire Council

Planning, Building Standards and Environmental Health Manager
16 Church Street
Dumbarton
G82 1QL

Reason for Refusal

1. The position of the garden does not demonstrate an understanding of the local context as it is domestic garden space within a public space. The proposed siting it out of keeping with the established pattern of development with no physical connection to the dwellinghouse it is to serve. The proposal therefore does not accord with Policy 14 of the National Planning Framework 4 and Policy CP1 of the proposed West Dunbartonshire Local Development Plan 2
2. The position of the garden does not enhance the residential character and amenity of the existing residential area due to its location with what has been used as parking. The proposal therefore does not accord with Policy H5 of the adopted West Dunbartonshire Local Plan and H4 of the proposed West Dunbartonshire Local Development Plan 2.

FOR NOTING

Informatives

1. The plans referred to as part of this decision are:
 - Location Plan 2
 - Layout and Use
 - Outlined Areas

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
PLANNING ETC. (SCOTLAND) ACT 2006

RIGHTS OF AGGRIEVED APPLICANTS (DELEGATED DECISIONS)

1. If this decision involves a refusal of planning permission or the granting of permission subject to conditions, and if the applicant is aggrieved by this decision, they may seek a review of this decision with the Local Review Body within 3 months of the date of this notice.

Notice of Review forms and guidance can be obtained and submitted to us via the Scottish Government [ePlanning portal](#)

Alternatively the review forms may be submitted in writing* to:

West Dunbartonshire Council
Planning Local Review Body
16 Church Street
Dumbarton G82 1QL
0141 951 7930

*Please note that due to the Government guidance regarding Covid-19, all staff are working remotely therefore there will be delays in receiving any paper submissions. We would therefore encourage electronic submissions via the e-planning portal. If you require any assistance please contact us using the above contact telephone number or alternatively e-mail us – development.management@west-dunbarton.gov.uk

2. If permission to develop is refused or granted subject to conditions (whether by the Planning Authority or the Scottish Ministers), and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Planning Authority a purchase notice requiring the purchase of his/her interest in the land in accordance with Part V of the Town and Country Planning (Scotland) Act 1997.

RELEVANT POLICIES:

DC22/214/FUL

National Planning Framework 4

Policy 1 – Tackling the climate and nature crisis

When considering all development proposals significant weight will be given to the global climate and nature crises.

Policy 2 – Climate mitigation and adaptation

- a) Development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible.
- b) Development proposals will be sited and designed to adapt to current and future risks from climate change.
- c) Development proposals to retrofit measures to existing developments that reduce emissions or support adaptation to climate change will be supported.

Policy 14: Design, Quality and Place

- a) Development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale.
- b) Development proposals will be supported where they are consistent with the six qualities of successful places:
 - Healthy: Supporting the prioritisation of women's safety and improving physical and mental health.
 - Pleasant: Supporting attractive natural and built spaces.
 - Connected: Supporting well connected networks that make moving around easy and reduce car dependency
 - Distinctive: Supporting attention to detail of local architectural styles and natural landscapes to be interpreted, literally or creatively, into designs to reinforce identity.
 - Sustainable: Supporting the efficient use of resources that will allow people to live, play, work and stay in their area, ensuring climate resilience, and integrating nature positive, biodiversity solutions.
 - Adaptable: Supporting commitment to investing in the long-term value of buildings, streets and spaces by allowing for flexibility so that they can be changed quickly to accommodate different uses as well as maintained over time.

Further details on delivering the six qualities of successful places are set out in Annex D.

- c) Development proposals that are poorly designed, detrimental to the amenity of the surrounding area or inconsistent with the six qualities of successful places, will not be supported.

Policy 22 – Flood risk and water management

a) Development proposals at risk of flooding or in a flood risk area will only be supported if they are for:

- i. essential infrastructure where the location is required for operational reasons;
- ii. water compatible uses;
- iii. redevelopment of an existing building or site for an equal or less vulnerable use; or.
- iv. redevelopment of previously used sites in built up areas where the LDP has identified a need to bring these into positive use and where proposals demonstrate that longterm safety and resilience can be secured in accordance with relevant SEPA advice.

The protection offered by an existing formal flood protection scheme or one under construction can be taken into account when determining flood risk.

In such cases, it will be demonstrated by the applicant that:

- all risks of flooding are understood and addressed;
- there is no reduction in floodplain capacity, increased risk for others, or a need for future flood protection schemes;
- the development remains safe and operational during floods;
- flood resistant and resilient materials and construction methods are used; and
- future adaptations can be made to accommodate the effects of climate change.

Additionally, for development proposals meeting criteria part iv), where flood risk is managed at the site rather than avoided these will also require:

- the first occupied/utilised floor, and the underside of the development if relevant, to be above the flood risk level and have an additional allowance for freeboard; and
- that the proposal does not create an island of development and that safe access/ egress can be achieved.

b) Small scale extensions and alterations to existing buildings will only be supported where they will not significantly increase flood risk.

c) Development proposals will:

- i. not increase the risk of surface water flooding to others, or itself be at risk.
- ii. manage all rain and surface water through sustainable urban drainage systems (SUDS), which should form part of and integrate with proposed and existing bluegreen infrastructure. All proposals should presume no surface water connection to the combined sewer;
- iii. seek to minimise the area of impermeable surface.

d) Development proposals will be supported if they can be connected to the public water mains. If connection is not feasible, the applicant will need to demonstrate that water for drinking water purposes will be sourced from a sustainable water source that is resilient to periods of water scarcity.

e) Development proposals which create, expand or enhance opportunities for natural flood risk management, including blue and green infrastructure, will be supported.

Policy 23 – Health and safety

- a) Development proposals that will have positive effects on health will be supported. This could include, for example, proposals that incorporate opportunities for exercise, community food growing or allotments.
- b) Development proposals which are likely to have a significant adverse effect on health will not be supported. A Health Impact Assessment may be required.
- c) Development proposals for health and social care facilities and infrastructure will be supported.
- d) Development proposals that are likely to have significant adverse effects on air quality will not be supported. Development proposals will consider opportunities to improve air quality and reduce exposure to poor air quality. An air quality assessment may be required where the nature of the proposal or the air quality in the location suggest significant effects are likely.
- e) Development proposals that are likely to raise unacceptable noise issues will not be supported. The agent of change principle applies to noise sensitive development. A Noise Impact Assessment may be required where the nature of the proposal or its location suggests that significant effects are likely.
- f) Development proposals will be designed to take into account suicide risk.
- g) Development proposals within the vicinity of a major accident hazard site or major accident hazard pipeline (because of the presence of toxic, highly reactive, explosive or inflammable substances) will consider the associated risks and potential impacts of the proposal and the major accident hazard site/pipeline of being located in proximity to one another.
- h) Applications for hazardous substances consent will consider the likely potential impacts on surrounding populations and the environment.
- i) Any advice from Health and Safety Executive, the Office of Nuclear Regulation or the Scottish Environment Protection Agency that planning permission or hazardous substances consent should be refused, or conditions to be attached to a grant of consent, should not be overridden by the decision maker without the most careful consideration.
- j) Similar considerations apply in respect of development proposals either for or near licensed explosive sites (including military explosive storage sites).

Adopted West Dunbartonshire Local Plan 2010

Policy GD 1: Development Control

All new development is expected to be of a high quality of design and to respect the character and amenity of the area in which it is located. Proposals will be required to:

- be appropriate to the local area in terms of land use, layout and design (including scale, density, massing, height, aspect, effect on daylighting, crime prevention measures and privacy); developers will be required to submit design statements where appropriate;

- be energy efficient, including considering options for micro-renewable technologies;
- ensure that landscaping is integral to the overall design, that important landscape features and valuable species and habitats are conserved and where possible enhanced, and that there is an emphasis on native planting;
- ensure that the value of the historic and natural environment is recognised, and is not devalued or threatened by the proposal;
- ensure that open space standards are met;
- assess and address any existing or potential increase in flood risk and/or environmental pollution, provide drainage consistent with Sustainable Urban Drainage Systems design guidance and ensure that suitable remediation measures are undertaken on contaminated sites;
- demonstrate, where appropriate, that the development will not result in a negative impact on the water environment;
- ensure that increases in traffic volumes and adverse impacts on air quality are avoided or minimised by including provision for public transport, pedestrian and cycling access, and considering the need for a Green Travel Plan;
- meet the roads, parking and access requirements of the Council (particularly for disabled people and the emergency services) reflecting national guidance where appropriate;
- consider the availability of infrastructure and the impact on existing community facilities;
- minimise waste, and provide for the storage, segregation and collection of recyclable and compostable material; a Site Waste Management Plan may be required; and
- be consistent with other Local Plan policies.

Policy H5 Development within Existing Residential Areas

The character and amenity of existing residential areas, identified on the Proposals Map, will be safeguarded and where possible enhanced. Development within existing residential areas will be considered against the following criteria:

- the need to reflect the character of the surrounding area in terms of scale, density, design and materials;
- the requirement to avoid over development which would have an adverse effect on local amenity, access and parking or would be out of scale with surrounding buildings;
- the need to retain trees, hedgerows, open space and other natural features;
- extensions to dwellings must complement the character of the existing building, particularly in terms of scale and materials, not dominate in terms of size or height, and not have a significantly adverse affect on neighbouring properties;
- the subdivision of the curtilage of a dwelling for a new house should ensure that the proposed plot can accommodate a house and garden; the new house and garden to be of a scale and character appropriate to the neighbourhood;

sufficient garden ground should be retained for the existing house; the privacy of existing properties should not be adversely affected and separate vehicular accesses should be provided;

- with regard to non-residential uses, whether they can be considered ancillary or complementary to the residential area, and would not result in a significant loss of amenity to the surrounding properties. A significant loss of amenity might be expected to occur as a result of increased traffic, noise, vibration, smell, artificial light, litter, hours of operation and general disturbance; and
- the proposal conforms with other Local Plan policies

Proposed West Dunbartonshire Local Development Plan (LDP2, as modified 2020)

Policy CP1 Creating Places

New development shall take a design led approach to creating sustainable places which put the needs of people first and demonstrate the six qualities of successful places. All new development is required to:

- a) Demonstrate an understanding of the local context and contribute positively towards the distinctive identity of West Dunbartonshire; retaining, reinforcing and responding to established patterns of development, natural features and the historic environment.
- b) Ensure that streets are safe, comfortable and attractive for all users; creating an accessible, inclusive and walkable network of streets and paths which consider the role of streets as places for people first.
- c) Green infrastructure must be an integral part of the design process for development from the outset; in line with the requirements set out in Policy CP2.
- d) Ensure that the layout and form of the development, including the relationship between the buildings, streets and spaces, protect and enhance the amenity of existing communities, future occupiers and neighbouring development sites.
- e) Ensure that the design and construction of new buildings and materials used are of a high quality, sustainable and suited to the climate and location;
- f) Provide sustainable design which supports waste reduction targets and reduce carbon emissions in the development's construction and end use.

All new development is also required to accord with the guidance set out within the Creating Places Supplementary Guidance.

Note: Until such times as the Creating Places Supplementary Guidance is adopted by the Council, the 'Residential Development: Principles for Good Design' Planning Guidance, which is non-statutory, should be referred to by landowners and/or developers.

Policy H4: Residential Amenity

The Council will protect, preserve and enhance the residential character and amenity of existing residential areas at all times. In this regard, there will be a general presumption against:

- a) Extensions to residential properties and/or outbuildings within the curtilage of the Plot, which would have adverse significant impacts upon neighbouring properties, including but not limited to, overshadowing, overlooking, overbearing, insufficient parking, and the character and appearance of the area;
- b) The establishment of non-residential uses within, or in close proximity to, residential areas which potentially have detrimental effects on local amenity or which cause unacceptable disturbance to local residents;
- c) The development for other uses on locally important areas of recreational or amenity open space, which are not safeguarded or covered by Policy G1, but significantly contribute to the character and appearance of the residential area concerned, or which offer opportunities for informal outdoor sport and recreation;
- d) The removal of play equipment from areas of recreational open space;
- e) The closure or disruption of existing footpaths, which provide important links between housing areas and areas of public open space; local shops and other community facilities and transportation nodes etc.

New housing developments will not be permitted in locations where existing, established adjacent uses are likely to have an unacceptable impact on the amenity of future residents.

SUGGESTED CONDITIONS:

DC22/214/FUL

DC21.214.FUL – Convert area of land into a garden plot and associated works

Suggested Conditions

1. Notwithstanding the approved plans, the garden hereby approved shall only be used in association with 8 Bonhill View, Alexandria.

Reason: To safeguard the residential amenity of the area.

2. Prior to commencement, full details of the proposed boundary treatment including height, material and method of fixing shall be provided to, and approved in writing by the Planning Authority. Thereafter, the boundary treatment shall be implemented and maintained in accordance with the approved details, unless otherwise agreed in writing with the Planning Authority.

Reason: To ensure that the position, design and materials of the fence are appropriate to the character of the area

3. Prior to commencement, full details of any proposed ancillary buildings shall be provided to, and approved in writing by the Planning Authority.

Reason: To ensure that the position, design and materials of any ancillary buildings are appropriate to the character of the area.