

DEVELOPMENT SERVICES
Walsh
PLANNING APPLICATION REPORT
Bute and Cowal Area

Local Members - Councillors MacAlister, McQueen,
Date of Validity - 5th April 2007
Committee Date - 6th June 2007

30th May 2007

Reference Number: 07/00684/NMA;
Applicant's Name: Mr. Kenny Lochhead c/o Arena Architects;
Application Type: Detailed;
Application Description: Erection of five dwellinghouses (amendment to permission 06/00749/DET incorporating changes to design of dwelling on plot 11);
Location: Plot 11, The Meadows, Toward, Argyll

(A) THE APPLICATION

Detailed planning permission (ref. 06/00749/DET) was granted on 12th April 2006 to Drimsynie Construction Ltd for the erection of five dwellinghouses on Plots 7-11 at the Meadows Toward. However, the plots are apparently now being sold on an individual basis and work is nearing completion on the 'approved' one-and-a-half-storey dwellinghouse on Plot 11. During construction the applicant has made some minor changes to the approved scheme and these have been formally submitted as non-material amendments to the originally approved scheme.

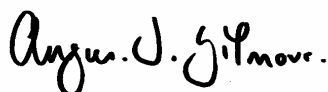
(B) RECOMMENDATION

It is recommended that the changes detailed above be treated as non-material amendments to Planning Permission 06/00749/DET under Section 64 of the Town and Country Planning (Scotland) Act 1997.

(C) DETERMINING ISSUES AND MATERIAL CONSIDERATIONS

While work has continued on site, the department was aware of these changes and that an application for non-material amendments would be made to cover all of the minor alterations and revisions. Having considered each of the alterations in turn the department remains convinced that these changes are considered to be non-material in nature.

In conclusion, the revised roof to the rear extension, alterations to the windows on the upper floor dormers and other minor alterations do not alter the character of the approved dwellinghouse on Plot 11 and collectively considered to be non-material in nature and acceptable. In the event that permission is granted for these 'non-material' changes then the consent of the original applicant (i.e. Drimsynie Construction Ltd) will be required under Section 64 of the Town and Country Planning (Scotland) Act 1997.



Angus J Gilmour, Head of Planning Services

Case Officer:
Area Team Leader

B. Close
D. Eaglesham

01369-70-8604
01369-70-8608

ADVISORY NOTE TO APPLICANT RELATIVE TO APPLICATION REF. 07/00684/NMA

- (i) *Within fourteen days from receiving this Decision Notice, the applicant/developer shall submit details confirming that the consent of the original applicant (i.e. Drimsynie Construction Ltd) has been obtained. Such consent will be required under Section 64 of the Town and Country Planning (Scotland) Act 1997 to implement this permission.*

A. OTHER MATERIAL CONSIDERATIONS

(i) Consultations N/A

(ii) Publicity/Representation:

During the course of this non-material amendment application, three letters of objection have been received from Nigel Clarke, Rose Croft, 1 The Meadows (letter dated 18th April 2007); Mrs. I. Pratt, Caol Na Mara, 3 The Meadows (letter dated 9th May 2007) and from Mrs. I. Pratt, Planning Officer, South Cowal Community Council, Caol Na Mara, 3 The Meadows (letter dated 10th May 2007). In these letters the following concerns are raised :

- *Concern that this house is ¾ completed and feel that the developers are not adhering to the design approved by the Council;*
- *While accepting that it is too late to object to the 1 ½ storey building currently nearing completion, the construction as implanted is pushing the concept beyond any reasonable limit and is an unsuitable development for this site;*
- *Imposing structure is no less tall than a two-storey house, out of proportion to the extent that little else is visible from the kitchen window no longer able to enjoy any privacy in the garden areas;*
- *Plans specified a ridged roof on the extended section with two dormer windows. The construction as implemented has a hipped roof on the rear section with two dormer windows replaced by full height external doors each containing a single glazed panel. While these are to be fitted with safety barriers, these could be replaced by balconies in the future;*
- *The approved arrangement offered a better solution in respect of privacy with the intervening ridged roof limiting the extent to which adjacent properties could be overlooked;*
- *Changes proposed could result in overlooking of properties at 1 and 2 The Meadows and could create a precedent for other dwellings in the development;;*
- *Concern over loss of privacy that will be inflicted as a result of the development.*

B. POLICY OVERVIEW

N/A

C. ASSESSMENT

The Proposal

The applicant's agent has confirmed that the changes to the approved scheme comprise:

- a) the overall width of the main block has been increased by 310mm;
- b) rooflights to the link corridor have been deleted;
- c) the roof of the lounge has been formed with a double hip roof forming a point;
- d) due to alterations of the internal layout the windows to the rear of the dining room have been doubled up to match the room opposite;
- e) the side window to the gable has been moved nearer the front and a new side door has been added;
- f) the rear apartment windows have been extended to floor level and openable with barrier;
- g) the face of the dormers are to be rendered in place of timber linings;
- h) the proposed and existing ridge height levels are unchanged.

Assessment

Notwithstanding the concerns raised above, this application is only to determine whether the changes proposed are 'material' or 'non-material' in nature in a comparison of the approved scheme and not to reassess the original proposal for five dwellinghouses that has the benefit of planning permission. It should also be noted that the main dwellings (Plots 1 and 2, The Meadows) apparently affected by the changes to the dwellinghouse on Plot 11, lie some 60-70 metres distant. Since no change has been made to either the ridge height or the depth of the building, this generous separation distance remains unaffected.

In assessment of the proposed changes (and taking on board some of the valid planning concerns raised above) it will be necessary to detail the changes below.

a) the overall width of the main block has been increased by 310mm;

Comment – This increase in width is considered to be insignificant.

b) roof lights to the link corridor have been deleted;

Comment – Noted and their deletion simplifies and improves the appearance of the link corridor.

c) the roof of the lounge has been formed with a double hip roof forming a point;

Comment – the approved scheme depicts a pitched roof extension that served to partially block views from the upper floor windows. The revised scheme indicated a hipped roof extension that displays an improved relationship with the main dwellinghouse and reveals more of the rear elevation. The original ridge height of this rear extension remains as approved at 5 metres. The changes made are seen as a reduction in the overall scale of the extension.

d) due to alterations of the internal layout the windows to the rear of the dining room have been doubled up to match the room opposite;

Comment – Noted but this alteration is considered to be insignificant and improves vertical emphasis and symmetry of fenestration on rear elevation of main building;

e) side window to the gable has been moved nearer the front and a new side door has been added;

Comment – The insertion of a small kitchen window and door on the side (north) gable elevation does not give rise to any concerns as the proposed dwellinghouse on Plot 10 would be at a distance of 21 metres.

f) the rear apartment windows have been extended to floor level and openable with barrier;

Comment – This aspect appears to be creating concerns for the residents of the dwellinghouses at Plots 1 and 2 The Meadows adjacent. The change to the fenestration and deepening of the window openings does not materially affect the character of the rear of the proposed dwellinghouse. The insertion of “Paris Balconies” from the upper bedrooms would not give rise to any significant concerns of overlooking or loss of privacy given the 60-70 metre separation distance. It would seem reasonable to expect the occupants of the Meadows Phase 2 scheme to enjoy the easterly aspect as occupants of Phase 1 currently do.

g) the face of the dormers are to be rendered in place of timber linings;

Comment – Noted. Not significant.

h) the proposed and existing ridge height levels are unchanged.

Comment – No reason to doubt the agents comment and drawings. Both approved and proposed ridge height levels are shown at 8.2 metres.