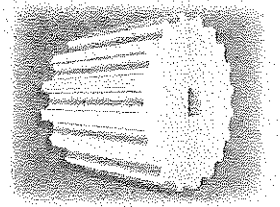


APPLICANT'S INFORMATION:

DC10/249/FUL





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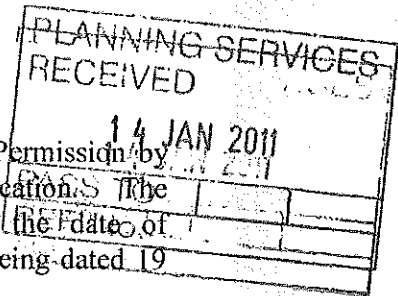
REQUEST FOR REVIEW

PLANNING STATEMENT

**Proposed Sub-Division of Garden Ground
And Erection of Dwellinghouse
17 Glenhead Road, Clydebank, G81 3RX**

Mr Stephen O'Neill

This Request for a Review relates to the Refusal of Planning Permission by West Dunbartonshire Council for the above Planning application. The application was processed under Ref: DC10/249/FUL with the date of registration being 20th August 2010 and the Decision Notice being dated 19 October 2010.



In summary the application sought Planning Permission to sub-divide part of the side garden ground belonging to the flatted property (4 in a block) owned by the applicant Mr Stephen O'Neill and to thereafter introduce a detached dwellinghouse. A similar development had recently taken place on the side garden of the neighbouring property and Mr O'Neill therefore hoped to undertake a similar project, which would allow him to remain within the same locality but would result in him having a house with all the benefits of the latest Building Standards.

From the outset it was appreciated that this project was by no means clearcut vis-à-vis Planning considerations but the close proximity of a similar type of development offered a recently approved precedent. It was on this basis that detailed plans were prepared and the Design Brief for the new house defined by HLD required that it reflect the scale, character and materials of the neighbouring properties, that it should in effect complement the streetscene and not look out of place. It should also adopt the same building lines as exhibited by the properties on Glenhead Road and Elm Road and if possible include provision for off-street car parking (although on-street parking is common place throughout this residential area).

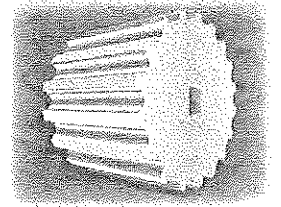
A footprint for the new house was identified from the foregoing criteria and thereafter an external appearance, window and door (fenestration) arrangement and a hipped roof profile were all combined to develop the house design. As is normally the case, it was considered preferable to illustrate by means of a Full rather than Outline (Planning Permission in Principle) application how the proposed house would look and relate to the neighbouring properties.

It became evident that a four apartment, two-bedroomed house would be possible within a two-storey detached building, albeit having to be within a narrower depth of building than the adjacent properties. However by ...

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incorporating a rear projection a third bedroom could be formed above a utility room/downstairs toilet. To complement the new house at No 15A a full height front porch was also included, which adds to the visual interest of the proposed house.

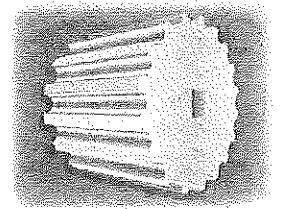
During the processing of the Planning application it was agreed with the Case Officer that the adopted design criteria and the resultant appearance of the proposed house was indeed appropriate and in keeping with the overall scale and character of the surrounding properties. Discussions with the Case Officer regarding the requirements of the Roads Section were also positive in that an acceptable off-street car parking provision was retained for the existing property whilst an acceptable extra off-street provision for two cars was also confirmed for the new house.

The three issues which generated the most discussion were (a) the extent of garden grounds that would be available for the existing flat and for the proposed house, (b) the proximity of the rear of the proposed house to the angular site boundary and the resultant impact upon neighbouring houses and gardens and (c) the retention of an off street parking space for the existing flat.

Subsequent investigation by the applicant and HLD revealed that the garden ground being allocated to the existing flat at No17 compared favourably with the surrounding properties. Similarly the area of proposed garden for the proposed house was also found to be greater than that of neighbouring properties. Although not included in or referred to in the case officers report HLD's e-mail of 4th October, the accompanying plan and HLD's letter of 14th October (see attached copies) gave full details of these findings and during a site meeting the Case Officer accepted these.

With regard to the second aspect, being the impact of the proposed house on the neighbouring properties on Elm Road due to the proximity of the proposed house at its narrowest rear corner to its rear garden boundary, it was agreed with the Case Officer that due to the gable of No's 47 and 49 Elm Road facing the application site being blank i.e. with no windows serving habitable rooms, there would be no direct loss of privacy between the existing and proposed houses.

Therefore on this basis any possible impact in terms of a loss of amenity resulting from the proposed house could really only be upon the side garden of the flats at No's 47 and 49 Elm Road. In the applicant's opinion any such loss of amenity would be minimal. It is the applicant's opinion that all houses and flats within this locality have gardens that are overlooked by a number of surrounding properties and none have total privacy. The situation being created by the proposed house is therefore no different from every other corner sited house in the estate in terms of overlooking of adjacent gardens, albeit two of ...



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the rear windows of the proposed house will be closer than in other situations. Having said this, however, any overlooking from the dining-room of the proposed house, which is the room closest to the site boundary, will be restricted by the presence of an existing timber garage within the neighbouring garden (not shown on the OS extract). As such the views over the neighbouring gardens will be obscured and therefore be no actual impact upon the amenity of the side or rear gardens.

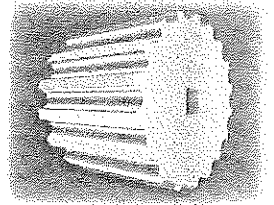
The rear outlook from the proposed lounge is not contentious since the depth of the garden increases and at this point the distance to the boundary fence is comparable with surrounding properties.

The case officers report refers to the unfavourable arrangement for the provision of off street parking for the existing flat, all caused by the shape of the plot. This is not the case. There are numerous instances of front garden off street parking spaces in the area, usually resulting in the upper flat parking space being located wholly in front of and hard against the ground floor flat's windows. In this instance the parking space is to be offset to the side of the garden and separated from the new house by a strip of garden ground.

Taking all of the foregoing into account it is believed that the majority of Planning considerations for an application of this nature have been adequately addressed. As the Case Officer's Report states, the principle of the development is appropriate within a residential area, the proposed house would follow the established building lines and the house appearance and external materials would match those of the surrounding area. Furthermore there are no objections from the Roads and Environmental Health Sections nor from Scottish Water.

The two deciding factors, which appear to have tipped the balance away from a favourable decision, are (i) the proximity of the rear corner of the proposed house to a short section of the angled rear boundary where it is at its closest, and (ii) the angular nature of the rear garden which results in acceptable front and side gardens but an unusually shaped / restricted rear garden. It is accepted that siting a house 1.0m away from the boundary is not ideal but this is far from being a unique situation in West Dunbartonshire and the minimal distance only relates to one rear corner and as such it would not constitute a unique situation worthy of a Refusal. Furthermore, as explained above, its impact upon the neighbouring side garden is not so significant as to justify a Refusal.

The size of the rear garden alone would be 63 sq.m. i.e. over and above the acceptable front and side gardens, and although indicated in the Reason for Refusal as being too small for a detached house it is confirmed in the Report as



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being in keeping with other gardens, of family homes, in the locality. It is therefore doubtful whether this is sufficient reason for a Refusal.

Overall it is believed the proposed house would sit quite comfortably within the streetscene, it would not look out of place, all services are readily available and it would not lead to traffic congestion etc. The suggested downfall of the proposal, being the proximity of the house to the rear boundary, would not be evident to the general public and would result in only a negligible impact upon the side garden of the adjacent flats on Elm Road. For these reasons it is the applicant's belief that the Reasons for Refusal are not robust, the proposal does in fact meet and comply with all of the relevant Planning Policies and considerations and as such the application ought to be approved.

14th January 2011
