

WEST DUNBARTONSHIRE COUNCIL

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

Planning Committee: 6 February 2013

DC12/192: Erection of dwellinghouse on land to south of Overtoun West Lodge, Stirling Road, Dumbarton by Mr & Mrs John.

1. REASON FOR REPORT

- 1.1** This application is subject to an objection from Strathclyde Police in their capacity as a neighbouring landowner, but it is recommended that the application be approved. It is therefore considered appropriate for it to be determined by the Planning Committee.

2. RECOMMENDATION

- 2.1** **Grant** full planning permission for the erection of a dwellinghouse subject to the conditions set out in Section 9.

3. DEVELOPMENT DETAILS

- 3.1** Full planning permission is sought for the erection of a detached dwellinghouse within the grounds of Overtoun West Lodge, Stirling Road, Dumbarton. Overtoun West Lodge is a B-listed property which was built around 1895 as a gate house for Overtoun House, although in the intervening period a substantial amount of new development has been built on either side of the old driveway and the relationship to Overtoun House is no longer obvious. The lodge is bounded to the west by the A82 Stirling Road dual carriageway with housing opposite, by the police divisional headquarters to the south/east, and by the Council's own headquarters to the north. The proposed house plot is located to the south of the existing lodge house, alongside the A82 but accessed from the north via Overtoun Drive. The plot extends to over 600m² and is relatively level with mature trees along the east, west and south boundaries.
- 3.2** The application proposes a 1½ storey detached house with its own access, driveway and turning area. The property would have three bedrooms on the upper level and a lounge, dining area, kitchen, utility room and study on the ground floor. Each of the upper floor bedrooms and one en-suite bathroom would have a pitched roof dormer window, with two of these on the front elevation and two on the rear elevation. Externally, the property would be finished in reconstituted stone and wetcast render, with a slate roof. The driveway and turning area would have space for more than three cars.
- 3.3** There have been a number of previous planning consents for a house on this site, dating back to 1992 (decision DB1965). That original planning consent

was later renewed in 1997 (decision WP97/101) and again in 2002 (decision DC02/212), but the permission lapsed in 2007. The current application is therefore a new application, but the proposed plot and the siting and design of the proposed house are all identical to the earlier permissions.

4. CONSULTATIONS

- 4.1** Transport Scotland and West Dunbartonshire Council Roads Service each have no objection to the proposal.
- 4.2** West Dunbartonshire Council Environmental Health Service has no objection subject to a condition relating to any unexpected contamination on the site.

5. REPRESENTATIONS

- 5.1** One letter of representation has been submitted by Strathclyde Police (Property Services Department) who object to the proposal for the following reasons:

- the new house would be built adjacent to a large police station which operates 24/7, and therefore residents may experience raised or prolonged levels of noise at unsociable hours;
- the proposal may create additional traffic on the access road into the police station, interfering with police operations; and
- Overtoun drive requires to be kept clear at all times and the construction/use of the proposed house may lead to traffic management problems which interfere with police operations.

Whilst not stated in the objection it is also understood that the Police have concerns that an additional house here might reduce the potential to extend the police station in the future, although there are no current plans for any such expansion.

6. ASSESSMENT AGAINST THE DEVELOPMENT PLAN

West Dunbartonshire Local Plan 2010

- 6.1** The site lies within an existing residential area, where Policy H5 seeks to ensure that the character of these areas is protected and that all development proposals maintain or enhance their amenity. In particular, it states that where the sub division of the curtilage of a dwelling is proposed for a new house, it should be of an adequate size, reflect the character of the surrounding area, allow sufficient garden ground to be retained for the existing house, provide a separate access and not adversely affect any neighbouring properties.
- 6.2** Policy H4 sets out criteria for assessing new housing developments. These include allowing space for subsequent house extensions within 'permitted development' limits without adversely affecting the amenity of surrounding buildings, and reflecting a residential density which is appropriate to the surrounding area.

- 6.3** Policy E5 seeks to protect trees for amenity reasons and indicates that new development proposed on sites with, or adjacent to, existing trees, should be assessed carefully. If an application is to be approved, conditions should be attached to safeguard trees where necessary and/or plant new trees if appropriate.
- 6.4** The site forms part of the garden of a listed building. Policy BE2 states that the Council will aim to ensure that in relation to any works affecting a listed building, its appearance, character and setting should not be adversely affected.
- 6.5** The issues raised in the above policies are discussed in Section 7 below. It is considered that the development complies with all of the relevant policies of the adopted local plan.

7. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

Plot Size, Design and Appearance

- 7.1** The site is in an Existing Residential Area, within which the principle of new residential development is generally acceptable. The plot would extend to 600m², with the residual plot of Overtoun West Lodge being slightly larger. These are still fairly large plots by modern standards, and the division between the plots would relate to established boundaries within the site. Both plots would be of sufficient size to accommodate a house, provide adequate off street parking and leave room for an acceptable area of garden ground. Whilst the previous permissions have lapsed, there has been no significant change in the site or its environs since these were approved.
- 7.2** Although the site is located between a police station and council offices, the location is considered acceptable for a new dwellinghouse. The new house would follow a similar building line to the existing Overtoun West Lodge and would front onto the A82, providing a garden depth of 12.2m. The proposed house would be 1½ storeys in height, with the appearance of a traditional cottage. The materials to be used would include a natural slate roof, reconstituted stone and render, which is appropriate for this location adjacent to a listed building. It is not considered that the proposal would detract from the appearance, character or setting of the listed building. There would be no overshadowing or unacceptable overlooking of any of the neighbouring properties or buildings. The proposed driveway would be entered from the existing access road and provide adequate off street parking for more than 3 vehicles.

Relationship with Police Station

- 7.3** The objection submitted on behalf of the neighbouring police station raises concerns about the impact on police operations and the potential impact which such operations may have upon the new house. It is clearly important to ensure that the proposed development does not result in interference with the operation of this major police station. The concerns raised by Strathclyde Police refer to additional traffic and parking on Overtoun Drive, and to

disruption during construction works. However, the volume of traffic generated by one additional house seems very unlikely to have any significant impact on traffic levels on the drive, which otherwise serves only the police headquarters and the existing lodge house. Although the width of Overtoun Drive narrows at one point due to the historic gate pillars, the access onto the A82 itself is very wide and vehicles waiting at the junction are unlikely to delay police vehicles leaving the site on emergency responses. In terms of vehicles parking on Overtoun Drive, both the existing and proposed houses would have adequate off-street parking. As the whole of Overtoun Drive is subject to double yellow line parking restrictions, and it seems unlikely that residents or visitors to the houses would risk parking there in a manner which obstructed traffic, given the proximity of the police station and the correspondingly high likelihood of receiving a parking ticket. For similar reasons, the risk of disruption during construction work is limited, but as a further safeguard a condition can be attached requiring that the road must be kept clear at all times.

- 7.4** In terms of disturbance from the police station itself, it is recognised that the coming and going of vehicles and persons throughout the day and night, including vehicles with emergency sirens in operation, may sometimes cause disturbance. However it is likely that the impact on the proposed new house would be less than the existing impact on the lodge house, which immediately adjoins the drive, and that the noise generated by police operations would probably be less significant than traffic noise from Stirling Road. The Environmental Health Service has not raised any issues in relation to noise. In terms of limiting future expansion of the police headquarters, the imminent creation of a national police force seems likely to result in changes to police accommodation requirements, but at the present time it is not known what the specific changes might be. There are understood to be no current plans to expand the Stirling Road site, and in any event it is not likely that the proposed house would have any significant impact upon the potential to expand the police station should such a need arise. Likewise it would not compromise the redevelopment potential of the site.

Trees

- 7.5** There are a number of trees on site, which are primarily located along the site boundaries to the south, east and west. These are not subject to any tree preservation order, but it is nonetheless desirable that as many of these trees as possible are retained, particularly those on the western boundary fronting Stirling Road. The trees which are most likely to be affected are those located along the less important southern and eastern boundaries, and whilst a detailed tree survey has not been provided it is likely that many of the existing trees on these parts of the site would have to be removed. This is considered acceptable, subject to retention of the trees fronting Stirling Road, and appropriate new landscaping to soften the other boundaries. It is proposed that conditions be attached requiring submission and approval of a detailed plan showing the trees which are to be retained and those which are to be removed, along with details of replacement planting. The possibility of the two houses sharing a driveway in order to preserve as many of the trees and shrubs on site as possible was discussed with the applicant's agent, but the

applicant is not willing to consider this due to concerns about having to share the driveway.

8. CONCLUSION

- 8.1** The area surrounding Overtoun West Lodge has been transformed in the last century and the addition of a new detached dwellinghouse within its grounds is not considered to have any unacceptable impact on the listed building or its setting. The proposed house would be of appropriate design and layout, and whilst there would be some impact upon existing trees this is considered to be acceptable. Although the proposal is subject to an objection to an objection from the neighbouring police headquarters it is not considered likely that the proposed house would have any significant impact on police operations, or vice versa.

9. CONDITIONS

- 01. Exact details and specifications of all proposed external materials shall be submitted for the further written approval of the Planning Authority prior to any work commencing on site and shall be implemented as approved.**
- 02. The presence of any previously unsuspected or unencountered contamination that becomes evident during the development of the site shall be brought to the attention of the Planning Authority within one week. At this stage, if requested, a comprehensive contaminated land investigation shall be carried out.**
- 03. Prior to the commencement of development full details of the foul and surface water drainage system shall be submitted for the written approval of the Planning Authority and shall be implemented as approved. The drainage system shall incorporate the principles of Sustainable Urban Drainage Systems within its design and thereafter implemented as approved.**
- 04. Prior to the commencement of development details of the design and location of the bin stores shall be submitted for the further written approval of the Planning Authority and thereafter implemented as approved.**
- 05. Prior to the commencement of works, full details of the design and location of all walls and fences to be erected on site shall be submitted for the further written approval of the Planning Authority and shall be implemented as approved.**
- 06. Prior to the commencement of works, full details of all hard surfaces shall be submitted for the further written approval of the Planning Authority and implemented as approved.**

07. Prior to the commencement of development, the developer shall submit a detailed survey of all trees on the site. This survey shall be accompanied by a scaled site layout plan and include the identification of the existing tree species, an estimation of their height, age, condition and spread of branches, with their location accurately plotted (any trees around the perimeter which over hang into the site shall also be included). No trees shall be removed from the area next to the boundary with Stirling Road (shaded green on the approved plan). Any trees which are to be felled or removed shall be clearly identified on a separate plan.
08. A landscaping scheme for the plot shall be submitted to and approved by the Planning Authority prior to commencement of development on site and shall be implemented not later than the next appropriate planting season after the occupation of the property. The scheme shall include details of suitable replacement planting for any trees that are required to be removed to accommodate the new house or any associated works.
09. During the period of construction Overtoun Drive shall at all times be kept free of any vehicles or materials which might obstruct the passage of emergency vehicles or otherwise interfere with access to the neighbouring police station.

Informatives

01. *The applicant is advised that under the terms of Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended), the development hereby approved must commence within a period of 3 years from the date of this decision notice.*
02. *The applicant is advised that under the terms of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008, the developer is required to submit to the Planning Authority in writing upon the forms specified for the purpose and attached to this decision notice:*
 - a) *A Notice of Commencement of Development as soon as practicable once it is decided to commence the development hereby approved (which shall be prior to the development commencing);*
 - b) *A Notice of Completion of Development as soon as practicable once the development has been completed*
03. *The plans referred to as part of this decision are Drawing No. 1, 2 & AJ-002.*

- 04. *A grant of planning permission does not authorise works under the Building (Scotland) Acts. A separate Building Warrant may be required.***

Elaine Melrose
Executive Director of Housing, Environmental
and Economic Development
Date: 18 January 2013

Person to Contact: Pamela Clifford, Planning & Building Standards Manager,
Housing, Environmental and Economic Development,
Council Offices, Clydebank. G811TG.
01389 738656
email: Pamela.Clifford@west-dunbarton.gov.uk

Appendix: None.

Background Papers: 1. Application forms and plans;
2. Consultation responses and one letter of
representation; and
3. West Dunbartonshire Local Plan 2010.

Wards affected: Ward 3 (Dumbarton)