

WEST DUNBARTONSHIRE COUNCIL

Report by the Executive Director of Housing, Environmental and Economic Development

Planning Committee: 3 April 2013

Subject: DC12/105: Appeal decision in relation to the refusal of permission for the erection of a two storey detached dwellinghouse and detached double garage and the formation of a new vehicular access at Milton House, Milton.

1. Purpose

- 1.1** To advise the Committee of the outcome of a recent planning appeal.

2. Recommendations

- 2.1** That the Committee **notes the outcome of this appeal.**

3. Background

- 3.1** An application for planning permission for the erection of a two storey detached dwellinghouse, detached double garage and the formation of a new vehicular access at Milton Brae was refused by the Planning Committee on 5 September 2012. The application was refused as it was considered to be contrary to policies H5, E5 and BE2 of the West Dunbartonshire Local Plan (2010) due to the proposal being likely to detract from the appearance and character of a rural location. Particular concerns related to loss of mature trees and shrubs, alterations to an existing stone boundary wall, and the proposed house being in a prominent location and on a plot which did not reflect the established pattern of development in the surrounding area. The applicant appealed to the Scottish Ministers against this refusal, and the appeal was dealt with by way of written submissions.

4. Main Issues

- 4.1** The Reporter considered that the proposed house would be readily visible from Milton Brae which would have a very distinct and negative impact on the character of the area. The property would also have relatively little garden ground for a house of the intended caliber, and it would therefore constitute overdevelopment when assessed against the existing density of the surrounding area. It was also noted that the relatively cramped nature of the development site made it difficult to envisage how the trees on site could be satisfactorily protected during construction. However, whilst the scale of destruction necessary to form the new access would be a concern, it was sufficiently remote from the listed Milton House to ensure that the development would have no serious effect on its setting, and the Reporter also dismissed concerns about road safety which had been raised by

objectors. Overall, the proposal was considered to be unacceptable and accordingly, the appeal was dismissed and planning permission refused.

5. People Implications

5.1 There are no personnel issues.

6. Financial Implications

6.1 There are no financial implications.

7. Risk Analysis

7.1 A risk assessment is not required.

8. Equalities Impact Assessment (EIA)

8.1 An equalities impact assessment is not required.

9. Consultation

9.1 No consultation was required.

10. Strategic Assessment

10.1 There are no strategic issues.

Elaine Melrose

Executive Director of Housing, Environmental and Economic Development

Date: 18 March 2013

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Appendices: None.

Background Papers: Appeal decision dated 18 February 2013.

Wards Affected: Ward 3 (Dumbarton)