

<b>Report To:</b>	<b>The Planning Board</b>	<b>Date:</b>	<b>3<sup>rd</sup> June 2009</b>
<b>Report By:</b>	<b>Head of Planning and Housing</b>	<b>Report No:</b>	<b>09/0093/IC Plan 06/09</b>
<b>Contact Officer:</b>	<b>Guy Phillips</b>	<b>Contact No:</b>	<b>01475 712422</b>
<b>Subject:</b>	<b>Installation of CCTV cameras (pole and soffit mounted), gas lanterns at entrance gates, erection of play equipment, summerhouse, garden room gymnasium, garden shed, 2.4 m high timber screen fencing on east boundary and replacement of timber fascia and soffit boards with upvc. at</b>  <b>The Manor</b> <b>Rowantreehill Quarry</b> <b>Houston Road</b> <b>Kilmacolm</b>		

## **SITE DESCRIPTION**

The Manor is a large, new build house on Houston Road, Kilmacolm, within the Kilmacolm Conservation Area.

To the north the site is bound by the wall of the former Rowantreehill Quarry and the houses, "High Muirhouse" and "Cherry Trees Cottage". To the east is a plot with planning permission for the erection of a house, to the south is Houston Road and to the west is an access serving "Windyridge" and "High Muirhouse"

## **PROPOSAL**

In October 2000 planning permission was granted for the erection of a house. Amendments to the house design were approved in September 2005 with further amendments approved in December 2007.

At the January meeting of the Planning Board a planning application for the replacement of timber windows with UPVC windows, change of turret roof covering from tiles to slate, erection of 2 fixed CCTV cameras and poles, erection of play equipment, erection of summerhouse, erection of garden room gymnasium, replacement of timber fascia and soffit boards with UPVC and erection of timber screen fence along east boundary and erection of a garden shed was refused as:-

1. The window design does not have a stepped profile and as such; (a) fails to accord with the design guidance in the Council's PPAN 11, (b) fails to respect the special architectural and visual qualities that gave rise to the Conservation Area's designation, contrary to the advice in Historic Scotland's Memorandum of Guidance on Listed buildings & Conservation Areas, (c) is unsympathetic to the appearance of the Conservation Area, contrary to Policy HR11 of the Local Plan, (d) has an adverse impact when viewed from Houston Road, contrary to Policy HR12 of the

Local Plan and (e), fails to safeguard the character and amenity of the residential area contrary to Policy H1 of the Local Plan.

2. The turret roof finish, CCTV pole at the site entrance onto Houston Road and play equipment fail to respect the special architectural and visual qualities that gave rise to the Conservation Area's designation and as such are (a) contrary to the advice in Historic Scotland's Memorandum of Guidance on Listed Buildings & Conservation Areas, (b) are unsympathetic to the appearance of the Conservation Area, contrary to Policy HR11 of the Local Plan, (c) and have an adverse impact when viewed from Houston Road, contrary to Policy HR12 of the Local Plan and (e) fails to safeguard the character and amenity of the residential area contrary to Policy H1 of the Local Plan.

The planning application refused in January was retrospective in terms of the windows, turret roof covering, CCTV cameras and poles, play equipment, summerhouse, UPVC soffit and fascia boards, timber screen fencing and garden shed.

Following the refusal of planning permission an Enforcement Notice was served requiring the removal of those items specified as unacceptable in the reasons for refusal (the windows, turret roof covering, CCTV camera and pole at the site entrance and play equipment). The Enforcement Notice is the subject of a current appeal to the Scottish Government.

The application under consideration in this report is retrospective for the CCTV camera and pole adjacent to the former quarry wall, summerhouse, UPVC soffit and fascia boards, 2.4m high timber screen fencing at east boundary, garden shed and gas lanterns. Also proposed is the erection of a CCTV camera mounted on the garage soffit, in lieu of the pole mounted camera at the site entrance, the relocation of play equipment from its current position fronting Houston Road to the rear (north) of the site, and a garden room/gymnasium redesigned with a pitched roof.

The gas lanterns have been added to the gate piers since the previous planning application was refused. They comprise two shallow, stainless steel dishes with an approximate diameter of 300mm, incorporating a gas burner.

## **LOCAL PLAN POLICIES**

### **Local Plan Policy H1 - Safeguarding the Character and Amenity of Residential Areas**

The character and amenity of existing residential areas, identified on the Proposals Map, will be safeguarded, and where practicable, enhanced. New residential development will be acceptable, in principle, subject to other relevant Local Plan policies.

### **Local Plan Policy HR11 - Development Within and Adjacent to Conservation Areas**

Development proposals both within and adjacent to Conservation Areas will be acceptable where they are sympathetic to the existing character, pattern of development and appearance of the area and the following matters are satisfactorily addressed, as appropriate:

- (a) siting and orientation of new buildings;
- (b) overall design and style;
- (c) scale of building, extension or alteration;
- (d) design details;
- (e) finishing materials; and
- (f) landscaping and boundary materials.

Local Plan Policy HR12 - Impact of Development Within Conservation Areas. When assessing Conservation Area development proposals (both within and adjacent to it) consideration will be

given to the impact they will have on townscape and the wider landscape, especially when viewed from adjacent transport routes and vantage points accessible to the public.

## **CONSULTATIONS**

None

## **PUBLICITY**

The application was advertised in the Paisley & Renfrew Gazette on 22nd April 2009 as a Potential Departure from the Local Plan and as Development Affecting a Conservation Area.

## **SITE NOTICES**

A site notice was posted on 22nd April 2009 for Development Affecting a Conservation Area.

## **PUBLIC PARTICIPATION**

One letter of objection has been received (copy attached).

The objector is concerned that :-

1. The gymnasium should not be used for commercial purposes.
2. The garden hut should have a dark stain applied.
3. The open flame gas lanterns are visually and aesthetically inappropriate in a conservation area.

## **ASSESSMENT**

The material consideration in the determination of this planning application are the Development Plan, the planning history of the site and the letter of objection.

In the Local Plan, Policy H1 seeks to safeguard and, where practicable, enhance the character and amenity of residential areas. To determine whether or not the proposal satisfies the aim of Policy H1, it requires to be assessed against Policies HR 11 and HR12. Policy HR11 advises that development proposals both within and adjacent to Conservation areas will be acceptable where they are sympathetic to the existing character, pattern of development and appearance of the area and a range of criteria are satisfied. Policy HR12 confirms that when assessing development proposals within conservation areas, consideration will be given to the impact they will have on townscape and the wider landscape, especially when viewed from adjacent transport routes and vantage points accessible to the public.

In my report on the previously refused planning application I advised that the fencing and summerhouse have a visual impact which I consider neutral. I also advised that the garden hut does not merit refusal but requires to be dark stained to reduce its visual impact. I offered no objections to the UPVC soffit and fascia boards. These elements have been resubmitted in this application and I consider them to be acceptable.

The proposals to relocate the play equipment away from the Houston Road frontage and to substitute the pole mounted CCTV camera at the site entrance with a camera mounted on the garage soffit are, I consider, sympathetic to the character, pattern of development and appearance of the Conservation Area and ensure that these items do not have an adverse visual impact from Houston Road, all in accordance with Policies HR11 and HR12.

The incorporation of a pitched roof in the proposed garden room/gymnasium, I consider, improves the design and assists in its relationship to "The Manor". The position, at the rear (north) of the site, adjacent to the former quarry wall serves to reduce visual impact when viewed from Houston Road. While the addition of the pitched roof makes the proposed outbuilding more prominent I am satisfied that the improvement to design outweighs any concerns about increase in massing. Overall, the siting, orientation, design, style, scale and design details combine, I consider, to determine that the requirements of Policies HR11 and HR12 are satisfied. I consider that the objector's concern regarding use of the garden room/gymnasium remaining ancillary to the enjoyment of the house can be controlled by condition.

The open flame gas lanterns on the entrance gate piers are a unique feature within the conservation area. The scale of the lanterns is, I consider, not significant in the context of the walling and entrance gates.

Overall, I am satisfied that the proposals satisfy the requirements of Policies HR11 and HR12 and, as such, the aim of Policy H1 of safeguarding residential amenity is achieved.

## **RECOMMENDATION**

That the application be granted subject to conditions

### **Conditions**

1. That the development to which this permission relates must be begun within five years from the date of this permission.
2. That use of the garden room/gymnasium, hereby approved shall only be for purposes incidental to the residential enjoyment of "The Manor".
3. No construction on the garden room/gymnasium shall commence until samples of all external materials have been submitted to and approved in writing by the Planning Authority: development thereafter shall proceed utilising the approved materials, unless the Planning Authority gives its prior written approval to any alternatives.
4. The garden shed, hereby approved shall be dark stained within 4 weeks of the date hereof: details of the proposed stain shall be submitted for the prior written approval of the Planning Authority.
5. That the CCTV camera shall not be mounted on the garage until the existing CCTV camera and pole at the site entrance has been removed.
6. That the play equipment hereby approved shall not be installed until the existing play equipment in the garden, fronting Houston Road has been removed.

### **Reasons**

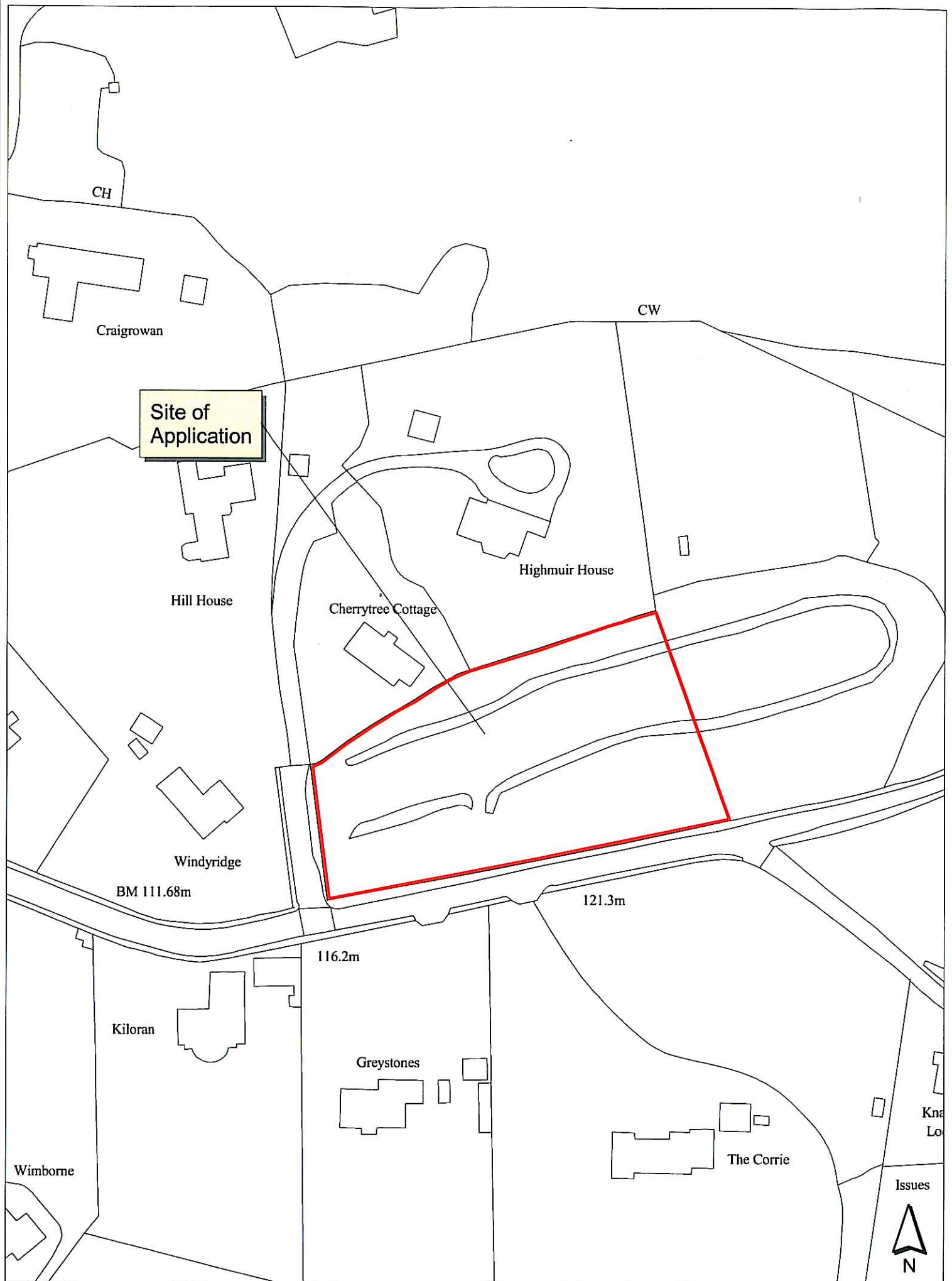
1. To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
2. In the interests of the quality of residential amenity in houses adjoining the site.
3. To ensure a continuity of building material with "The Manor".
4. To minimise the visual impact of the shed, in accordance with Policy HR12 of the Local Plan.

5. In the interests of visual amenity on Houston Road and to accord with Policy HR12 of the Local Plan.
6. In the interests of visual amenity from Houston road and to comply with Policy HR12 of the Local Plan.

F. K WILLIAMSON  
Head of Planning and Housing

#### BACKGROUND PAPERS

1. Application form
2. Application plans
3. Inverclyde Local Plan
4. Planning applications IC/07/373, IC/05/215, IC/00/268R and 08/0243/IC





**Ron Lander OBE BSc FIET FSQA**

**Highmuir House  
Houston Road  
Kilmacolm  
Renfrewshire  
PA13 4NY**

email: regx@ronlander.com

6 May 2009

Inverclyde Council  
Head of Planning Services  
Cathcart House  
6 Cathcart Square  
Greenock  
PA15 1LS

Dear Sir

**Application for Planning Permission**

**Proposed Development at "The Manor", Rowantreehill Quarry, Houston Road, Kilmacolm by Mr S Malcolm**

We refer to the Article 9 Notification dated 9 April 2009 regarding the above and to the nine point list attached and referred to as "1768 – Mr S Malcolm etc". We note that this is a slightly different list from a previous one submitted in November 2008 under the same numerical reference but in the name of Mr B Hughes. Our letter to you dated 10 November 2008 conveyed our views at that time.

For the avoidance of doubt, the following comments relate only to the latest Notice and where our views differ from earlier ones, the latest shall apply. Having examined the plans lodged at the Kilmacolm Library, we feel unable to comment on items numbers 1, 2, 3, 4, 6, & 7 and are content to rely on the judgement of your officials to uphold the development control criteria on these items.

Item 5 appears to relate to a sizable gymnasium incorporating a substantial boxing ring. We should appreciate an assurance that if planning permission is granted, this building will not be utilised for anything other than personal use by residents of "The Manor" and that no commercial or quasi-commercial use will be permitted.

Item 8 presumably relates to the already erected "garden shed" between two mature trees on the perimeter of the garden opposite the main entrance to Windyridge. If the adverse visual impact of this shed cannot be reduced by moving it a few metres north towards the quarry face, we strongly urge that it be treated with an appropriate, dark-coloured wood preservative so that it tones in better with the surrounding trees and shrubbery.

Finally, we believe that the open-flame gas lanterns referred to in 9 are inappropriate, visually and aesthetically, especially in a conservation area.

We trust you will find the foregoing helpful.

Yours faithfully

Ron Lander

Elizabeth Lander