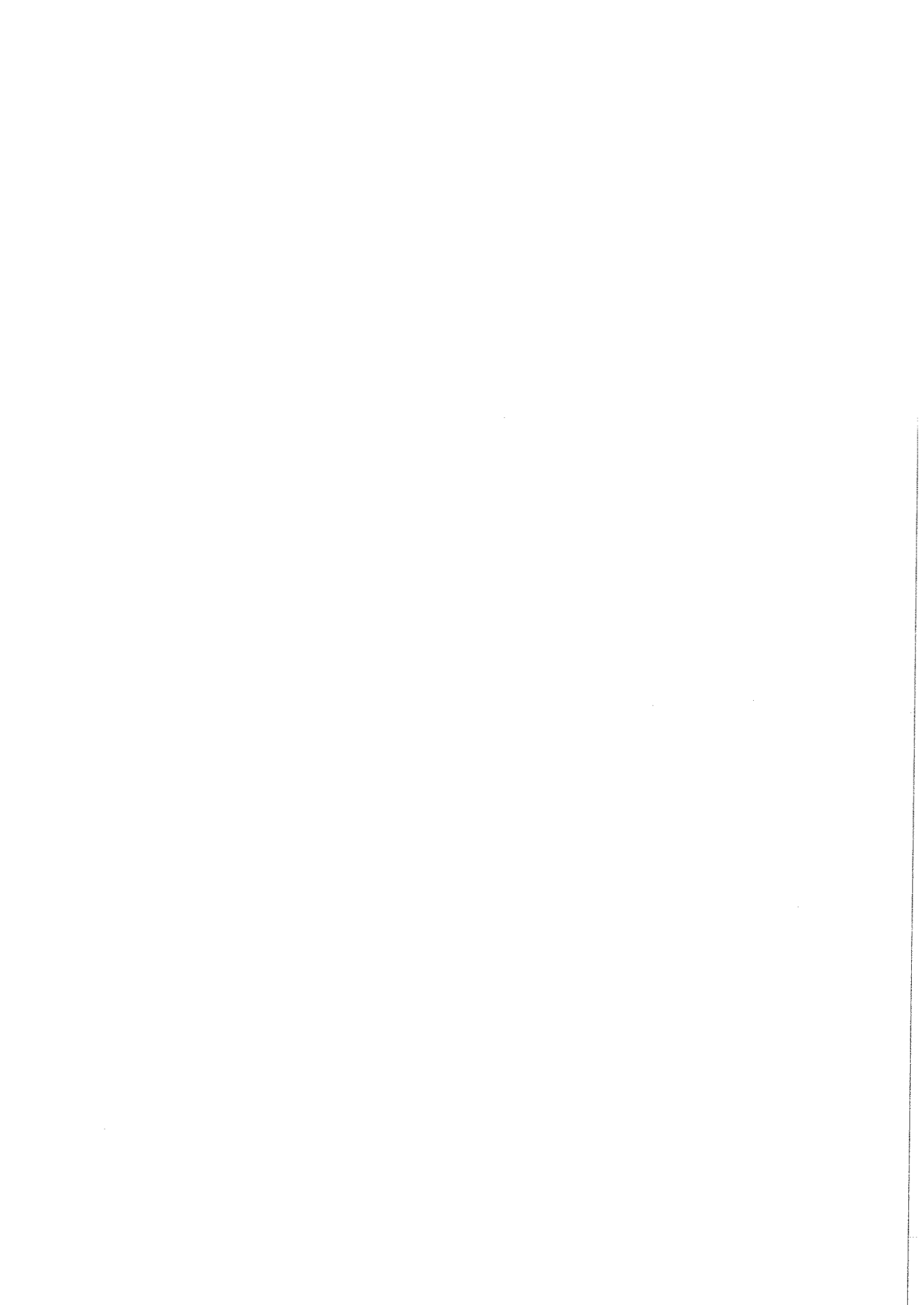


APPOINTED OFFICER'S DECISION:

DC10/252/FUL



Ref No – DC10/252/FUL

Refusal of Planning Consent

WEST DUNBARTONSHIRE COUNCIL
TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS
TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT)
(SCOTLAND) ORDERS

Proposal Demolition of existing house and erection of replacement dwellinghouse

Site Former Anbarda
 Old Dalnottar Road
 Old Kilpatrick
 West Dunbartonshire

Applicant Mr Owen Sayers

Agent David Findlay Architecture
 Unit B4
 Whitecrook Business Centre
 Whitecrook Street
 Clydebank
 G81 1QF

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 CONSENT FOR THE REASON(S) CONTAINED IN THE ACCOMPANYING PAPER(S) APART.

DATED THIS: 22nd day of October 2010

EXECUTIVE DIRECTOR of HOUSING, ENVIRONMENTAL
 AND ECONOMIC DEVELOPMENT
 COUNCIL OFFICES,
 CLYDEBANK G81 1TG

SIGNED 
 for WEST DUNBARTONSHIRE COUNCIL

01. The proposal is contrary to Policies H4 and H5 of the West - Dunbartonshire Local Plan, as it would result in the erection of a large dwellinghouse with an unacceptably small private rear garden, with insufficient room to allow for future extension and with resultant overlooking of the neighbouring garden land to the rear. The proposal would therefore be overdevelopment and would detract from the amenities of both the new and the neighbouring properties.

FOR NOTING*Informatives*

01. The plans referred to as part of this decision are Drawing No(s). AL(0)01A, AL(0)02A, AL(0)03A & AL(0)04A.

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.

The review may be submitted in writing to:

**West Dunbartonshire Council
Planning Local Review Body
Council Offices
Garshake Road
Dumbarton G82 3PU**

Telephone 01389 737210

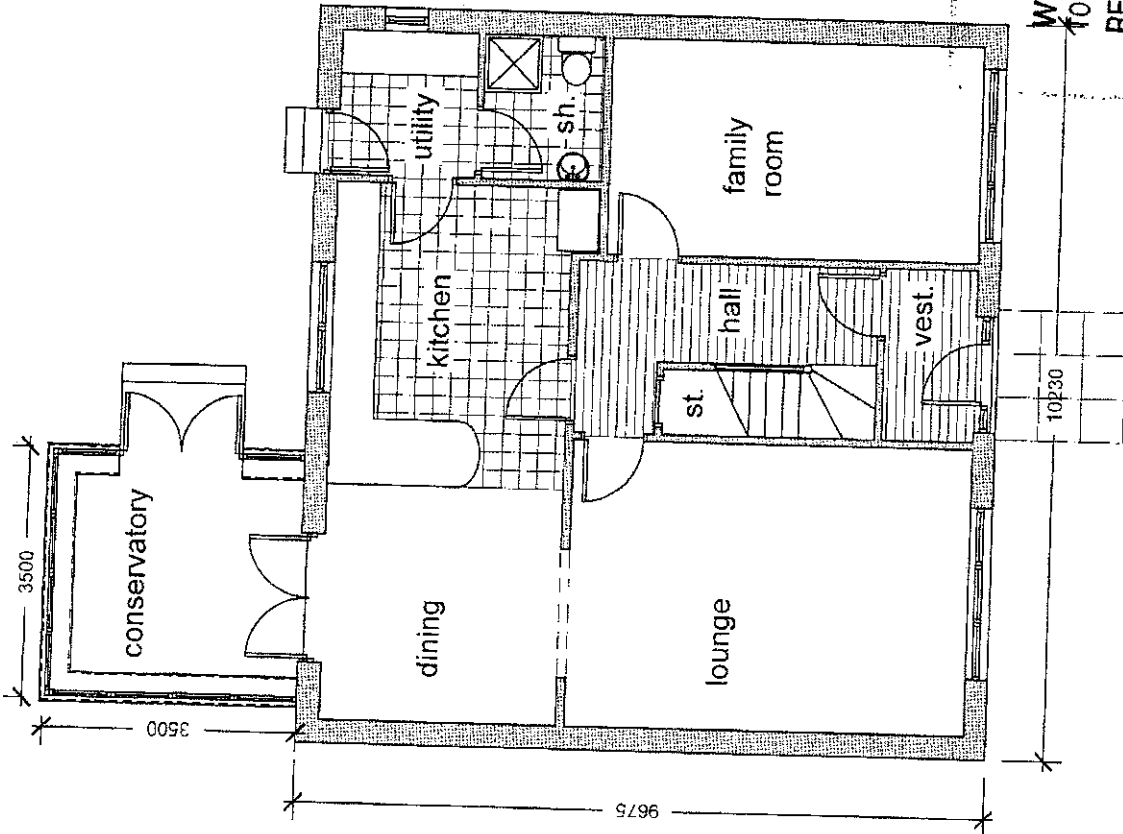
Review forms can be obtained on request from the above address or can be downloaded from the Council's website:

<http://www.west-dunbarton.gov.uk/building-and-planning/planning-permission/application-forms/appeals-and-reviews/>

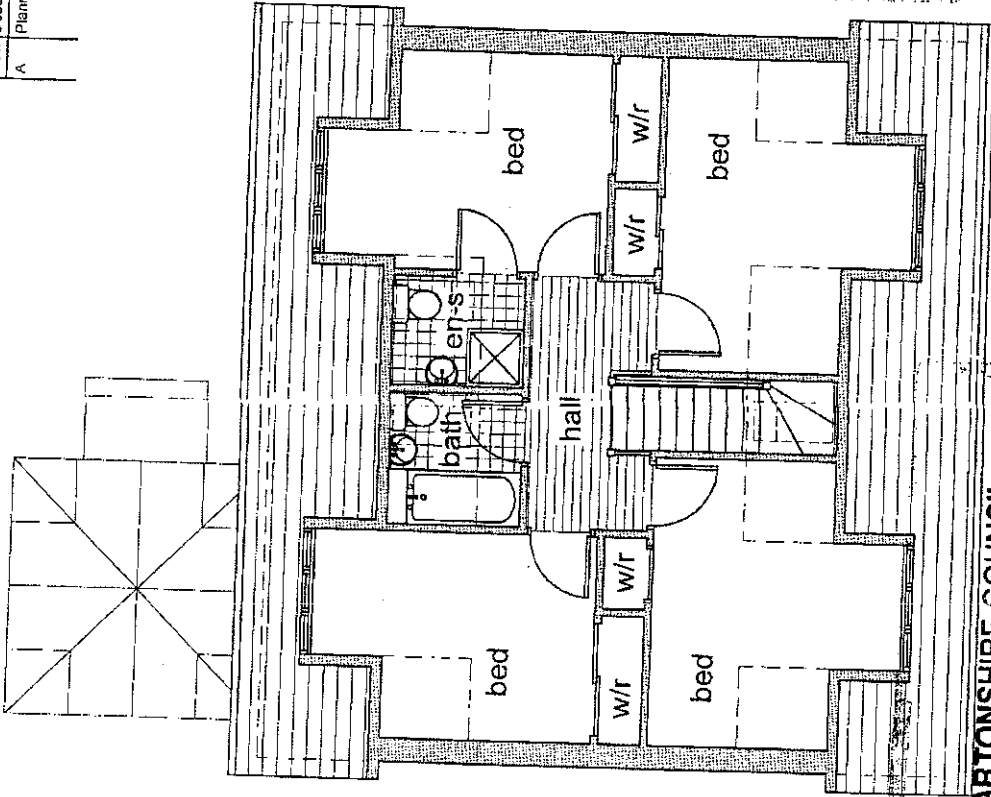
2. If permission to develop is refused or granted subject to conditions (whether by the Planning Authority or the Scottish Ministers), and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial 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.

SCANNED

Rev: A	Description: Planning Application	Date: 20Aug10
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Proposed Ground Floor Plan Scale 1:100 @ A4



WEST DUNBARTONSHIRE COUNCIL
TOWN AND COUNTRY PLANNING
REFUSED
Proposed Upper Floor Plan Scale 1:100 @ A4

Client: Mr Owen Sayers	Job No: 720LD	Dwg & Rev: AL(0)03A
Project: Replacement House at: 72 Old Dalnottar Road Old Kilpatrick, G60 5DX	Scale: Shown	

david findlay architecture
 Unit B4, Whitecreek Business Centre,
 78 Whitecreek Street, Clydebank, G81 1GF
 T: 0141 951 8800 F: 08717 14329
 E: david@dafindlayarchitecture.com
 Web: www.dafindlayarchitecture.com

APPLICATION NO. D-10/2572 DATE: 22/10/10

This drawing is the copyright of David Findlay Architecture and must not be copied or reproduced without permission. This drawing must not be scaled. Any written dimensions to be respected. Where applicable, all dimensions are to be checked on site. This drawing must be read in conjunction with the contract specification and all other architects / engineers, layouts, schedules and details.

WEST DUNBARTONSHIRE COUNCIL
REPORT OF HANDLING (Delegated)

APP NO: DC10/252/FUL

CASE OFFICER: Mr Bernard Darroch

ADDRESS/SITE: Former Anbarda, Old Dalnottar Road, Old Kilpatrick, West Dunbartonshire

PROPOSAL: Demolition of existing house and erection of replacement dwellinghouse

1.0 Site Description/Development Details

Planning permission is sought for the demolition of an existing bungalow and the erection of a replacement house at 72 Old Dalnottar Road, Old Kilpatrick. The plot currently extends to approximately 630 square metres and is occupied by a 1930s style detached bungalow. The property is understood to be in poor internal condition, and it has been vacant for a number of years. It is currently boarded up and covered with graffiti.

The current proposal seeks to reduce the size of the plot to approximately 400 square metres (the remainder of the rear garden would become additional garden ground for the neighbouring property, which is owned by the applicant) and to erect a 1½ storey detached house. Internally, the new property would have four bedrooms on the upper level, a dining kitchen, family room, lounge and rear conservatory on the ground floor. Each of the bedrooms on the upper level would have a hipped dormer window, with two on the front elevation and two on the rear elevation. Externally, the property would be finished in dry dash render and interlocking concrete roof tiles. A driveway with space for 3 cars would be formed at the side of the house.

Prior to the submission of the application, pre-application discussions were undertaken and three proposals for the site were considered. These options consisted of; refurbishing the existing property with a rear extension and attic conversion, re-roofing the existing property with a rear extension and attic conversion, and demolishing the property and erecting a new house. The applicant's preferred option was the refurbishment of the property. The reduction in the size of the garden was discussed at that time and it was pointed out that this could impact on the acceptability of extending/replacing the house.

2.Consultations

West Dunbartonshire Council Environmental Health and Roads Services, and Scottish Water all have no objection to the proposal.

3. Application Publicity

None.

4. Representations

None.

5. Relevant Policy

West Dunbartonshire Local Plan

H4 – Housing Development Standards

H5 - Housing within Existing Residential Area

Policy H4 sets out criteria for assessing new housing developments. These include allowing 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.

The site lies within an existing residential area and is covered by policy H5. This policy seeks to protect and enhance the character and amenity of the area, and indicates that any development should not be out of character in terms of its scale, density, design, plot size or use of materials. It also seeks to prevent overdevelopment of a site or any development that would have an adverse impact on the local amenity, access, parking or scale of neighbouring buildings. It further states that any new house and its garden should be in keeping with the surrounding area.

6. Appraisal

There is a mix of housing in the surrounding area, ranging from a block of flats to terraced housing, and the erection of a larger 1½ storey replacement house is acceptable in principle. The new house would be pushed slightly further forward in its plot than the existing building, but there is no clear building line on this part of Old Dalnottar Road and the house would still be well set back from the street. The new house would be of a modern suburban style which is appropriate for this location, and the materials, access and parking arrangements would be acceptable. There would be no overshadowing or overlooking of existing properties.

However, the reduction in the size of the existing garden would result in the new house having a rear garden only 8m long at its longest point, and only 4.5m long relative to the conservatory. Whilst the total plot size of 630m² is reasonably large by modern standards, and compares favourably with some (smaller) houses nearby, the shallowness of the rear garden is not considered acceptable. The proposed property is a fairly large 4-bedroomed house, and combined with the proposed conservatory even a relatively small 'permitted development' rear extension would have the capacity to take up most of the rear garden. The first

floor rear windows would also be only 8m away from the boundary with what would now be the neighbour's garden.

These issues have been discussed with the applicant. It was recommended that a larger proportion of the existing plot be retained so that the rear garden is a minimum of 12m in depth. The agent prepared alternative plans showing such an arrangement, and an alternative layout with the rear garden tapering from 10m to 14m in length, but the applicant is unwilling to alter the proposal in either of these ways. The applicant is willing to move the house forward, however it is only considered acceptable to move the house further forward by around 1m which would still leave an inadequate rear garden.

Therefore, whilst the alteration of garden boundaries does not itself require planning permission, the result of this is that the plot is not long enough to satisfactorily accommodate the particular house proposed. This could be addressed by enlarging the garden onto land under the applicant's control, or by proposing a smaller new house. Overall, the proposal as it stands is considered to be unacceptable as it would represent overdevelopment of the site and would not have adequate private garden space or room for reasonable expansion within permitted development limits.

7. Added Value

None.

8. Recommendation

Refuse planning permission.

9. Reasons

01. **The proposal is contrary to Policies H4 and H5 of the West Dunbartonshire Local Plan, as it would result in the erection of a large dwellinghouse with an unacceptably small private rear garden, with insufficient room to allow for future extension and with resultant overlooking of the neighbouring garden land to the rear. The proposal would therefore be overdevelopment and would detract from the amenities of both the new and the neighbouring properties.**

FOR NOTING

Informatives

01. ***The plans referred to as part of this decision are Drawing No(s). AL(0)01A, AL(0)02A, AL(0)03A & AL(0)04A.***