

Public Document Pack

Argyll and Bute Council
Comhairle Earra Ghaidheal agus Bhoid

Corporate Services
Director: Nigel Stewart



22 Hill Street, Dunoon, Argyll, PA23 7AP
Tel: 01369 704374 Fax: 01369 705948

29 July 2008

NOTICE OF MEETING

A meeting of the **BUTE AND COWAL AREA COMMITTEE** will be held in the **QUEEN'S HALL, DUNOON** on **TUESDAY, 5 AUGUST 2008** at **10:00 AM**, which you are requested to attend.

Nigel Stewart
Director of Corporate Services

BUSINESS

- 1. APOLOGIES**
- 2. DECLARATIONS OF INTEREST**
- 3. MINUTES**
 - (a) Minute of Area Committee of 1st July 2008 (Pages 1 - 6)
- 4. CORPORATE SERVICES**
 - (a) Verbal Report on Dunoon - Gourock Ferry Service
 - (b) Area Capital Receipts (Pages 7 - 24)
- 5. OPERATIONAL SERVICES**
 - (a) Capital Receipts for Pedestrian Crossings and Ramps - report to follow
 - (b) Dunoon Traffic Management - report to follow
- 6. PUBLIC AND COUNCILLOR QUESTION TIME**

7. DEVELOPMENT SERVICES

- (a) Change of Use Application 08/00845/COU, Kashmir & Rajni Ram, Papa Rams, Jackson House (formerly Lazaretto Point Hotel), Shore Road, Sandbank (Pages 25 - 38)
- (b) Planning Application 07/02324/DET, Mrs K Fyfe, Ascog Stables, Balmory Road, Ascog (Pages 39 - 48)
- (c) Outline Planning Application 08/00859/OUT, Thomas Hill, Ground adjacent Eldon, The Bay, Strachur (Pages 49 - 58)
- (d) Non-material Amendment 08/00874/NMA, Cowal Leisure, Hunters Quay Holiday Village, Hunters Quay (Pages 59 - 66)
- (e) Planning Application 08/00700/DET, Stewart Shaw Ltd, Seabank, Shore Road, Sandbank - report to follow
- (f) Delegated Development Control and Building Control Decisions (Pages 67 - 86)

8. EXEMPT ITEMS

- E1** (a) Former Tighnabruaich School Hall - Proposed Sale (Pages 87 - 90)
- E2** (b) Pier Head Office, Dunoon Pier (Pages 91 - 96)
- E3** (c) Temporary Right of Access, Newton Park, Innellan (Pages 97 - 100)
- E4** (d) Proposed Lease - Bute Allotment Association (Pages 101 - 104)
- E5** (e) Enforcement Reports (Pages 105 - 128)

EXCLUSION OF THE PRESS AND PUBLIC

The Committee will be asked to pass a resolution in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973 to exclude the public for items of business with an "E" on the grounds that it is likely to involve the disclosure of exempt information as defined in the appropriate paragraph of Part I of Schedule 7a to the Local Government (Scotland) Act 1973.

The appropriate paragraph is:-

E1 – E4 - Paragraph 9 Any terms proposed or to be proposed by or to the authority in the course of negotiations for a contract for the acquisition or disposal of property or the supply of goods or services.

E5 - Paragraph 13 Information which, if disclosed to the public, would reveal that the authority proposes-

- (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
- (b) to make an order or direction under any enactment.

BUTE & COWAL AREA COMMITTEE

Councillor Robert Macintyre
Councillor Alister McAlister
Councillor James McQueen
Councillor Ron Simon
Councillor Dick Walsh

Councillor Bruce Marshall (Chair)
Councillor Alex McNaughton
Councillor Len Scoullar (Vice-Chair)
Councillor Isobel Strong

Contact: Shirley MacLeod, Area Corporate Services Manager

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**MINUTES of MEETING of BUTE AND COWAL AREA COMMITTEE held in the QUEEN'S HALL,
DUNOON
on TUESDAY, 1 JULY 2008**

Present: Councillor B Marshall (Chair)

| | |
|-------------------------|----------------------|
| Councillor A MacAlister | Councillor R Simon |
| Councillor R Macintyre | Councillor I Strong |
| Councillor A McNaughton | Councillor J R Walsh |
| Councillor J McQueen | |

Attending: Shirley MacLeod, Area Corporate Services Manager
David Eaglesham, Area Team Leader, Development Control

1. APOLOGIES

An apology for absence was intimated on behalf of Councillor Scoullar.

2. DECLARATIONS OF INTEREST

Councillor R Macintyre declared a non financial interest in agenda item 4b by reason being a friend of the applicant. Councillor B Marshall declared a non pecuniary interest in item 4e by reason of having dealt with the applicant on a business matter. Having declared these interests the Members left the meeting while these matters were being discussed and took no part in the consideration of them.

3. MINUTES

(a) MINUTE OF AREA COMMITTEE OF 3RD JUNE 2008

The Minute of the Area Committee of 3rd June 2008 was approved as a correct record with an amendment to the 7th word on the first line of the second paragraph, of agenda item 4a to read "netball" instead of "badminton"

(b) MINUTE OF PLANNING HEARING 07/01171/OUT OF 21ST MAY 2008

The Minute of Planning Hearing 07/01171/OUT of 21st May 2008 was approved as a correct record with an amendment to the 3rd word on the last line of the first paragraph, of summing up to read "principle" instead of "principal".

(c) MINUTE OF PLANNING HEARING 08/00550/DET OF 21ST MAY 2008

The Minute of Planning Hearing 08/00550/DET of 21st May 2008 was approved as a correct record with an amendment to the last word on the last line of the first paragraph, of summing up to read "principle" instead of "principal".

4. DEVELOPMENT SERVICES

- (a) **PLANNING APPLICATION 08/00322/DET, TARYA ANN WATSON, 106 DIXON AVENUE, DUNOON**

Motion

The application be approved because the scale and situation of the proposed extension will not dominate and should not have an adverse effect upon neighbours and provided materials are complimentary the extension will meet Policy BE9 of the Cowal Local Plan and LP POL HOU5 of the Argyll and Bute Local Plan. Because the design is not unsympathetic in the context of the surrounding streetscape the extension will not contravene Policy BE9 of the Cowal Local Plan, and LP ENV19 of the Argyll and Bute Local Plan.

For these reasons and the expressed need by the applicant I wish to put a motion that planning permission be granted subject to the standard conditions and reason, with an informative to the applicant regarding private land ownership considerations.

Proposed: Councillor B Marshall
Seconded: Councillor A MacAlister

Decision

The Committee unanimously agreed that the planning application be approved subject to the standard conditions by the Head of Planning Services.

(Reference: Report by the Head of Planning Services dated 23rd May 2008 – submitted)

- (b) **OUTLINE PLANNING APPLICATION 07/01330/OUT, MR D HAIG, GROUND TO REAR OF ST BLANES HOTEL, KILCHATTAN BAY, ISLE OF BUTE**

Councillor R Macintyre, having declared a non financial interest in this item, left the meeting and took no part in the discussion of this matter.

Decision

The Committee agreed that the planning application be approved subject to the standard conditions by the Head of Planning Services.

Councillor I Strong asked for her dissent with this decision to be recorded in the minutes.

(Reference: Report by the Head of Planning Services dated 23rd June 2008 and 19th November 2007 – submitted)

(c) **PLANNING APPLICATION 07/01931/DET, JOHN MCGINNES, 2 COLBECK PLACE, COLBECK LANE, ROTHESAY**

Motion

That the planning application be approved because the windows closely match in appearance the non original windows which are to be replaced. The replacement windows would not have an adverse impact on the special architectural interest of the building and therefore can be justified in term of the policies STRAT DC9 of the Argyll and Bute Structure Plan POL BE6 of the Bute Local Plan and Policies LP ENV13a and LP ENV14 of the Argyll and Bute Local Plan.

I move that the application for Listed Building Consent be notified to Scottish Ministers with an indication that the Council is minded to grant Listed Building Consent subject to the standard conditions and reasons.

I move that the application for Planning Permission be granted subject to the standard conditions and reasons with a note to the applicant advising not to proceed until Listed Building Consent has been issued.

Proposed: Councillor I Strong
Seconded: Councillor A McNaughton

Decision

The Committee unanimously agreed that the planning application be approved subject to the standard conditions and reasons by the Head of Planning Services.

(Reference: Report by the Head of Planning Services dated 23rd June 2008 – submitted)

(d) **LISTED BUILDING CONSENT 07/01929/LIB, JOHN MCGINNES, 2 COLBECK PLACE, COLBECK LANE, ROTHESAY**

Motion

That the listed building application be approved because the windows closely match in appearance the non original windows which are to be replaced. The replacement windows would not have an adverse impact on the special architectural interest of the building and therefore can be justified in term of the policies STRAT DC9 of the Argyll and Bute Structure Plan, POL BE6 of the Bute Local Plan and Policies LP ENV13a and LP ENV14 of the Argyll and Bute Local Plan.

I move that the application for Listed Building Consent be notified to Scottish Ministers with an indication that the Council is minded to grant Listed Building Consent subject to the standard conditions and reasons.

I move that the application for Planning Permission be granted subject to the standard conditions and reasons with a note to the applicant advising not to proceed until Listed Building Consent has been issued.

Proposed: Councillor I Strong
Seconded: Councillor A McNaughton

Decision

The Committee unanimously agreed to notify Scottish Ministers that the listed building consent be approved subject to the standard conditions and reasons by the Head of Planning Services.

(Reference: Report by the Head of Planning Services dated 23rd June 2008 – submitted)

(e) **PLANNING APPLICATION 07/02258/DET, SARAH BLACK, BAY COTTAGE, STRACHUR**

Councillor B Marshall, having declared a non financial interest in this item, left the meeting and took no part in the discussion of this matter. Councillor J R Walsh took over the chair while Councillor Marshall was absent.

Motion

That the application be approved as a minor departure from the development plan for the reasons below, subject to the standard condition and reason and further conditions regarding access and parking to be delegated to the Head of Planning Services.

Reasoned Justification for a Departure from the Provisions of the Development Plan.

The proposal is contrary to the provisions of Policy POL HO 9 “Sensitive Settlements” of the Cowal local Plan 1993. However, this Plan is now seriously out of date and the site lies within the Settlement Zone of Strachur as shown in the Argyll and Bute Modified Finalised Draft Local Plan 2006. At this part of the village, there is limited development on the shore side of the A886 but the pattern of development is dictated by the depth of the available plots and there is adequate room to construct a dwellinghouse on this plot without unreasonably impacting on either the amenities of adjacent properties or adversely affecting the character of the developed coast. Moreover, there would appear to be little opportunity to develop additional land on the shoreward side of the A886, so the proposal would not set an undesirable precedent for further development. The proposal therefore represents acceptable development of the settlement of Strachur on the west of the A886 in accordance with the Argyll and Bute Local Plan, and can be approved as a minor departure form the Cowal Local Plan.

Proposed: Councillor R Simon
Seconded: Councillor A McNaughton

Decision

The Committee unanimously agreed that the planning application be

approved subject to the standard conditions and reasons by the Head of Planning Services, and further conditions regarding access and parking to be delegated to the Head of Planning Services.

(Reference: Report by the Head of Planning Services dated 24th June 2008 – submitted)

- (f) **CHANGE OF USE APPLICATION 08/00845/COU, KASHMIR & RAJNI RAM, PAPA RAMS, JACKSON HOUSE (FORMERLY LAZARETTO POINT HOTEL), SHORE ROAD, SANDBANK**

Motion

The change of use be approved subject to the conditions contained in the report by the Head of Planning Services.

Proposed: Councillor R Macintyre
Seconded: Councillor A MacAlister

Amendment

The change of use application be continued for a period of one month for clarification on potential bad neighbour development with regards to noise and smell.

Proposed: Councillor B Marshall
Seconded: Councillor R Simon

With the matter being put to a vote 3 voted for the Motion and 5 for the Amendment.

Decision

The change of use application be continued for a period of one month for clarification on potential bad neighbour development with regards to noise and smell.

(Reference: Report by the Head of Planning Services dated 24th June 2008 – submitted)

5. EXEMPT ITEMS

- (a) **ENFORCEMENT REPORTS - TO FOLLOW**

Decision

Enforcement Report 03/00084/ENFOTH - noted

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ARGYLL & BUTE COUNCIL
**BUTE AND COWAL AREA
COMMITTEE**
CORPORATE SERVICES
5th August 2008

CAPITAL RECEIPTS

1. SUMMARY

- 1.1 The Executive Committee decision to allow the Area Capital Receipt Fund to be used for one off contributions to a strategic event or community asset (where these contribute to the Council's Corporate Plan, Area Strategies or Statement of Intent) requires an application procedure to be put in place to deal with any external applications.

2. RECOMMENDATION

- 2.1 That Members approve the Application Procedure and criteria should they wish to consider requests from external organisations which would be eligible under the Capital Receipt Fund.

3. BACKGROUND

- 3.1 The Head of Strategic Finance has previously reported the changes to the Area Capital Receipt Funds which means that Area Committees, if they wish, can make a one off contribution to eligible external organisations. Area Committees can determine for themselves whether they wish to make any external grants, or whether they wish to restrict the use of the fund to eligible Council capital spend.
- 3.2 If an Area Committee wishes to consider a request from an external organisation then these would be dealt with as per the Application Process detailed in Appendix 1. The application form is contained within Appendix 2.

4. IMPLICATIONS

| | |
|----------------------------|--|
| Policy | As per guidance given by Executive Committee |
| Financial | As per guidance given by Executive Committee |
| Personnel | None |
| Equal Opportunities | Details captured in application form |
| Legal | None |
| Community | Supporting Events and community assets. |

For further information contact: Shirley MacLeod, Area Corporate Services Manager,
shirley.macleod@argyll-bute.gov.uk Tel 01369 704374

AREA CAPITAL RECEIPT FUND

- **ONE OFF ASSISTANCE FOR STRATEGIC EVENTS**
- **ONE OFF ASSISTANCE FOR STRATEGIC COMMUNITY ASSETS**



Argyll and Bute Council

Welcome to the Argyll and Bute Council Grant Application Pack for the Area Capital Receipt Fund. This application is available from Area Corporate Service Managers (See page 2 for contact details). This pack covers grants from the Area Capital Receipt Funds which can be made on a one off basis to strategic events and community assets which contribute to the Council's Corporate Plan, Statement of Intent or Area Strategies.

Introduction

This pack has been designed to make it as simple as possible for you to apply for a grant from Argyll and Bute Council. It will ascertain whether your organisation passes the grant criteria in order to submit an application.

It should be noted that this Fund is used primarily as a source of funding for capital spend on Council assets and as such it is likely that Council assets will take priority. The amount available through Area Capital Receipt Funds changes from year to year and there is no prescribed timescales for awards to be made. Individual Area Committees may decide to take applications at any time. Prospective applicants are asked to make contact with the Area Corporate Services Manager, **before completing this form**, to find out whether funds are still available within the annual fund and to discuss timescales and eligibility.

Criteria for grants

Please read the criteria carefully and, if appropriate, complete the form and submit it to the relevant Area Corporate Services Manager who will acknowledge its receipt and where possible give guidance on timescale for consideration. Once your completed application has been received it will be passed to the appropriate person for assessment.

Assessment of applications

All applications for financial assistance require to be assessed by the Council's officers to ensure that they meet the criteria for grant assistance. To help your application to be dealt with as quickly as possible please make sure you supply **all** information required (a checklist is provided for you on page 18).

Once the officer has assessed the application, which may involve contacting or visiting you for more details, they will either:-

1. Submit the application to the appropriate Council Committee for consideration.
Please note that Council Officers do not make decisions on the granting of funds, or
2. Write to inform you that the application does not meet the criteria, and return all your material.

PLEASE NOTE THAT ONLY FULLY COMPLETED APPLICATION FORMS CAN BE PROCESSED.

Please make sure you complete the form in black ink.

The application and guidelines can be emailed to your organisation.

LIST OF CONTACTS**Area Corporate Services Managers**

| | | |
|-----------------------------------|--|-----------------|
| Bute and Cowal | Shirley MacLeod Shirley.macleod@argyll-bute.gov.uk 22 Hill Street Dunoon PA23 7AP | 01369 704374 |
| Oban, Lorn & the Isles | Ken MacDonald Kenneth.macdonald@argyll-bute.gov.uk Lorn House Albany Street Oban PA34 4AR | 01631 567901 |
| Helensburgh & Lomond | Lynn Smillie Lynn.smillie@argyll-bute.gov.uk Scotcourt House 45 West Princes Street Helensburgh G84 8PB | 01436 658822 |
| Mid Argyll, Kintyre & the Islands | Alison Younger Alison.younger@argyll-bute.gov.uk Dalriada House Lochnell Street Lochgilphead PA31 8ST | 01546 604558 |

CRITERIA FOR GRANT APPLICATIONS

General - The following criteria apply to all applications for financial assistance from the Council:

1. Applications must clearly demonstrate the strategic link of the event / asset to the Corporate Plan, Statement of Intent, or Area Strategy (see Pages 5, 6).
2. Only applications submitted by properly constituted organisations operating on a non-profit making basis will be considered.
3. The Council will have to be satisfied that the organisation has the necessary expertise and resources to deliver the project / event.
4. Applications should demonstrate their fund-raising activity or evidence of contribution to the delivery of the project / event in kind or in cash.
5. Applicants will normally only receive up to 50% of their total funding costs for any activities.
6. Applications will not be accepted in respect of proposals on which work has already started, or in aid of expenditure that applicants have already committed themselves to or paid, unless there are exceptional circumstances.
7. Applications will only be considered if they include a copy of an organisation's most recent audited or approved accounts, or financial projection in the case of a new organisation. Accounts can only be approved by someone independent of the organisation submitting the application. This person's name and address must be supplied.
8. Applications will only be considered if they include a statement showing how much the organisation has in **all** bank or other accounts. A Council officer will assess this statement. If an organisation has significant balances a full justification for their existence, and a statement detailing why they cannot be used for the purposes for which grant assistance is being sought, should be provided.
9. Applicants must be able to demonstrate that membership of their organisation is open to all members of the community and that it does not unfairly discriminate against anyone on the grounds of race, gender, creed, ethnic origin, sexual orientation, age or disability.
10. Grants will not be provided for any activity, which is designed to promote or oppose the view on any question of political activity, which is identifiable as the view of one political party and not of another.
11. Organisations are obliged to disclose details of any sponsorship agreements that they make.
12. Applications should demonstrate that services to be provided are consistent with, and will further, stated policies and priorities of the Council.
13. Where applicable in dealing with children under 18, vulnerable individuals or groups, organisations must be registered with CRBS and have all appropriate policies in place and meet all legal obligations.
14. All organisations receiving funding must credit Argyll and Bute Council by displaying the A&B logo on all publicity material (posters, leaflets, programmes, press releases, invitations) and produce details of what form this will take on application.
15. On completion of the project / event, a report and financial statement must be submitted. Those receiving grants will be required to keep full and complete records/receipts throughout the project. Organisations should give an honest appraisal of the successes, failures and uptake of the project / event.

Community Asset - The following criteria apply to all applications for financial assistance for one off support towards a community asset:

1. Premises, land or equipment in respect of which a grant is given should either be in the ownership of the applicant or secured by lease for a period of not less than 21 years.
2. A business case must be submitted which covers:
 - Estimate of capital costs and explanation of how this has been calculated e.g. by an architect
 - Sustainability of asset including any ongoing revenue / maintenance costs
 - Statement of funding identifying that which is secured and being considered
 - How the assets will be managed during construction and in the future
3. Payment will normally be made in phases as the project progresses and copies of any statutory permissions (e.g. Planning permission, Building Warrant) must be provided prior to any release of funds.

Strategic Event - The following criteria apply to all applications for financial assistance for one off support towards a strategic event:

1. Funding for strategic events is strictly of a one-off nature.
2. The total event cost must be no less than £12,000 of which the Council can contribute no more than 50%.
3. An income / expenditure projection is required to be submitted.

Pictorial reps of Corporate plan and relevant area Strategy to be included in next 2 pages.

Argyll and Bute Council

Area Capital Receipt Fund



Application Form

Ref

Information Regarding your Organisation

Please make sure you refer to the guidance notes provided in the general and specific criteria of this pack while you complete this form. Please complete the form clearly in black ink or type.

| | |
|---|---|
| Q1 Help us direct your application to the right person | |
| What Area Of Argyll And Bute Is Your Application For? (Please tick) | Bute and Cowal Helensburgh and Lomond Mid Argyll, Kintyre and the Islands Oban, Lorn and the Isles |
| Which Of The Council Grant Schemes Are You Applying To? (Please Tick) | |
| STRATEGIC EVENT <input type="checkbox"/> | COMMUNITY ASSET <input type="checkbox"/> |

| | | |
|---|--|---|
| Q2 Tell us about your organisation | | |
| Name of the organisation | | |
| If the name on your constitution is different to the name given above please write it here. | | |
| Name of main contact in the organisation. (To whom correspondence will be sent) | | |
| Title | First Name | Surname |
| | | |
| Position Within Organisation | | |
| Address For Correspondence | | |
| Postal Town | Full Post Code | |
| Daytime Telephone: | Evening Telephone: | |
| E-Mail Address | | |
| Special Requirements | | |
| Text Phone <input type="checkbox"/> | Sign Language <input type="checkbox"/> | Other Language <input type="checkbox"/> |
| Any Other Special Requirements | | |
| How long has the organisation been established and providing a service: | | |

Q3 If you are a branch of a larger organisation or a member of an umbrella body, please tell us which one.

| |
|--|
| |
|--|

Q4 What type of group are you? You do not have to be a registered charity to apply for a grant. If you are we require your charity number

| | |
|--|--|
| Not a recognised charity <input type="checkbox"/> | Awaiting charitable recognition <input type="checkbox"/> |
| Charity recognised by OSCR in Scotland | Charity Number |
| Charity recognised in England and Wales | Charity Number |
| If your organisation works with children under 8 years of age, are you registered Care Commission? | Yes <input type="checkbox"/> No <input type="checkbox"/> Don't Know <input type="checkbox"/> |

Q5 When was your organisation established?

| | | |
|-------|------|-----------------------|
| Month | Year | More than 5 years ago |
|-------|------|-----------------------|

Q6 What are the main activities of the organisation

| |
|--|
| |
|--|

Q7 How many people overall with benefit from this grant and in what way?

| |
|--|
| |
|--|

Q8 How many people are involved in running your organisation?

| | | | | | | | |
|-------------------|--|----------------------|--|----------------------|--|------------|--|
| Committee Members | | Paid Staff Full Time | | Paid Staff Part Time | | Volunteers | |
|-------------------|--|----------------------|--|----------------------|--|------------|--|

Q9 How do people join your organisation?

| |
|--|
| |
|--|

Q10 Does your organisation have any identified training needs?

| |
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| |
|--|

Q11 How would you describe the people your group works with?

Please tick the appropriate box to indicate the age of your beneficiaries

- 0 - 14 years 15 - 29 years
 30 - 44 years 45 - 59 years
 60 - 74 years 75 and over

Please tick the appropriate box to indicate the sex of your beneficiaries

- Male Female Both

Are any of your beneficiaries disabled?

- Yes No

What are your beneficiaries ethnic group(s)?

A White

- Scottish Other British Irish

Any other White background please specify

B Mixed

Any Mixed background please specify

C Eastern European

D Asian, Asian Scottish or Asian British

Indian Pakistani

Bangladeshi Chinese

Any other Asian background please write in

E Black, Black Scottish or Black British

Caribbean African

Any other Black background please write in

F Other Ethnic background

Any other background please write in

Q 12 Please make a concise statement of why your grant is needed and the direct contribution it will make to the Council's Corporate Plan, Statement of Intent or Area Strategy.

POLICY AND PROTECTION SECTION

(This section should be completed by all organisations applying for a grant)

| | |
|------------|--|
| Q13 | Do you work with children under 18 years of age or vulnerable adults |
| | Yes <input type="checkbox"/> No <input type="checkbox"/> (If no go to Question 17) |
| Q14 | Are you registered with the Central Registration Bureau for Scotland (CRBS) |
| | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| | Please supply the Registration No: |

FINANCE SECTION

| | | | |
|--|--|----------------------|--|
| Q15 | Tell us how much money you need in order to fund the project you are applying for and give us a breakdown. Please provide evidence of the need for this service / project / activity. (Include staffing costs.) | | |
| | Item / Activity | Amount | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| A | Total | | |
| B | How much of this total are you funding from your group resources? | | |
| C | How much is coming from other agencies | | |
| TOTAL AMOUNT REQUESTED IN THIS APPLICATION (This Equals A-B+C and should be no more than 50% of the total (A) and no less than £6000) | | | |
| | | | |
| Q16 | Tell us about any other grant or current applications you have made to Argyll and Bute Council within the past 5 years | | |
| | Grant Scheme | Description / Amount | Year |
| | | | Successful |
| | | | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| | | | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| | | | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| | | | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| | | | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| Q17 | Are you applying to any other funders for what you have described in this application? | | |
| | Grant Scheme | Description / Amount | Successful |
| | | | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| | | | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| | | | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| | | | Yes <input type="checkbox"/> No <input type="checkbox"/> |

Q18 As this funding is of a one off nature, if this project is intended to extend beyond the grant period, how do you intend funding the project after this time?

| |
|--|
| |
|--|

Q19 Tell us your bank details where payment would be made to.

| | |
|---|-------------------------|
| Account name of group | |
| Bank / Building Society name | |
| Bank / Building Society address | |
| Sort code 6 digits | Account Number 8 digits |
| Building Society roll number (if applicable) | |
| Who from your group is authorised to sign cheques? | |
| Name | Position |
| Name | Position |
| Name | Position |
| If your Treasurer is not one of the authorised signatories, please give the Treasurers name | |
| | |

Q20 Give information relating to your most recent annual accounts. Before completing this section make sure you have read and understood the Councils general criteria.

| | |
|-----------------------------|--|
| Account year ending | |
| Name and address of auditor | |
| Total (gross) income | |
| Minus total expenditure | |

| | |
|---|--|
| Equals surplus / deficit for the year | |
| Savings (reserves, cash or investments) | |
| Are your Savings / Reserves retained for another purpose (give details) | |

| | |
|---|---|
| Q21 | Your Signature. Must be the main contact as stated in question 2 |
| I confirm that to the best of my knowledge and belief, all replies given on this application are true and accurate. I understand that the supporting information may be requested at any stage of this application. | |
| Signature | Date |

Declaration

| | | |
|---|---|----------------------|
| Q22 | Additional Signatory (Your Chairperson, Vice Chair or Treasurer must sign below) This must not be the main contact as mentioned in Q2 & Q26 | |
| I confirm that I am authorised to sign this declaration on behalf of : | | Insert name of group |
| To the best of my knowledge and belief all information provided in this application is true and accurate. | | Post Held |
| Title | First Name | Surname |
| Address | | |
| Post Code | Postal town | Argyll and Bute Area |
| Day time telephone | | Evening telephone |
| Signature | | Date |

Assessment Contact Details.

| | | |
|---------------|--|--|
| Q23 | An officer of Argyll and Bute Council may contact your organisation to arrange to make an assessment of your application. Please indicate below the person who should be contacted. | |
| Name | Job Title | |
| Visit Address | Day time Phone No. | |
| | Evening Phone No. | |
| | Email | |

YOUR PERSONAL CHECKLIST

Items to Include with your application

You will need to ensure that the following items, where relevant to your organisation, are returned with your form. If you do not include them there may be a delay in dealing with your application. Please tick the boxes to show that you have included each item with your application.

- Your group's constitution or other governance papers
- Your most recent accounts signed and dated by an auditor or someone external to your organisation (**Please include their name and address**), or if you are a new organisation a financial projection in case
- A current bank certificate/statement showing balances held in EVERY account
- If applying for grant assistance towards a **community asset**, a copy of your Business Case
- If applying for grant assistance towards an **event**, a copy of your projected income / expenditure for the event.

Please send your form to the appropriate Corporate Services Manager

You should receive an acknowledgement of receipt within five working days. If you do not, contact whomever you sent the form to.



Head Office: Kilmory, Lochgilphead, Argyll PA31 8RT

**Area Capital Receipt Fund
Process Flow**

1. **Applicant contacts Area Corporate Services Manager (ACSM) for initial feedback on:**
 - **eligibility**
 - **availability of funds**
 - **timescale**
2. **ACSM issue application pack**
3. **Applications returned to ACSMs for acknowledgment**
4. **Application forwarded to Area Community Learning and Regeneration Managers (ACLRM) for assessment**
5. **ACLRM carry out assessment with input from Strategic Finance as appropriate**
6. **ACLRM notifies Arlene Cullum, Funding Officer of bid for information purposes only**
7. **ACLRM submit assessment report to ACSM**
8. **ACSM schedule committee report under an agenda heading of AREA CAPITAL RECEIPT FUND which would comprise of**
 - **cover report from ACSM detailing funds available and summary or recommendations**
 - **part a) ACLRM report on external grant applications**
 - **part b) report from Council services on requests for funding.**
9. **ACSM confirm outcome to applicant and make payment arrangements.**

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**DEVELOPMENT SERVICES
PLANNING APPLICATION REPORT
BUTE & COWAL AREA COMMITTEE**

**Ward Number - Ward 6 Cowal
Date of Validity - 12th May 2008
Committee Date - 5th August 2008**

Reference Number: 08/00845/COU
Applicants Name: Kashmir & Rajni Ram
Application Type: Change of Use
Application Description: Partial change of use of hotel (Class 7) to hot food takeaway (Class 3) and formation of disabled access ramp.
Location: Papa Rams, Jackson House (formerly Lazaretto Point Hotel), Shore Road, Sandbank, Dunoon, PA23 8QG.

SUPPLEMENTARY REPORT

1. FURTHER INFORMATION

Consideration of this application on 1 July 2008 was continued in response to Members' concerns about potential nuisance to neighbouring residents, principally from cooking odours and noise from patrons. In response, a letter was received from the applicant dated 10th July 2008. Points raised are summarised below:

- The proposed date of opening will be November 2008. Once all work to car park area, building repairs and painting and new equipment etc. is installed.
- Possible flue to exterminate bad smells over extraction fan to top of buildings (this may require planning permission).
- Bins to be installed at back of kitchen area to deal with waste from hotel.
- I have owned businesses from shops to restaurants and know exactly what has to be done. Myself and my wife did not come on a banana boat on the River Clyde, we are of Scottish British citizens and proud of it.
- Works have been on-going inside the hotel for the last six months. To date many functions have already been catered for from the hotel and nobody has complained.
- The proposed opening hours, even seven days a week it is not late hours.

The proposed odour and noise management plan:

1. Initially cooking 15 to 20 meals a day once operations is in full swing.
2. Putting up a flue connecting to extraction fan at height of 8 metres above roof.
3. As detailed in site plan only 16 cars to be parked in front grounds. All controlled and monitored by myself and staff.
4. CCTV to be installed at back and front entrance.
5. All operations to close by 10.30pm
6. Morning and night cleaners to go out and collect any litter around the vicinity of the hotel and shoreline.
7. Odour eating filters to be applied in kitchen.
8. Making sure our neighbours are fully hassle free from smell and noise.

The applicant has also provided an indicative menu which essentially incorporates a wide range of traditional pub food such as burgers and chips, baked potatoes, baguettes and wraps etc. The applicant has further advised that he has many years of experience in different types of cooking e.g. Scottish, Irish, Italian, Chinese and Indian cooking and that he is good at what he does. All points taken at the last meeting- will be carried out to the best interest of applicant and neighbours.

2 CONSULTATIONS

The **Area Environmental Health Manager's** response (memo dated 13th June 2008) concluded that the potential for nuisance from patrons using the premises and vehicular movement was anticipated to be minor in nature but recommended that the takeaway not operate between 2300h and 0700h.

RECOMMENDATION

It is recommended that planning permission **be granted** as outlined in the department's original report dated 24th June 2008.

Angus J Gilmour
Head of Planning
29 July 2008

Author: John Irving, Tel: 01369 708621
Reviewing Officer: David Eaglesham, Tel: 01369 708608

Date: 14th July 2008
Date: 29 July 2008

NOTE: Committee Members, the applicant, agent and any other interested party should note that the consultation responses and letters of representation referred to in Appendix A, have been summarised and that the full consultation response or letter of representations are available on request. It should also be noted that the associated drawings, application forms, consultations, other correspondence and all letters of representations are available for viewing on the Council web site at www.argyll-bute.gov.uk

**DEVELOPMENT SERVICES
PLANNING APPLICATION REPORT
BUTE & COWAL AREA COMMITTEE**

Ward Number - Ward 6 Cowal
Date of Validity - 12th May 2008
Committee Date - 1st July 2008

Reference Number: 08/00845/COU
Applicants Name: Kashmir & Rajni Ram
Application Type: Change of Use
Application Description: Partial change of use of hotel (Class 7) to hot food takeaway (Class 3) and formation of disabled access ramp.
Location: Papa Rams, Jackson House (formerly Lazaretto Point Hotel), Shore Road, Sandbank, Dunoon, PA23 8QG

(A) THE APPLICATION

(i) Development Requiring Express Planning Permission

- Partial change of use of hotel (Class 7) to hot food takeaway (Class 3)
- Formation of disabled access ramp

(ii) Other specified operations.

- Formation of additional car parking
 - Landscaping/tree planting
 - Erection on non-illuminated signage
-

(B) RECOMMENDATION

Having due regard to the Development Plan and all other material considerations it is recommended that planning permission **be granted** subject to the following conditions and reasons and 'Informatives' detailed overleaf.

(C) SUMMARY OF DETERMINING ISSUES AND MATERIAL CONSIDERATIONS

(i) Development Plan Context:

Jackson House is located within the settlement zone of Sandbank, which has been defined as a 'Small Town' by the emerging Local Plan. The proposed takeaway business will form part of a wider lawful hotel and restaurant business to be operated from this property. In locational terms the site is located within the settlement but outwith the town centre area, where this type of use would normally be found. However, the premise has a lawful use right as a hotel. Therefore the key determining issue is whether this new 'add-on' use will have an adverse effect on established levels of privacy and amenity afforded to neighbouring properties and that there are no adverse parking or roads issues

Given the assessment contained in this report the proposal is also considered to be consistent with policy LP BAD 1 which seeks to resist new uses which would essentially have an adverse effect on the amenity of neighbouring residents. Furthermore, the proposal is also considered consistent with policies TRAN 4 & 6 which concern vehicle parking provision and road safety.

Policy STRAT DC 1 of the adopted Structure Plan seeks to resist urban bad neighbour developments which are essentially incompatible with the close configuration of land uses found in settlement. Again, given the assessment contained in this report the proposed hot food take away business is not considered to constitute

a bad neighbour development and as such this proposal is considered consistent with the adopted structure plan.

(ii) Representations:

Seven letters of objection have been received.

(iii) Consideration of the Need for Non-Statutory or PAN 41 Hearing:

Although seven letters of representation have been received, the proposal accords with the Development Plan. For this reason there is no requirement for a PAN 41 Hearing.

(iv) Reasoned Justification for a Departure to the Provisions of the Development Plan.

Not applicable.

(v) Is the Proposal a Schedule 1 or 2 EIA development:

No.

(vi) Does the Council have an interest in the site:

No.

(vii) Need and Reason for Notification to Scottish Ministers.

No.

(viii) Has a sustainability Checklist Been Submitted:

No.

Angus J Gilmour
Head of Planning
24 June 2008

Author: John Irving, Tel: 01369 708621
Reviewing Officer: David Eaglesham, Tel: 01369 708608

Date: 18th June 2008
Date: 24 June 2008

NOTE: Committee Members, the applicant, agent and any other interested party should note that the consultation responses and letters of representation referred to in Appendix A, have been summarised and that the full consultation response or letter of representations are available on request. It should also be noted that the associated drawings, application forms, consultations, other correspondence and all letters of representations are available for viewing on the Council web site at www.argyll-bute.gov.uk

CONDITIONS AND REASONS RELATIVE TO APPLICATION: 08/00845/COU

2. The premises shall not be utilised by members of the public for any purpose involving the purchase of any takeaway food after 10.30 pm on one day and before 3.00 pm the following day unless the prior written consent of the Planning Authority is obtained for variation of these hours.

Reason: *To protect the residential amenity of adjoining residential properties and in accordance with the provisions of Policy POL COM 5 of the Cowal Local Plan 1993 and Policy LP BAD 1 of the Finalised Draft Local Plan.*

3. **Prior to any development works commencing** a revised site plan at a scale of 1:100 shall be submitted for the approval of the Planning Authority in consultation with the Area Roads Manager. The submitted site plan shall detail the following requirements:

- i) The width of the southern entrance shall be a minimum of 5.5 metres wide for the first 6 metres behind the back of the footway. This will require the relocation of the northern gate post.
- ii) The vehicle access shall be upgraded to comply with Fig 10.16 of the Council's Development Guidelines.
- iii) The gradient of the access shall not exceed 5% for the first 2.5 metres and 8% the remainder.
- iv) A minimum of 3 car parking spaces shall be provided within the site to accommodate the take-away function. Spaces to be 5 metres by 2.5 metres in size. A turning area must also be provided.

Thereafter the approved alterations to parking and access provisions shall be fully undertaken **prior to the re-opening of the hotel and take-away business**, unless the prior written consent for variation is obtained in writing from the Planning Authority.

Reason: *In the interest of road safety.*

4. Visibility splays measuring 35 metres from a 2.5 metre set back at both accesses shall be free of all obstructions (including walls, fences, hedges, etc.) over one metre in height above the level of the road and thereafter maintained in perpetuity, unless consent for variation is obtained in writing from the Planning Authority in consultation with the Area Roads Manager.

Reason: *In the interests of road safety.*

INFORMATIVES

Surface Water

The Area Roads Manager has advised that a system of surface water drainage is required to prevent water running onto the road. Failure to address this matter would be contrary to Section 99 of the Roads (Scotland) Act 1984, which states that:

"(i) The owner and occupier of any land, whether or not that land is such as constitutes a structure over or across a road, shall prevent any flow of water, or of filth, dirt or offensive matter from, or any percolation of water through, the land onto the road."

A drainage system including positive surface water drainage measures should be agreed with the Area Roads Manager. The applicant is advised to contact the Area Roads Manager's representative (Mr. Paul Farrell on 01369 708613) directly in this regard.

Road Opening Permit

The Area Roads Manager has advised that the proposed works will require a Road Opening Permit (Section 56). The applicant is advised to contact the Area Roads Manager's representative (Mr. Paul Farrell on 01369 708613) directly upon this matter.

Odour and Noise Management

Prior to any development works commencing, it would be advisable to agree an odour and noise management plan with the Council's Area Environmental Health Manager. Planning permission may be required for any external alterations which may become necessary.

APPENDIX A – RELATIVE TO APPLICATION NUMBER: 08/00845/COU

MATERIAL CONSIDERATIONS AND ADVICE

(i) POLICY OVERVIEW AND MATERIAL ADVICE

Argyll & Bute Structure Plan 2002

STRAT DC 1 *'Development within Settlement'* supports the principle of up to 'medium scale' development with the 'Small Town' settlements such as Sandbank on appropriate infill, rounding-off and redevelopment sites.

Cowal Local Plan 1993

Policy POL COM 5 *'Bad Neighbour Development'* seeks to oppose developments when it is considered that they are likely to adversely affect the amenity of neighbouring properties.

Policy POL BE 4 *'Townscape Policy Area'* seeks to protect these areas from adverse environmental changes and where possible to promote high standards of design. This includes changes of use which could have a detrimental effect upon the character and external appearance of buildings within such an area.

Argyll & Bute Modified Finalised Draft Local Plan 2006

Policy LP BAD 1 *'Bad Neighbour Development'* seeks to permit such developments where there are no unacceptable effects on the amenity of neighbouring properties, the proposal includes appropriate measures to reduce adverse impact, there are no transport objections and technical standards are adhered to.

Policy LP ENV 14 *'Development in Special Built Environment Areas'* seeks a presumption against development that does not preserve or enhance the character or appearance of the area.

Policy ENV 18 *'Protection & Enhancement of Buildings'* opportunities for the enhancement and re-use of building will be sought through proposals for re-building, re-use or change of use to maintain the fabric of the building.

Policy TRAN 4 *'New and Existing, Public Roads and Private Access Regimes'* sets out the requirements for development in respect of new and existing public roads and private access regimes.

Policy TRAN 6 *'Vehicle Parking Provision'* sets out the car parking provision for specific categories of development.

Note (i): **The applicable elements of the above Policies have not been objected too or have no unresolved material planning issues and are therefore material planning considerations.**

Note (ii): **The Full Policies are available to view on the Council's Web Site at www.argyll-bute.gov.uk**

(ii) SITE HISTORY

There is no specific site history associated with this application or property. However, while the hotel has been closed for approximately five years it is considered to have a lawful use as a Class 7 hotel use which included a function room, bedroom accommodation and a restaurant which was open to non-hotel residents.

(iii) CONSULTATIONS

Area Roads Manager (memo dated 28th May 2008); No objection subject to conditions.

Area Environmental Health Manager (memo dated 13th June 2008): No objection subject to conditions.

'The premise to which the planning application relates is located in a residential area of Sandbank. Although the premises has a hotel class of use it has not traded as such in the past 5 years and so the neighbouring properties will not have been subject to any disturbances associated with normal business operation. There are residential properties to the south and east elevations of the property and those known as 'Beneli' and 'Firbank Cottage' are close to the restaurant kitchen. The proprietor indicates that there is a window mounted extractor fan which will be connected to a canopy over the cooking area to provide ventilation. There currently is no flue and in view of this, there is a potential for complaints to be received due to residents living close by being exposed to odour and particulates (e.g. smoke) from the cooking operations. This is dependent on the type and number of hot meals being produced for consumption on and/or off site. These concerns were discussed with the applicant, Mr Ram, who stated that he is currently cooking on a reasonable scale to support his outside catering business and to date he has not received any complaints regarding odours or nuisance. In addition this Service has not received complaint.'

(iv) PUBLICITY AND REPRESENTATIONS

This application has been advertised as a Section 34 'Bad Neighbour' development (expired 6th June 2008) and 'Potential Departure' advertisement (expired 13th June 2006). As a result seven letters of objection have been received from the following:

Elizabeth Howell (e-mail dated 26th May 2008), Firpark Cottage, Shore Road, Sandbank, Dunoon, PA23 8QG. Jean Keenan (letter dated 26th May 2008), Beneli Cottage, Ardanadam, PA23 8QG. Sheila I Homs (letter dated 27th June 2008), Beneli, Ardanadam, Dunoon, Argyll. Mrs Jean Lynch (Letter dated 27th May 2008), Beneli Cottage 2, Ardandam, Dunoon, PA23 8QG. Mrs Renee Forsyth (Letter dated 27th May 2008), Monkdyke, Shore Road, Ardanadam, Dunoon, Argyll, PA23. Richard Addis (Letter dated 24th May 2008), Anchorage, Shore Road, Ardanadam, Sandbank, PA23 8QG. D. J. Sloan & June H. Sloan (letter dated 26th May 2008), 1 Monkdyke, Shore Road, Ardandam, Sandbank, Dunoon, Argyll, PA23 8QG.

The points raised are summarised below:

- i) Lead to increased traffic at a very dangerous corner. An increase of cars would be another hazard on an already busy road and dangerous corner.

Comment: The Area Roads Manager has raised no objection to this application.

- ii) Take away meals will lead to odour and smell within the nearby area.

Comment: See assessment below.

- iii) Litter is usually associated with fast food wherever it is situated and however many bins are provided. Waste is often discarded, just thrown away and not put in bins.

Comment: See assessment below

- iv) It will have an impact on my property value which is already falling.

Comment: This is not a material planning consideration.

- v) It is bound to be noisier with more traffic. Both cars and patrons.

Comment: See assessment below.

- vi) It seems unsuitable to add a take away business to a residential and highly desirable area.

Comment: It is proposed to incorporate a new use into an existing and lawful hotel/restaurant business located within residential area.

- vii) Increased odour nuisance associated with this sort of cooking.

Comment: See assessment below.

- viii) Thrown away foods, however small, particularly on site near the seashore would, no doubt, encourage rats in the area.

Comment: See assessment below.

- ix) I feel a take away business would detract from the impressive war memorial at the Lazaretto Point which is a place of beauty and peace.

Comment: See assessment below.

- x) What does concern me is what hours are the applicants going to trade? Will it be late into the evening or early morning?

Comment: The applicant proposes to operate the takeaway business 7 days per week from 15.00 hrs until 22.30 hrs. Should this be considered acceptable a suitable condition will be attached to the grant of permission to ensure the takeaway business only operates within the stipulated times.

APPENDIX B – RELATIVE TO APPLICATION NUMBER: 08/00845/DET

PLANNING LAND USE AND POLICY ASSESSMENT

A. Settlement Strategy

Jackson House is located within the settlement zone of Sandbank, which has been defined as a 'Small Town' by the emerging Local Plan. The proposed takeaway business will form part of a wider lawful hotel and restaurant business to be operated from this property.

Policy STRAT DC 1 of the Structure Plan concerns development within the settlement zone: those which are considered to be bad neighbour developments and incompatible with the surrounding land uses will be considered contrary to this policy. Given the assessment contained within the Section B below, the proposal is considered to be consistent with Policy LP BAD 1 of the Finalised Draft Local Plan and for this reason the development is considered to be a use not only compatible with the existing lawful use of the hotel but that of the surrounding area. The proposal in turn is therefore consistent with policy STRAT DC 1.

Access and parking provision is acceptable to the Area Roads Manager, which is also consistent with the provisions of Policy LP TRAN 4 & 6 of the Finalised Draft Local Plan.

On this basis the proposal is consistent with Policy STRAT DC 1 of the adopted Structure Plan along with LP BAD 1 and TRAN 4 & 6 of the Finalised Draft Local Plan.

B. Location, Nature and Design of Proposed Development

The property of Jackson House has not been open as a hotel and restaurant for a number of years but it is considered to have a lawful Class 7, hotel use. The applicant's intention is to renovate and reopen the property as a new hotel including a hot food take-away function. Initially it is only intended to operate the takeaway business.

It is proposed to operate the takeaway function from 3pm until 10.30pm seven days per week. There will also be a telephone order and delivery service. The applicant also intends to operate a cooked meal delivery service for the elderly in the area at a reduced cost to help establish a year round economic base.

A number of representations have been received raising a number of concerns relating to the adverse impact a take away business will have upon the established levels of privacy and amenity afforded to the surrounding area. These concerns centre on odour and smell issues and increased levels of unacceptable noise and litter issues.

Crucially, the proposal represents an 'add-on' use to a lawful hotel use at Jackson House which is a self contained detached property within a large curtilage. The three immediate neighbouring properties are The Anchorage, Firpark Cottage and Beneli. The Anchorage is located to the south of Jackson House and is well screened by vegetation along the dividing boundary, there is not considered to be any privacy or amenity issues associated with this property. Both Firpark Cottage and Beneli are located to the rear (west) of Jackson House. While these properties, particularly Firpark Cottage, are in close vicinity to Jackson House there are areas of substantial screening and vegetation which help to maintain levels of privacy afforded to these properties. There is the potential for overlooking from window at the rear of Jackson House into these properties and associated garden. However, these rooms form part of the lawful use of the building as a hotel and this should be recognised when considering established levels of privacy.

Both Firpark Cottage and Beneli are located in close vicinity to the restaurant kitchen which is currently operational (external catering) and to date no complaints have been received by the Council's Public Protection Service regarding adverse odour and noise issues.

There does remain the potential for the new hot food takeaway use to impact upon established levels of amenity afforded to surrounding properties. As such, it has been

considered appropriate to recommend a condition to the grant of permission to limit the hours of operation and an advisory note for the applicant to submit a detailed noise and odour management plan prior to development work commencing.

On this basis the proposal is consistent with Policy LP ENV 18 of the Finalised Draft Local Plan.

C. Built Environment

Jackson House is located within a Townscape Policy Area as defined by the existing local plan and a Special Built Environment Area by the Finalised Draft Local Plan. Such designations seek to protect the appearance and character of the area from unsympathetic new development that could have an adverse visual impact. The main thrust of these policies centre on design issues to ensure new development is of a high and acceptable standard of design.

The only external alteration proposed to Jackson House is the formation of a disabled access ramp onto the front north east elevation. This alteration has little to no impact on Jackson House or the wider streetscape setting.

It is the applicant's intention to substantially renovate and improve Jackson House and its surroundings which are currently in a rundown dilapidated condition. The reopening of this hotel will bring this landmark building back into use and vastly improve its visual appearance within the wider streetscape.

On this basis the proposal is consistent with Policy BE 4 of the Cowal Local Plan and Policy ENV 14 of the Finalised Draft Local Plan.

D. Road Network, Parking and Associated Transport Matters.

Representations have been received raising concerns that the proposal will lead to increased levels of traffic.

The Area Roads Manager has raised no objection to this application subject to conditions concerning improvements to the site entrance. The proposed levels of car parking are also considered to be acceptable and consistent with the car parking standards stipulated by Policy TRAN 4. For this reason there is not considered to be any adverse road safety issues associated with this proposal.

On this basis the proposal is consistent with Policy LP TRAN 4 & 6 of the Finalised Draft Local Plan.

E. Infrastructure

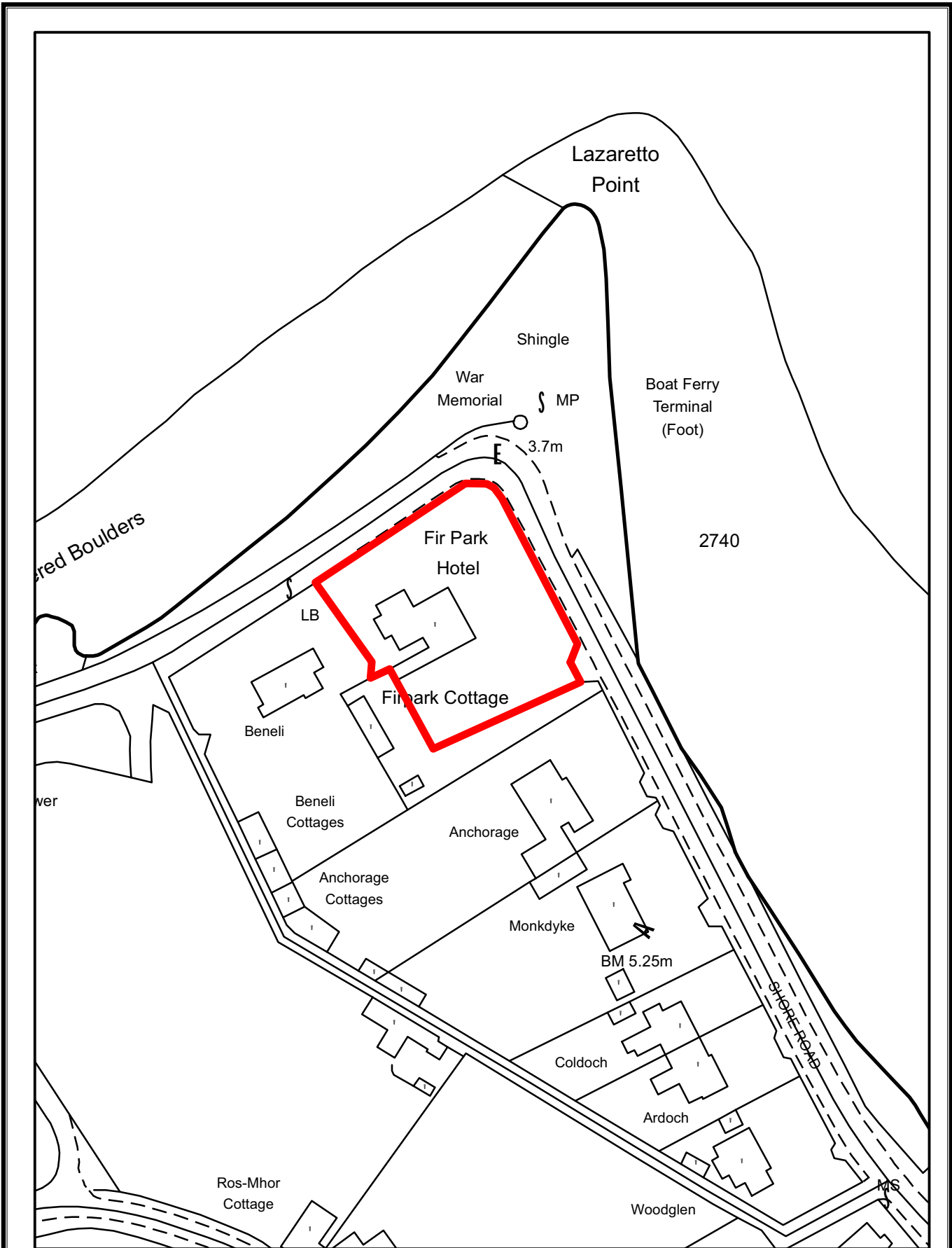
There are no proposed changes to the existing infrastructure and servicing arrangements. Connections to the public water main and sewerage system are to remain.

On this basis the proposal is consistent with Policy LP SERV 1 and 4 of the Finalised Draft Local Plan.

F. Conclusion.

The objections raised against this application centre on adverse amenity issues such as noise, smell and litter. It must be remembered that this application is only for a partial change of use of a hotel which is to reopen. The takeaway business will operate through the existing kitchen arrangement with no requirement for additional ventilation. Given the hours of operation, the out of town location of the premises and fact that the takeaway service will be part of an existing hotel/restaurant function, it is considered that it will have a limited impact upon established levels of amenity. Given all of the above, and the proposed conditions to be attached to the grant of permission, this partial change of use is considered to be acceptable.

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**COMMITTEE LOCATION PLAN
RELEVANT TO APPLICATIONS: 08/00845/COU**



1:1,250

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DEVELOPMENT SERVICES
 PLANNING APPLICATION REPORT
 BUTE & COWAL AREA COMMITTEE

Ward Number - 8 Isle of Bute
 Date of Validity - 21 January 2008
 Committee Date - 5 August 2008

Reference Number: 07/02324/DET
 Applicants Name: Mrs K Fyfe
 Application Type: Detailed
 Application Description: Conversion from stables and coach house to two dwellings
 Location: Stables and Coach House, Balmory Road, Ascog, Bute

(A) THE APPLICATION

(i) Development Requiring Express Planning Permission

- Conversion from stables and coach house to two dwellings
- Installation of septic tank

(ii) Other specified operations.

- Connection to public water supply

(B) RECOMMENDATION

It is recommended that planning permission be **refused** for the reasons set out below.

(C) SUMMARY OF DETERMINING ISSUES AND MATERIAL CONSIDERATIONS

(i) Development Plan Context:

The proposal to convert the stables and coach house is not supported by elevation drawings. The planning authority have requested this information but the applicant has declined to provide it. The site falls within Rothesay Conservation Area.

In considering whether to grant planning permission, the planning authority is required by statute to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area. Without further detail of the proposals, the required assessment cannot be made. Without further information, the planning authority is also unable to make satisfactory assessments as required under Policy BE 6 of the Bute Local Plan and Policy LP ENV 14 of the Modified Finalised Draft Argyll and Bute Local Plan.

Policy ENV 14 states that outline planning applications will not normally be considered appropriate for proposed development in conservation areas. This policy has not been contested as part of the local plan process and may be accorded material weight. Prospective development of the site raises issues concerning the impact of the conversion on the existing building fabric and also in terms of assimilating the development within the built environment of the conservation area. There is an insufficient level of detail in the application to allow a proper assessment of the proposal.

(ii) Representations:

Two representations raise no objection

(iii) Consideration of the Need for Non-Statutory or PAN 41 Hearing:

N/A

- (iv) **Reasoned Justification for a Departure from the Provisions of the Development Plan.**

N/A

- (v) **Is the Proposal a Schedule 1 or 2 EIA development:**

No

- (vi) **Does the Council have an interest in the site:**

No

- (vii) **Need and Reason for Notification to Scottish Ministers.**

None

- (viii) **Has a sustainability Checklist Been Submitted:**

No

Angus J Gilmour
Head of Planning
29 July 2008

Author: Charles Tibbles 01369 708603
Reviewing Officer: David Eaglesham 01369 708608

Date: 29 July 2008
Date: 29 July 2008

NOTE: Committee Members, the applicant, agent and any other interested party should note that the consultation responses and letters of representation referred to in Appendix A, have been summarised and that the full consultation response or letter of representations are available on request. It should also be noted that the associated drawings, application forms, consultations, other correspondence and all letters of representations are available for viewing on the Council web site at www.argyll-bute.gov.uk

REASONS FOR REFUSAL RELATIVE TO APPLICATION 07/02324/DET

1. Elevation drawings are required to properly assess this proposal which is located within a Conservation Area. The applicants have declined to provide elevation drawings. Without elevation drawings it is not possible for the planning authority to assess the effect of the proposal upon the character and appearance of the Conservation Area. On the basis of the information submitted, the planning authority is not satisfied that the proposals could meet the terms of Policy BE 6 of the Bute Local Plan (adopted 1991), Policies LP ENV 14 and LP ENV 19 of the Modified Finalised Draft Argyll and Bute Local Plan or the advice given in Historic Scotland's 'Memorandum of Guidance on Listed Buildings and Conservation Areas' (1998).
2. The application site is too small to accommodate a septic tank and soakaway and there is no indication that the applicant has control over the necessary land to provide an outfall to the estuary as stated on the application form

INFORMATIVE RELATIVE TO APPLICATION: 07/02324/DET

The applicant is advised to discuss with the Council's Development Management staff the submission of a detailed application which might address these reasons for refusal.

APPENDIX A – RELATIVE TO APPLICATION NUMBER: 07/02324/DET

MATERIAL CONSIDERATIONS AND ADVICE

(i) POLICY OVERVIEW AND MATERIAL ADVICE

Argyll & Bute Structure Plan

Policy STRAT DC 1: DEVELOPMENT WITHIN SETTLEMENTS Encouragement shall be given, subject to capacity assessments, to development in the settlements

Policy STRAT SI 1 – SUSTAINABLE DEVELOPMENT Argyll & Bute Council shall adhere to the following principles in considering development proposals. It will seek to:

- h) conserve thebuilt environment and avoid significant adverse impacts onbuilt heritage resources.
- i) respect thesetting and character of settlements.

Policy STRAT DC 9 – HISTORIC ENVIRONMENT AND DEVELOPMENT CONTROL Protection, conservation, enhancement and positive management of the historic environment is promoted. Development that damages or undermines the historic, architectural or cultural qualities of the historic environment will be resisted; particularly if it would affect aconservation area.

Adopted Bute Local Plan

Policy HO 3 Countryside Safeguarding Zone does not generally permit residential development in a zone of countryside around Rothesay.

Policy POL BE 6 seeks to prevent any deterioration in the character and appearance of the Rothesay Conservation Area through unsympathetic new development.

Argyll and Bute Modified Finalised Draft Local Plan 2006

Policy LP ENV 14 presumes against development that would not preserve or enhance the character or appearance of an existing Conservation Area. All such developments must be of a high quality and conform to Historic Scotland's Memorandum of Guidance on Listed Buildings and Conservation Areas 1998.

Policy LP ENV 19 – DEVELOPMENT SETTING, LAYOUT AND DESIGN The council will require developers and their agents to produce and execute a high standard of appropriate design in accordance with the design principles set out in Appendix A of this Local Plan, the Council's sustainable design guide, and the following criteria :

Note (i): The applicable elements of the above Policies have not been objected too or have no unresolved material planning issues and are therefore material planning considerations.

Note (ii): The Full Policies are available to view on the Council's Web Site at www.argyll-bute.gov.uk

National Guidance

Historic Scotland's Memorandum of Guidance on Listed Buildings and Conservation Areas 1998 and NPPG18 (Planning and the Historic Environment) give national advice on the consideration of planning applications affecting conservation areas, and is commented upon as relevant in the assessment below.

(ii) SITE HISTORY

None

(iii) CONSULTATIONS

| | | |
|-------------------------------|------------|--|
| Historic Scotland | 28.03.2008 | It does not appear to have been our intention to include these stables as a curtilage item. |
| Roads Bute And Cowal | 19.02.2008 | Existing vehicle access to be used. Sightlines of 120m x 2.5m to be maintained in both directions and hedges fences and walls within the visibility splays to be maintained at a height not exceeding 1m above the road. Parking for two vehicles per dwelling and a turning area is required within the development. Gradient of the access not to exceed 5% for the first 2.5m or 8% for the remainder and the first 2.5m to be sealed to prevent debris from being deposited onto the carriageway. A system of surface water drainage is required to prevent water running onto the road. |
| Scottish Water Cowal And Bute | 04.02.2008 | No objection. No known public sewers in the vicinity. |

(iv) PUBLICITY AND REPRESENTATIONS

The application has been advertised as Development in a Conservation Area (EXPIRY DATE: 22.02.2008) and as a Potential Departure from the Bute Local Plan (EXPIRY DATE:22.02.2008). Representations from Mr A C Harrison Balmory Hall Ascog Isle of Bute PA20 9LL and David and Jessica Herriot Balmory Cottage Ascog Isle of Bute PA20 9LL raise no objections.

APPENDIX B – RELATIVE TO APPLICATION NUMBER: 07/02324/DET

PLANNING LAND USE AND POLICY ASSESSMENT

A. Settlement Strategy

The application site is located in an area where Policy HO 3 Countryside Safeguarding Zone of the Bute Local Plan does not generally permit residential development in a zone of countryside around Rothesay. The proposal is therefore contrary to the Bute Local Plan.

The emerging Argyll and Bute Local Plan (Policy LP HOU 1) supports housing development at this location (part of an identified settlement zone) unless there is an unacceptable environmental, servicing or access impact and subject to consistency with other Local Plan policies.

While there may be no objection in principle to a residential development here, it would not be appropriate to grant permission in the absence of detailed proposals.

B. Location, Nature and Design of Proposed Development

This application includes indicative floorplans for the two proposed dwellings adapted from the shell of the derelict stables and outbuildings. No other design details are provided.

It is considered that the site might provide adequate scope to enable the requirements of Policy LP ENV 19 (Development Setting, Layout and Design) and design principles at Appendix A of the Plan to be met at the detailed design stage, including requirements in relation to privacy and overlooking. However, in the absence of full details, an assessment can not be completed.

C. Built Environment

The application potentially affects the setting of a Grade B Listed Building and the Rothesay conservation area. The adopted Local Plan seeks to protect the settings of listed buildings (Policy POL BE 1) from developments which would have a detrimental impact.

The Argyll and Bute Local Plan requires development affecting the setting of a listed building to preserve its setting and conform to Historic Scotland's Memorandum of Guidance on Conservation Areas and Listed Buildings. Subject to appropriate conditions, it is considered that the site has the potential to accommodate the development of two dwellinghouses without detriment to the setting of the listed building. **However, it would not be appropriate to grant permission in the absence of detailed proposals.**

D. Road Network, Parking and Associated Transport Matters.

Access provided via the existing access regime to Balmory Road is acceptable to the Roads Authority and is considered acceptable in terms of Policy LP TRAN 4 of the Argyll and Bute Local Plan. Parking and turning space for two vehicles within the site is shown.

E. Infrastructure

The application site is outwith the public sewerage network for Rothesay,. The applicant has indicated that foul drainage will be to septic tank with outfall to the estuary. The application site is too small to accommodate a septic tank and soakaway and there is no indication that the applicant has control over the necessary land to provide an outfall to the estuary as stated.

The proposal is therefore contrary to Policy LP SERV 1 of the emerging Local Plan.

F. Other Scottish Executive Advice

Historic Scotland's Memorandum of Guidance on Listed Buildings and Conservation Areas emphasises that a listed building should remain the focus of its setting and that developments outwith the curtilage of a listed building should also be regarded as affecting the setting where this will-

- In an urban area, restrict or obstruct views of or from the listed building, or rise above and behind the listed building so that its silhouette can no longer be seen against the sky from the more familiar viewpoints, or
- Development which will block distant views of important architectural landmarks may, in some instances, also fall into this category.
- Development adjacent to a listed building which forms part of a street block should also be regarded as affecting the setting where this will not respect the form, scale, materials or building line of the listed building or
- involve the construction of projecting features which will be seen in oblique views of the listed building.

It is considered that the site could provide adequate scope to accommodate two dwellinghouses near Ascog Hall without offending the above criteria.

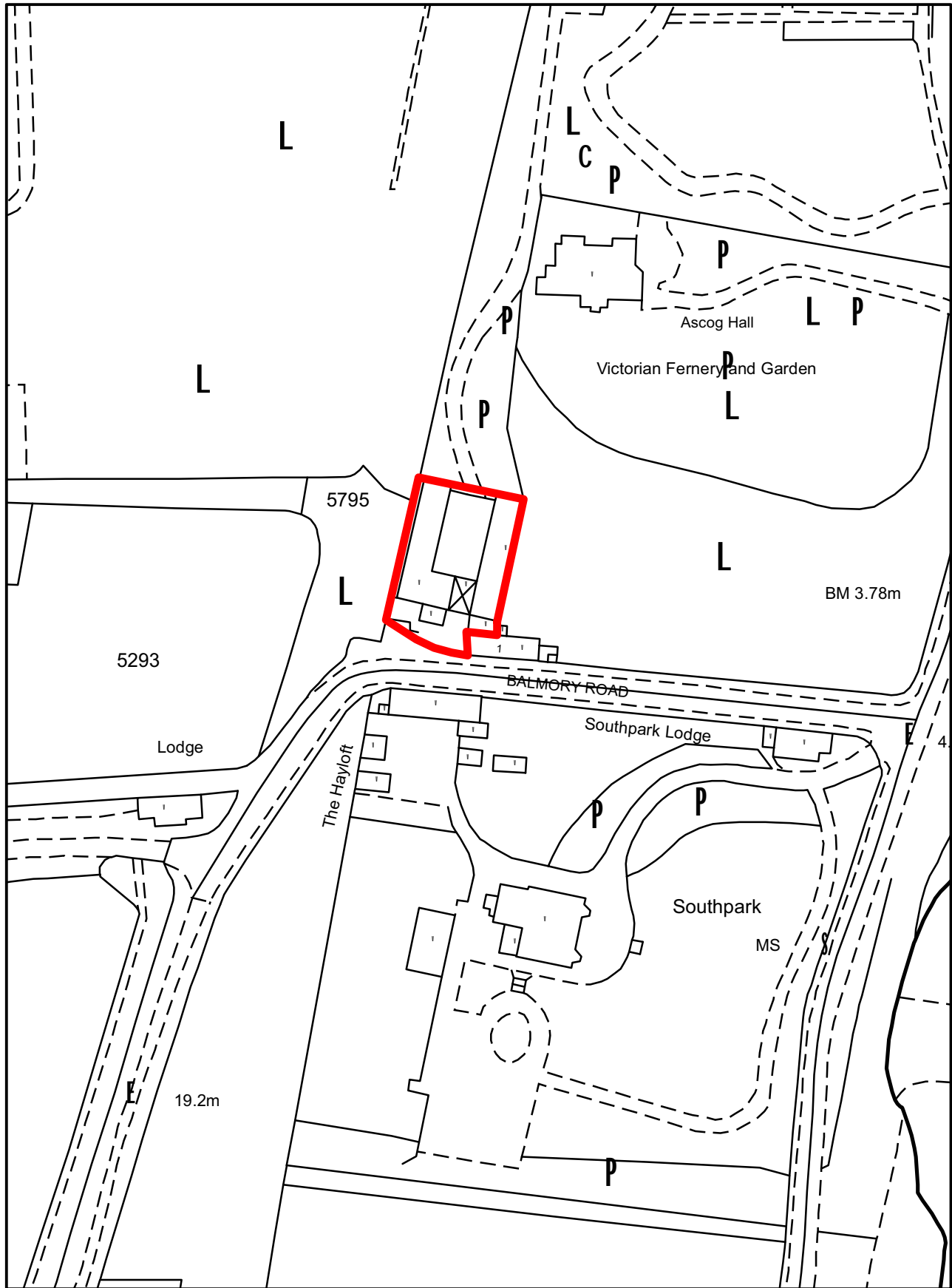
CONCLUSION.

The proposals to convert the stables and coach house are not supported by elevation drawings. The planning authority has requested this information but the applicant has declined to provide it. The site falls within Rothesay Conservation Area.

As structures originally within the curtilage of the Grade B Listed Ascog Hall, there is an argument that the stables and coach house also form part of a listed building although since it appears that the properties were in different ownership at the date of listing, this argument is weakened. The position is a matter of judgement for the planning authority and in this instance it is recommended that the stables and coachhouse are not treated as forming part of the listed building..

However, in considering whether to grant planning permission, the planning authority is required to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area. Without further detail of the proposals, the required assessment cannot be made. Without further information, the planning authority is also unable to make satisfactory assessments as required under Policy BE 6 of the Bute Local Plan and Policy LP ENV 14 and LP ENV 19 of the Modified Finalised Draft Argyll and Bute Local Plan.

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**COMMITTEE LOCATION PLAN
RELEVANT TO APPLICATION: 07/02324/DET**



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**DEVELOPMENT SERVICES
PLANNING APPLICATION REPORT
BUTE & COWAL AREA COMMITTEE**

**Ward Number - 6 Cowal
Date of Validity - 9th May 2008
Committee Date - 5th August 2008**

Reference Number: 08/00859/OUT
Applicants Name: Thomas Hill
Application Type: Outline
Application Description: Erection of dwellinghouse
Location: Ground adjacent to Eldon, The Bay, Strachur

(A) THE APPLICATION

(i) Development Requiring Express Planning Permission

- Erection of a dwellinghouse
- Formation of vehicular access

(ii) Other specified operations.

- Connection to public water main
- Connection to public sewer

(B) RECOMMENDATION

Having due regard to the Development Plan and all other material considerations, it is recommended, that outline planning permission **be refused** for the reasons detailed overleaf.

(C) SUMMARY OF DETERMINING ISSUES AND MATERIAL CONSIDERATIONS

(i) Development Plan Context:

Strachur is defined as a '*Sensitive Settlement*' by virtue of Policy POL HO 9 of the adopted Cowal Local Plan 1993. Housing development is restricted to identified sites within the settlement. This site falls outwith an identified area and, as such, residential development cannot be supported at this site without an '*exceptional*' circumstance requiring either an operational or locational need. In this case, there is no need that would justify this proposed development contrary to this policy. The proposal is also considered to be at odds with the established settlement character and townscape at this location. **The proposal is therefore contrary to Policies POL HO 9 and POL BE 9 of the Cowal Local Plan 1993.**

Within the Argyll and Bute Modified Finalised Draft Local Plan 2006, the site falls within the defined Strachur '*Settlement Zone*'.

Both Policy STRAT DC 1 of the Structure Plan and Policy LP HOU 1 of the Modified Finalised Draft Local Plan encourage up to medium scale housing developments within the settlement zone of Strachur on appropriate infill, rounding-off and redevelopment sites and providing there will be no unacceptable environmental, servicing or access impact. The proposal does not respect the existing settlement character by virtue of the tight grouping of buildings in an area of notably larger single plots much wider spacing of dwellings. **The proposal is therefore contrary to Policies STRAT DC 1 and STRAT HO 1 of the Structure Plan and policies HOU 1, CST 1 and ENV 19 of the Finalised Draft Local Plan.**

(ii) Representations:

Two representations have been received from three individuals, objecting to the proposal. One letter of support has been received.

(iii) Consideration of the Need for Non-Statutory or PAN 41 Hearing:

Given the number of objections received, the department would not recommend a hearing in this instance

(iv) Reasoned Justification for a Departure from the Provisions of the Development Plan.

Not applicable.

(v) Is the Proposal a Schedule 1 or 2 EIA development:

No.

(vi) Does the Council have an interest in the site:

No.

(vii) Need and Reason for Notification to Scottish Ministers.

No.

(viii) Has a sustainability Checklist Been Submitted:

No.

Angus J Gilmour
Head of Planning
28 July 2008

Author: Charles Tibbles, Tel: 01369 708606
Reviewing Officer: David Eaglesham, Tel: 01369708608

Date: 28 July 2008
Date: 28 July 2008

NOTE: Committee Members, the applicant, agent and any other interested party should note that the consultation responses and letters of representation referred to in Appendix A, have been summarised and that the full consultation response or letter of representations are available on request. It should also be noted that the associated drawings, application forms, consultations, other correspondence and all letters of representations are available for viewing on the Council web site at www.argyll-bute.gov.uk

REASONS FOR REFUSAL RELATIVE TO APPLICATION: 08/00859/OUT

1. The proposed development is contrary to Policy HO 9 of the Cowal Local Plan, adopted 1995, which restricts housing development to identified sites within the settlement. This site falls outwith an identified area and, as such, residential development cannot be supported at this site and no exceptional circumstance has been put forward to justify development at this location.
2. The erection of a dwellinghouse upon ground between Eldon and Rowan View would not respect the established settlement character and townscape at this location by virtue of the small resulting plot sizes which Eldon and the proposed dwelling would occupy, and the tight spacing of buildings that would result. The proposed development is therefore considered to be contrary to: Policies STRAT DC 1 'Development within Settlement' of the Argyll & Bute Structure Plan 2002; Policy BE 9 'Layout and Design of Urban Development' of the Cowal Local Plan, adopted 1995; Policies LP ENV 19 'Development Setting, Layout & Design' and LP HOU 1 'General Housing Development' of the Argyll & Bute Modified Finalised Draft Local Plan 2006.

APPENDIX A – RELATIVE TO APPLICATION NUMBER: 08/00859/OUT

MATERIAL CONSIDERATIONS AND ADVICE

(i) POLICY OVERVIEW AND MATERIAL ADVICE

Argyll and Bute Structure Plan 2002

STRAT DC 1 '*Development within Settlement*' supports the principle of up to '*medium scale*' development with the settlement of Strachur on appropriate infill, rounding-off and redevelopment sites.

STRAT HO 1 '*Housing*' seeks to encourage, outwith formally allocated sites, appropriate forms and scales of housing infill, rounding-off and redevelopment within the settlements providing it is consistent with STRAT DC 1-10. Innovative and sympathetic developments will be encouraged where they are appropriate to their particular setting.

Cowal Local Plan 1993

POL HO 9 '*Sensitive Settlements*' seeks to resist new housing development within Strachur to identified areas, given that unsympathetic development could have a detrimental effect on the existing landscape setting and servicing. This application does not fall within an identified site.

POL BE 9 '*Layout and Design of Urban Development*' seeks to achieve a high standard of layout and design where new developments are proposed.

Argyll and Bute Modified Finalised Draft Local Plan 2006

The following Policies from the Argyll and Bute Local Plan are relevant to the proposal. The recommendations of the Reporters following the Local Plan Inquiry do not propose any further changes to these Policies that would affect the consideration of this application.

The site lies within the Settlement Zone of Strachur and within an Area of Panoramic Quality.

Policy LP ENV 10 '*Development Impact on Areas of Panoramic Quality*' seeks to resist development within, or adjacent to, Areas of Panoramic Quality where its scale, location or design would have a significant adverse impact on the character of the landscape. The highest standards of location, siting, landscaping, boundary treatment, materials and detailing will be required within such designated areas.

Policy LP ENV 19 '*Development Setting, Layout & Design*' sets out the requirements in respect of development setting, layout and design.

Policy HOU 1 '*General Housing Development*' establishes a presumption in favour of small and medium scale development in small towns and villages of Argyll and Bute, including Strachur. Within the Settlement Zone, the general presumption in favour or against a development is largely based on whether or not it is of an appropriate scale, i.e. small, medium or large scale.

Policy TRAN 4 '*New and Existing, Public Roads and Private Access Regimes*' sets out the requirements for development in respect of new and existing public roads and private access regimes.

Note (i): **The applicable elements of the above Policies have not been objected to or have no unresolved material planning issues and are therefore material planning considerations.**

Note (ii): **The Full Policies are available to view on the Council's Web Site at www.argyll-bute.gov.uk**

(ii) SITE HISTORY

Planning permission 98/00736/DET for erection of dwelling on garden ground at Eldon, Strachur, granted 8 July 1998. This permission was implemented (now Rowan View).

(iii) CONSULTATIONS

Area Roads Manager (email dated 28^h May 2008): No objection. Visibility splays of 120 x 2.5 metres are required and are attainable.

Scottish Water (letter dated 28th May 2008): No objection. Strachur Hazeldene Septic Tank currently has limited capacity to serve this proposed development.

(iv) PUBLICITY AND REPRESENTATIONS

The application was advertised as a potential development plan departure (closing date 13th June 2008). Two letters of objection have been received from the following: Mr & Mrs McNair (electronic communication submitted 19th May 2008), Rowan View, Strachur and J Black, (letter dated 17th May 2008) Willowbank, Strachur. One letter of support has been received from prospective purchasers of the plot, Nigel & Denise Thompson (letter dated 23rd July 2008), 5 Canberra Close, Wellesbourne, Warwick. The points raised are summarised below:

- i) Concern about the type of building that might be permitted and impact upon privacy due to the proximity of the building and the possibility of overlooking windows.

Comment: The site presents sufficient scope to accommodate a dwelling without compromising the Council's privacy standards.

- ii) Concern about *overdevelopment*;

Comment: As explained in the assessment below, the development of this site would result in tightly spaced development in this part of Strachur which is characterised by houses set within large plots. It is considered to be at odds with the established settlement character and townscape at this location and could be described as *overdevelopment*.

- iii) Removal of preserved beech trees to the rear of the site which were retained when Eldon was built;

Comment: The trees at this location are not protected by any Tree Preservation Order or planning conditions. Their removal would adversely effect the amenity of the area.

- iv) Concern about the 'squashing' of a new building in between existing properties and that this is not in keeping with the countryside.

Comment: In terms of the current and emerging development plan provisions the site is identified as falling within a settlement. As explained in the Assessment below, the proposed development is considered to be at odds with the established settlement character and townscape at this location.

- v) Loss of view at Willowbank;

Comment: This is not a material planning consideration.

- vi) Concern that access would be taken from a single track road;

Comment: The proposed access arrangements at the site are acceptable to the Roads Authority.

- vii) Development of a further dwelling on the original plot constitutes tandem development.

Comment: The proposed dwelling would have its own vehicle access. The appropriateness of the form of development that would result from this proposal is considered in the Assessment below.

- viii) Prospective purchasers wish to be part of community and work partly from home. They wish to build a home which is sympathetic to the area.

Comment: no special case is made for developing this particular site at odds with the immediate settlement character

APPENDIX B – RELATIVE TO APPLICATION NUMBER: 08/00859/OUT

PLANNING LAND USE AND POLICY ASSESSMENT

A. Settlement Strategy

Strachur is defined as a '*Sensitive Settlement*' by virtue of Policy POL HO 9 of the adopted Cowal Local Plan 1993. Housing development is restricted to identified sites within the settlement. This site falls outwith an identified area and, as such, residential development cannot be supported at this site without an '*exceptional*' circumstance requiring either an operational or locational need. In this case, there is no need that would justify this proposed development contrary to this policy.

The proposal is therefore contrary to Policy POL HO 9 of the Cowal Local Plan 1993.

Within the Argyll and Bute Modified Finalised Draft Local Plan 2006, the site falls within the defined Strachur '*Settlement Zone*'.

Both Policy STRAT DC 1 of the Structure Plan and Policy LP HOU 1 of the Modified Finalised Draft Local Plan encourage up to medium scale housing developments within the settlement zone of Strachur where this serves a local community of interest on appropriate infill, rounding-off and redevelopment sites and providing there will be no unacceptable environmental, servicing or access impact. As explained at section B. below, this proposal does not respect the character of this part of Strachur and as such would have an unacceptable environmental impact.

The proposal is therefore contrary to Policies STRAT DC 1 and STRAT HO 1 of the Structure Plan and Policy LP HOU 1 of the Finalised Draft Local Plan.

B. Location, Nature and Design of Proposed Development

The proposed dwelling would occupy space in between two existing dwellings, Rowan View (Rowantree Cottage on O.S. Map) and Eldon. Rowan View was constructed within the curtilage of Eldon and this proposal would remove further land from the curtilage of Eldon. At 0.04 hectares, the proposed dwelling plot would be much smaller than others in the immediate locality. Under the proposals, Eldon and Rowan View would retain 0.08 hectare plots. With the exception of the Bay Cottage tea room and post office and the terraced cottages which immediately front the roadway at the junction of the A886 and A815, the buildings in this part of Strachur can be characterised as detached dwellings loosely spaced within large plots, typically between 0.1 and 0.2 hectares in size. Plot frontages range in width from 25 to 45 metres. The plot frontage proposed under the current planning application would be 19m in width.

Whilst the proposal is in outline, with no details provided in relation to siting or design, it would of necessity result in tightly spaced development in a part of Strachur that is characterised by houses set within large plots, and is considered to be at odds with the established settlement character and townscape this location. The proposal would also remove a significant amount of ground/garden space from Eldon.

The applicant has referred to closely grouped developments in other parts of Strachur, for example at Bay Croft. Whilst this is acknowledged and it is accepted that this site has sufficient scope to realise the construction of a dwelling in line with normal privacy standards, it is concluded that the proposal would not respect the character of this part of Strachur. Regardless of the design employed, it cannot overcome the issue of development contrary to the settlement pattern.

The proposal would be likely to result in tree loss. Although it is acknowledged that there is currently no protection for trees at the site, the loss of the existing tree would adversely affect the existing character and amenity of this part of Strachur.

The proposal is therefore contrary to policy BE 9 of the Cowal Local Plan 1993 and Policy LP ENV 19 along with Appendix A of the Finalised Draft Local Plan. Furthermore, it is also considered to be contrary to the principles set out in the Council's Sustainable Design Guidance 1 '*Small Scale Housing Development*'.

C. Road Network, Parking and Associated Transport Matters.

The Area Roads Manager has raised no objection to this application and the site presents sufficient scope to provide adequate parking and turning provision.

On this basis the proposal is consistent with the provisions of Policy LP TRAN 4 of the Finalised Local Plan.

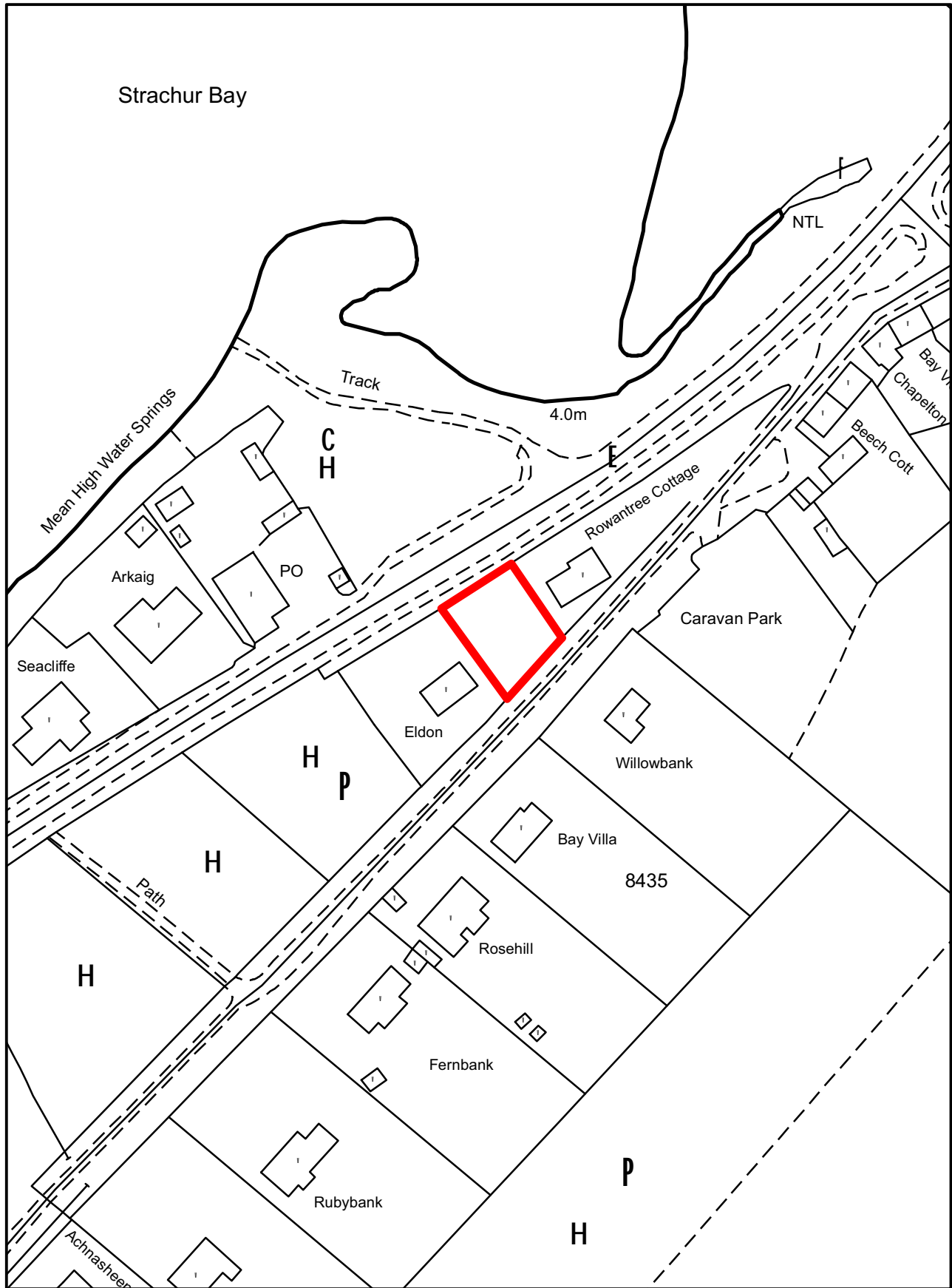
D. Infrastructure

It is proposed to connect to the public water supply and public sewer. Scottish Water has raised no objection to this element of the proposal.

Conclusion.

Whilst the site presents sufficient scope to accommodate a single dwelling in accordance with the Council's privacy and transportation standards, such a development would be at odds with the established character and townscape of this part of Strachur. The proposal is therefore contrary to provisions of both the current and emerging development plan. It is not considered that there are any material considerations sufficient to outweigh this fundamental conflict with the development plan and the application is therefore recommended for refusal.

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**COMMITTEE LOCATION PLAN
RELEVANT TO APPLICATION: 08/00859/OUT**



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**DEVELOPMENT SERVICES
PLANNING APPLICATION REPORT
BUTE & COWAL**

**Ward Number - 6 Cowal
Date of Validity - 6th May 2008
Committee Date - 5th August 2008**

Reference Number: 08/00874/NMA
Applicants Name: Cowal Leisure Ltd
Application Type: Non-material Amendment
Application Description: Amendment to Planning Permission 07/00373/DET incorporating changes to design of chalet lodge Z (Retrospective).
Location: Hunters Quay Holiday Village

(A) THE APPLICATION

This application is a request under Section 64 of the Town and Country Planning (Scotland) Act 1997 to treat a variation in lodge design on one plot as a non-material amendment to that approved under Planning Permission 07/00373/DET.

(B) RECOMMENDATION

It is recommend that the change detailed above be accepted as a non-material amendment to Planning Permission 07/00373/DET under Section 64 of the Town and Country Planning (Scotland) Act 1997.

(C) SUMMARY OF DETERMINING ISSUES AND MATERIAL CONSIDERATIONS

(i) Development Plan Context:

The site is located within the defined 'Countryside Around Settlement' zone. Policies STRAT DC 2 of the Argyll & Bute Structure Plan and LP HOU 1 of the Finalised Draft Local Plan supports in principle development within the 'Countryside Around Settlements' which accords with the settlement plan for the area including appropriate small scale infill rounding-off and redevelopment.

In the adopted Cowal Local Plan 1993, the site is located between the settlements of Hunter's Quay and Ardnadam covered specifically by Policies POL RUR 1 and TOUR 14.

This application relates solely to changes to in the design and layout of the chalet lodge. In terms of settlement strategy, by virtue of the associated planning permission (Ref: 07/00373/DET), this proposal is consistent with the Development Plan.

(ii) Representations:

Two letters of representation have been received.

(iii) Consideration of the Need for Non-Statutory or PAN 41 Hearing:

N/A

(iv) Reasoned Justification for a Departure from the Provisions of the Development Plan.

N/A

(v) Is the Proposal a Schedule 1 or 2 EIA development:

N/A

(vi) Does the Council have an interest in the site:

No

(vii) Need and Reason for Notification to Scottish Ministers.

No

(viii) Has a sustainability Checklist Been Submitted:

No

Angus J Gilmour
Head of Planning
28 July 2008

Author: John Irving
Reviewing Officer: David Eaglesham

Date: 7th July 2008

Date: 29 July 2008

NOTE: Committee Members, the applicant, agent and any other interested party should note that the consultation responses and letters of representation referred to in Appendix A, have been summarised and that the full consultation response or letter of representations are available on request. It should also be noted that the associated drawings, application forms, consultations, other correspondence and all letters of representations are available for viewing on the Council web site at www.argyll-bute.gov.uk

APPENDIX A – RELATIVE TO APPLICATION NUMBER: 07/00874/NMA

MATERIAL CONSIDERATIONS AND ADVICE

(i) POLICY OVERVIEW AND MATERIAL ADVICE

Argyll & Bute Structure Plan 2006

Policy STRAT DC 2 '*Development within the Countryside around Settlement*' encouragement shall be given to development that accords with the settlement plan for the area, this includes appropriate small scale infill, rounding-off and redevelopment.

Cowal Local Plan 1993

Policy POL RUR 1 '*Landscape Quality*' seeks to resist prominent or sporadic development which would have an adverse landscape impact.

Policy POL BE 9 '*Layout & Design of Urban Development*' seeks to achieve a high standard of layout and design where new developments are proposed.

Policy POL TOUR 14 '*Small-Scale Tourist Facilities*' the Council will encourage the improvement and/or development of small-scale facilities at specific locations including Hafton.

Argyll & Bute Modified Finalised Draft Local Plan 2006

Policy LP ENV 19 '*Development Setting, Layout & Design*' sets out the requirements in respect of development setting, layout and design.

Policy LP SERV 1 '*Private Sewerage Treatment Plants & Wastewater Systems*' sets out circumstances where the connection of the development to the public sewer will not be required.

Policy LP SERV 4 '*Water Supply*' support in principle to for the use of private water supplies only where a public water supply is not available.

Policy LP TRAN 4 '*New & Existing, Public Roads & Private Access Regimes*' sets out the requirements for development in respect of new and existing public roads and private access regimes.

Note (i): **The applicable elements of the above Policies have not been objected too or have no unresolved material planning issues and are therefore material planning considerations.**

Note (ii): **The Full Policies are available to view on the Council's Web Site at www.argyll-bute.gov.uk**

(ii) SITE HISTORY

Planning permission 07/00373/DET granted on 10th July 2007 for the retention of 31 static caravans (amended 'as built' layouts previously approved under planning permission 00/01899/DET), temporary caravan transit parking; *and the erection of 7 chalet lodges*, installation of new water storage tank and septic tank.

(iii) CONSULTATIONS

None.

(iv) PUBLICITY AND REPRESENTATIONS

No advertisement required. One e-mail received dated 2nd June 2008 and a letter of representation received on 3rd June 2008 from Mr and Mrs Gerald W Pursley, 15 Deercroft, Hafton, Dunoon, Argyll. E-mail dated 3rd June 2007 received from Elaine Marshall, Rose Cottage, Hafton, Hunters Quay, Dunoon. The points raised are detailed below:

i) We strongly object to the granting of this amendment, as planning permission under Application No. 00/01899/DET was granted for seven chalet lodges at three sites within the Hunter's Quay Holiday Village in June of 2007. No permission was granted for caravans to be installed at any of these sites, which is exactly what has taken place at Fircroft.

Comment: See assessment below.

ii) The caravan installed and now occupied, matches neither the caravans directly in front of it, nor the existing chalet lodges behind it and to its immediate left. As Argyll and Bute Planning Department has already agreed with us that this is in fact a caravan and not a chalet lodge, as a caravan, it should have had green aluminium siding cladding, instead of the 'mock wood' coloured siding installed.

Comment: See assessment below.

iii) We are very concerned that if this amendment is granted for this caravan, then the applicant would see this as the 'green light' for installing caravans instead of lodges, on the other sites where he has been granted permission to install chalet lodges, which would totally undermine the original agreement that the caravan and lodge developments should not be mixed.

Comment: The department considers the structure on site to be a 'chalet lodge' (see assessment below). The original planning application report makes no reference to not mixing caravans and lodges throughout the village. Regardless the structure is not a caravan rather a chalet lodge.

iv) We further request that the applicant is instructed to comply fully with the terms agreed in the planning application as approved in June of 2007 and that the caravan installed at Fircroft be removed from the site forthwith.

Comment: See assessment below.

v) It has also come to our attention that a further caravan village known as 'Colonsay' is in the process of being advertised and constructed to the west of the quarry behind the existing Town Village.

Comment: This matter will be the subject of separate enforcement investigation.

vi) Planning permission was granted for 7 chalet lodges at three sites within the holiday village. At the Fircroft site a caravan has been installed instead of a chalet lodge. In our opinion this is a significant deviation from the original planning application and as such should not be permitted and should be removed from the site.

Comment: The department considers the structure on site to be a chalet lodge but at odds to the design and layout of the originally approved structure. See assessment below:

APPENDIX B – RELATIVE TO APPLICATION NUMBER: 08/00874/NMA

PLANNING LAND USE AND POLICY ASSESSMENT

A. Settlement Strategy

In the adopted Cowal Local Plan, the site is located between the settlements of Hunter's Quay and Ardnadam covered specifically by Policies POL RUR 1 and TOUR 14.

The site is located within the 'Countryside around Settlement' zone. Policy STRAT DC 2 of the Argyll & Bute Structure Plan supports development within the 'Countryside Around Settlements' which accords with the settlement plan for the area including appropriate small scale infill rounding-off and redevelopment.

This application relates solely to changes in the design and layout of the chalet lodge. In terms of settlement strategy, by virtue of the associated planning permission (Ref: 07/00373/DET), this proposal is consistent with the Development Plan.

The proposal is therefore consistent with policy STRAT DC 2 of the approved structure plan and policies POL RUR 1, POL RUR 2 and TOUR 14 of the adopted local plan.

B. Location, Nature and Design of Proposed Development

Chalet lodge Z has been sited at the correct location. However, its design and layout varies from that of the chalet lodge detailed on the approved plans of planning permission 07/00373/DET. While this structure is slightly longer its overall footprint is smaller, the fenestration design is also different. However, it is clad in timber panelling and its roof is finished with metal cladding as detailed in the original planning permission. A timber balcony has also been erected onto the front and side elevation.

The department has received a representation raising an objection to this application that the structure is essentially not a chalet lodge but a caravan. The planning report for the original planning permission (dated 11th June 2007) states: *'the proposed lodges are different type to those already on site where the cladding would be horizontal but dark stained to match the existing. It is considered that this different specification would not unduly have a significant visual impact either in the design or finish of the modular lodge units'*. Furthermore, the planning report dated 10th April 2007 makes reference to the structure's *'hardstandings'*. Hardstandings are not required for buildings with foundations rather modular buildings.

While the design of the structure is at odds with that of the original planning permission, the structure in situ is a modular building which is the type of building/structure approved under planning permission 07/00373/DET.

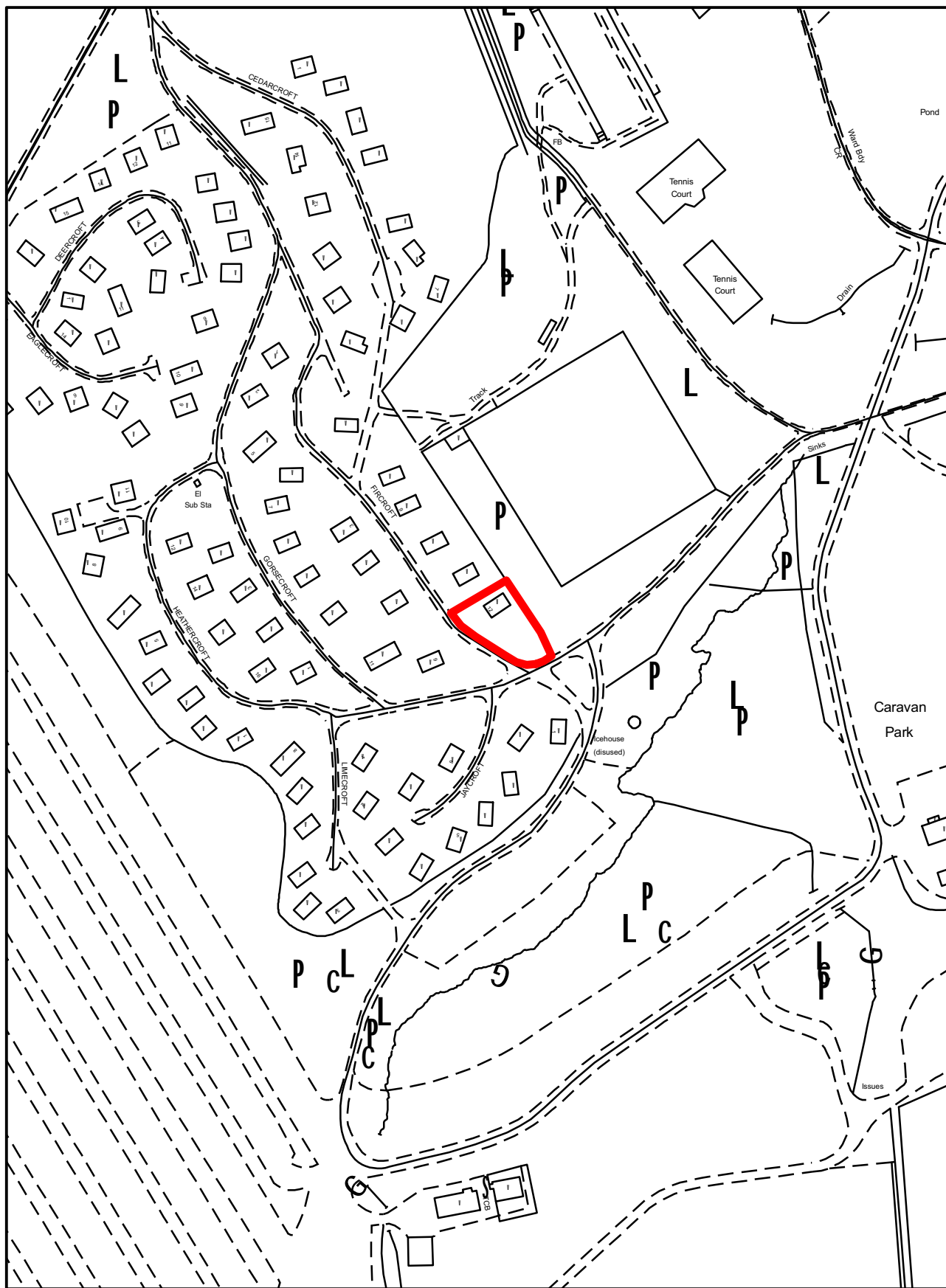
An objector has also raised a concern that it was agreed the caravan and lodge areas of the holiday village were to be kept separate. The previous planning report makes no reference to this point in assessing the planning application (07/00373/DET). In any event, it would be difficult to find a justifiable planning reason to keep both chalet and caravan development separate within the village as the site is a holiday park and it could be considered appropriate development within the site.

The proposal is therefore consistent with policy POL BE 9 of the adopted local plan and policy LP ENV 19 and Appendix A of the finalised draft local plan.

F. Conclusion.

While the proposed design and layout changes are at odds with the original planning permission, it is considered that the design changes are acceptable and do not materially alter planning permission 07/00373/DET.

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COMMITTEE LOCATION PLAN RELEVANT TO APPLICATION: 08/00874/NMA



1:2,500

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**TOWN AND COUNTRY PLANNING
DELEGATED DECISIONS SINCE LAST COMMITTEE**

Bute and Cowal

Application Types: *ADV App. for Advertisement Consent,
ART4 App. Required by ARTICLE 4 Dir,
CLAWU App. for Cert. of Law Use/Dev. (Existing),
CLWP App. for Cert. of Law Use/Dev. (Proposed),
COU App. for Change of Use Consent,
CPD Council Permitted Dev Consultation,
DET App. for Detailed Consent,
FDP Forest Design Plan Consultation,
FELLIC Felling Licence Consultation,
GDCON Government Dept. Consultation,
HAZCON App. for Hazardous Substances Consent,
HYDRO Hydro Board Consultation,
LIB Listed Building Consent,
LIBECC App. for Consent for ecclesiastical building,
MFF Marine Fish Farm Consultation,
MIN App. for Mineral Consent,
NID Not. of intent to develop app.,
NMA Not. for Non-Material Amnt,
OUT App. for Permission in Principle,
PNAGRI Prior Not. Agriculture,
PNDEM Prior Not. Demolition,
PNELEC Prior Not. Electricity,
PNFOR Prior Not. Forestry,
PNGAS Prior Not. Gas Supplier,
PREAPP Pre App. Enquiry,
REM App. of Reserved Matters,
TELNOT Telecoms Notification,
TPO Tree Preservation Order,
VARCON App. for Variation of Condition(s),
WGS Woodland Grant Scheme Consultation*

Decision Types: *PER Approved
WDN Withdrawn
NOO No Objections
AAR Application Required
CGR Certificate Granted
OBR Objections Raised
PDD Permitted Development
PRE Permission Required
NRR New App. Required*

**TOWN AND COUNTRY PLANNING
DELEGATED DECISIONS SINCE LAST COMMITTEE
Bute and Cowal**

| App No | Applicant name, address and proposal | Valid date | Decision date | Decision |
|---------------|--|-------------------|----------------------|-----------------|
| 08/01039/NMA | Mr Sneddon Land To The East Of Ardenraig Strathlachlan Argyll And Bute Erection of dwellinghouse (non-material amendment to Planning Permission 03/01533/DET to incorporate alterations to footprint of lounge 'wing' position and associated timber decking). | 05/06/2008 | 20/06/2008 | REF |
| 08/01037/NMA | Mr And Mrs Colin S Cameron Land To The North Of 1 Clachan Croft Strachur Argyll And Bute Erection of dwellinghouse (amendment to Planning Permission 05/02157/REM incorporating replacement of two central dormers with rooflights and removal of chimney) | 10/06/2008 | 30/06/2008 | PER |
| 08/01020/TPO | Mr Keith Campbell Land South West Of Hunters Quay Holiday Village Hunters Quay Dunoon Argyll And Bute PA23 8HP Consent to lop 1No birch tree | 06/06/2008 | 17/06/2008 | PER |
| 08/01013/DET | Andrew Fraser Tigh Geal Strathlachlan Cairndow Argyll And Bute PA27 8DB Demolition of conservatory and erection of rear extension | 05/06/2008 | 30/06/2008 | PER |
| 08/01012/NMA | Ralph Peters Plot 1 North Of Ashbank Strachur Argyll And Bute Erection of a dwellinghouse and detached garage (amendment to planning permission 07/00662/REM to incorporate the removal of the flat roofed balcony and formation of pitched roof) | 28/05/2008 | 20/06/2008 | PER |
| 08/01010/DET | Mr And Mrs MacDonald 42 Sandhaven Sandbank DunoonArgyll And Bute PA23 8QN Erection of wooden fence | 30/05/2008 | 26/06/2008 | PER |

**TOWN AND COUNTRY PLANNING
DELEGATED DECISIONS SINCE LAST COMMITTEE
Bute and Cowal**

| App No | Applicant name, address and proposal | Valid date | Decision date | Decision |
|---------------|--|-------------------|----------------------|-----------------|
| 08/01009/NMA | Dr Lindsay Sawyer Crunadh Millhouse Tighnabruaich Argyll And Bute PA21 2DA Alterations and extension to dwellinghouse (amendment to permission 03/02126/DET incorporating change in material for front dormer window from copper to natural slate) | 27/05/2008 | 25/06/2008 | PER |
| 08/00983/DET | Alexander Sinclair Ground Floor Flat Rosemount 31 Ardbeg Road Rothesay Isle Of Bute Argyll And Bute PA20 0NL Installation of replacement windows | 23/05/2008 | 25/06/2008 | PER |
| 08/00982/NMA | Andrew Kaine 75 Auchamore Road Dunoon Argyll And Bute PA23 7JL Erection of side extension (amendment to permission 08/00155/DET to incorporate change of render) | 23/05/2008 | 25/06/2008 | PER |
| 08/00938/CPD | Property Services Manager Swimming Pool 118 High Street Rothesay Isle Of Bute Argyll And Bute PA20 9BN Siting of gas kiosk | 21/05/2008 | 16/06/2008 | PER |
| 08/00937/REM | Robert Lindsay South West Of Ardchylne St Catherines Argyll And Bute Formation of vehicular access and installation of septic tanks | 20/05/2008 | 26/06/2008 | PER |
| 08/00936/NMA | Mr And Mrs Oberheim Plot 6 Land North West Of Portavadie Farm Millhouse Argyll And Bute Erection of two dwellinghouses and garage (amendment to planning permission 06/02568/DET to incorporate revised garage footprint design) | 19/05/2008 | 20/06/2008 | REF |

**TOWN AND COUNTRY PLANNING
DELEGATED DECISIONS SINCE LAST COMMITTEE
Bute and Cowal**

| App No | Applicant name, address and proposal | Valid date | Decision date | Decision |
|---------------|--|-------------------|----------------------|-----------------|
| 08/00925/TPO | Scottish And Southern Energy Butchers Wood Tighnabraich Argyll And Bute Felling of 10 trees (willow, sycamore and oak) and lopping 1 oak (partially retrospective). | 14/05/2008 | 06/06/2008 | PER |
| 08/00922/NMA | GD Lodge Architects Land South Of Church Cottage Townhead Rothesay Isle Of Bute Argyll And Bute PA20 9JH Demolition of disused store and erection of two dwellinghouses (amendment to permission 07/00677/REM incorporating glazing to rear storage areas) | 13/05/2008 | 10/06/2008 | PER |
| 08/00919/DET | Mr Michael Anderson 7 Dhailing Avenue Kirn Dunoon Argyll And Bute PA23 8EF Retention of domestic garage workshop | 12/05/2008 | 23/06/2008 | PER |
| 08/00879/NMA | Bridget Paterson Land To The South Of Loch Quien Scalpsie Isle Of Bute Formation of timber bird hide with turf roof (amendment to permission 08/00098/DET incorporating reduction in floor area of bird hide from 65 square metres to 15 square metres) | 02/05/2008 | 10/06/2008 | PER |
| 08/00878/NMA | Bridget Paterson Land Adjacent To The A844 At The South End Of Ettrick Bay Isle Of Bute Formation of car parking lay-by, access path and bridge and stone and turf bird hide (amendment to permission 08/00082/DET incorporating reduction in floor area of bird hide from 66 square metres to 18 square metres) | 02/05/2008 | 10/06/2008 | PER |
| 08/00876/DET | Mr And Mrs Pound Cairndow Cottage Cairndow Argyll And Bute PA26 8BN | 08/05/2008 | 10/06/2008 | PER |

**TOWN AND COUNTRY PLANNING
DELEGATED DECISIONS SINCE LAST COMMITTEE
Bute and Cowal**

| App No | Applicant name, address and proposal | Valid date | Decision date | Decision |
|---------------|--|-------------------|----------------------|-----------------|
| 08/00875/NMA | Marshall Associates 33 Bishop Street Rothesay Isle Of Bute Argyll And Bute PA20 9DH Partial demolition of existing building and erection of new extension (amendment to permission 06/01544/DET incorporating changes to size and design of extension) | 12/05/2008 | 10/06/2008 | PER |
| 08/00860/DET | Mr Allan Greenhill 5B Columshill Place Rothesay Isle Of Bute Argyll And Bute PA20 0DL Formation of new window opening on rear elevation | 13/05/2008 | 27/06/2008 | PER |
| 08/00843/DET | Mr Neil MacFarlane Flat 2/1 5 Argyle Street Rothesay Isle Of Bute Argyll And Bute PA20 0AT Installation of replacement windows | 12/05/2008 | 17/06/2008 | PER |
| 08/00835/TPO | Mr John Gilmour 11C Mount Pleasant Road Rothesay Isle Of Bute Argyll And Bute PA20 9HQ Felling of sycamore tree | 06/05/2008 | 30/05/2008 | PER |
| 08/00833/OUT | Mount Stuart Trust - Bute Estate Upper Ardroscaedale Rothesay Isle Of Bute Argyll And Bute PA20 0QG Site for the erection of three dwellinghouses, demolition of farm buildings, formation of farm access and installation of private sewage systems (Renewal of outline planning permission 05/00661/OUT) | 15/05/2008 | 26/06/2008 | PER |
| 08/00832/OUT | Mr And Mrs J Allison Garden Ground Of Omard Alexandra Parade Dunoon Argyll And Bute Erection of three dwellinghouses and formation of vehicular accesses | 02/05/2008 | 20/06/2008 | REF |

**TOWN AND COUNTRY PLANNING
DELEGATED DECISIONS SINCE LAST COMMITTEE
Bute and Cowal**

| App No | Applicant name, address and proposal | Valid date | Decision date | Decision |
|---------------|--|-------------------|----------------------|-----------------|
| 08/00795/DET | Mrs Henrietta Ferguson Upper Flat 5 Mount Pleasant Road Rothesay Isle Of Bute Argyll And Bute PA20 9HQ Installation of replacement windows | 25/04/2008 | 30/05/2008 | PER |
| 08/00793/DET | Mr Alan MacKenzie And Mr Hugh Young Flat 1 Daisybank Kilchattan Bay Isle Of Bute Argyll And Bute PA20 9NL Installation of replacement windows | 25/04/2008 | 29/05/2008 | PER |
| 08/00788/DET | Mrs Morton Craignethan Shore Road Kames Argyll And Bute PA21 2AG Alterations to outbuilding to form two bedrooms and bathroom and installation of timber decking | 24/04/2008 | 28/05/2008 | PER |
| 08/00787/TPO | Daniel Conlin Glen Royal Glenburn Road Rothesay Isle Of Bute Argyll And Bute PA20 9JP Felling of lime trees and sycamore and replanting of two rowan trees | 23/04/2008 | 30/05/2008 | PER |
| 08/00773/DET | Mrs Julia Sargent 10 Battery Place Rothesay Isle Of Bute Argyll And Bute Installation of replacement windows | 30/04/2008 | 10/06/2008 | PER |
| 08/00770/DET | Boyd Neilson 2 Laudervale Dunoon Argyll And Bute PA23 7QL Erection of extension to conservatory | 30/04/2008 | 30/05/2008 | PER |

**TOWN AND COUNTRY PLANNING
DELEGATED DECISIONS SINCE LAST COMMITTEE
Bute and Cowal**

| App No | Applicant name, address and proposal | Valid date | Decision date | Decision |
|---------------|--|-------------------|----------------------|-----------------|
| 08/00766/NMA | Kevin Attfield The Ladehouse Rothesay Isle Of Bute Argyll And Bute PA20 0QA Extension and alterations to dwellinghouse (amendment to permission 07/01938/DET incorporating reduction in glazing) | 09/04/2008 | 15/05/2008 | PER |
| 08/00762/LIB | Mrs Julia Sargent 10 Battery Place Rothesay Isle Of Bute Argyll And Bute Installation of replacement windows | 23/04/2008 | 10/06/2008 | PER |
| 08/00748/DET | Miss Catriona Donald Flat 10 16 Victoria Parade Dunoon Argyll And Bute PA23 7LD Erection of patio and new handrails | 16/04/2008 | 15/05/2008 | PER |
| 08/00747/COU | Richard Addis The Anchorage Annexe Shore Road Sandbank Dunoon Argyll And Bute PA23 8QG Subdivision of property into two dwellings | 25/04/2008 | 17/06/2008 | PER |
| 08/00738/ADV | Hannay Fraser And Co 34 Castle Street Rothesay Isle Of Bute Argyll And Bute PA20 9HD Erection of internally illuminated signboard | 16/04/2008 | 28/05/2008 | PER |
| 08/00737/LIB | Hannay Fraser And Co 34 Castle Street Rothesay Isle Of Bute Argyll And Bute PA20 9HD Erection of internally illuminated signboard | 16/04/2008 | 28/05/2008 | PER |

**TOWN AND COUNTRY PLANNING
DELEGATED DECISIONS SINCE LAST COMMITTEE
Bute and Cowal**

| App No | Applicant name, address and proposal | Valid date | Decision date | Decision |
|---------------|--|-------------------|----------------------|-----------------|
| 08/00721/DET | Colin And Melony Tait Rudha Mor Kames Argyll And Bute PA21 2AG Alterations and extension | 15/04/2008 | 15/05/2008 | PER |
| 08/00710/DET | Thus Plc Library Headquarters Sandbank Business Park Highland Avenue Sandbank Dunoon Argyll And Bute PA23 8QZ Erection of 8 metre high pole and two antennae | 11/04/2008 | 08/05/2008 | PER |
| 08/00703/COU | Cowal Car Components 68A And 68B George Street Dunoon Argyll And Bute PA23 8BW Change of use, alterations and extension of flats to form shop and stores . | 09/04/2008 | 28/05/2008 | PER |
| 08/00698/DET | Alan And Margaret Eccles Plot 3 Land South West Of Netherfield Ferry Road Sandbank Argyll And Bute Erection of dwellinghouse (amendment to permssion 04/01084/DET to incorporate raising of roof height , erection of chimney and omission /relocation of windows and doors) | 17/04/2008 | 30/05/2008 | PER |
| 08/00688/DET | Harry Lymburn 51 Mountstuart Road Rothesay Isle Of Bute Argyll And Bute PA20 9EB Erection of replacement garden shed | 07/04/2008 | 23/05/2008 | PER |
| 08/00683/DET | John Morrison Lady Mary's Yard 4 Bishop Terrace Brae Rothesay Isle Of Bute Argyll And Bute PA20 9DW Erection of dwellinghouse | 15/04/2008 | 12/06/2008 | REF |

**TOWN AND COUNTRY PLANNING
DELEGATED DECISIONS SINCE LAST COMMITTEE
Bute and Cowal**

| App No | Applicant name, address and proposal | Valid date | Decision date | Decision |
|---------------|--|-------------------|----------------------|-----------------|
| 08/00675/DET | Maxwell V Johnston Chromain Cottage Sandbank Dunoon Argyll And Bute PA23 8PN Retention of replacement conservatory/porch | 03/04/2008 | 02/05/2008 | PER |
| 08/00669/DET | STED Investments Ltd 229 Alexandra Parade Dunoon Argyll And Bute PA23 8HD Erection of 65 bed nursing home, formation of car parking spaces and erection of substation (amendment to planning permission 06/01106/DET) | 02/04/2008 | 13/06/2008 | PER |
| 08/00667/DET | Brian Rennie Auchafour Cottage Toward Dunoon Argyll And Bute PA23 7UJ Retention of alterations and extension to dwellinghouse and relocation of driveway. | 02/04/2008 | 23/05/2008 | PER |
| 08/00658/DET | Barryrange Ltd Buckingham Terrace 12/ 14/ 16 Castle Street Port Bannatyne Isle Of Bute Alterations to tenement incorporating change to roof shape, installation of new rooflights and installation of replacement windows | 03/04/2008 | 04/07/2008 | PER |
| 08/00623/NMA | Mr B Wyers And Ms M Whaley Land North East Of 18 Crichton Road Rothesay Isle Of Bute Argyll And Bute Erection of a dwellinghouse and formation of new vehicular access (amendment to permission 05/01378/DET incorporating additional rooflight) | 31/03/2008 | 29/05/2008 | PER |
| 08/00621/DET | Brian Stevenson 130 Bullwood Road Dunoon Argyll And Bute PA23 7QN Erection of rear extension and external alterations, raised front patio area and rear timber deck (amendment to permission reference 07/01386/DET to incorporate alterations to design of rear extension, additional single storey extension, installation of additional roof light windows and alterations to design of front patio and balustrade) | 01/04/2008 | 12/05/2008 | PER |

**TOWN AND COUNTRY PLANNING
DELEGATED DECISIONS SINCE LAST COMMITTEE
Bute and Cowal**

| App No | Applicant name, address and proposal | Valid date | Decision date | Decision |
|---------------|--|-------------------|----------------------|-----------------|
| 08/00620/DET | Brian Stevenson Shelford 130 Bullwood Road Dunoon Argyll And Bute PA23 7QN Retention of raised timber decking. | 01/04/2008 | 12/05/2008 | PDD |
| 08/00600/DET | Graham H Bolton 17 Mount Pleasant Road Rothesay Isle Of Bute Argyll And Bute PA20 9HQ Installation of Replacement Windows | 18/04/2008 | 15/05/2008 | PER |
| 08/00578/DET | Highlands And Islands Enterprise Land To North East Of Unit 20 Sandbank Business Park Highland Avenue Sandbank Dunoon Argyll And Bute PA23 Erection of industrial unit | 02/04/2008 | 23/05/2008 | PER |
| 08/00567/DET | William Adey Flat Ground/1 38 Columshill Street Rothesay Isle Of Bute Argyll And Bute PA20 0DW Retention of satellite dish | 25/03/2008 | 15/05/2008 | PER |
| 08/00560/OUT | John Watson Ground To The North Of Ascog Farmhouse Isle Of Bute Restoration of derelict dwelling and installation of septic tank . | 26/03/2008 | 16/05/2008 | PER |
| 08/00511/DET | Mr Robert Thornton And Mrs Tracy Thornton Flat 0/1 17 Castle Street Port Bannatyne Isle Of Bute Argyll And Bute PA20 0ND Installation of replacement windows. | 17/03/2008 | 16/06/2008 | PER |

**TOWN AND COUNTRY PLANNING
DELEGATED DECISIONS SINCE LAST COMMITTEE
Bute and Cowal**

| App No | Applicant name, address and proposal | Valid date | Decision date | Decision |
|---------------|---|-------------------|----------------------|-----------------|
| 08/00460/DET | David John Irving 1 Birch Gate Kirn Dunoon Argyll And Bute PA23 8GA Erection of timber boundary fence (Retrospective) | 28/05/2008 | 25/06/2008 | PER |
| 08/00457/DET | Mr And Mrs D Alexander Rahoy Toward Argyll And Bute PA23 7UG Erection of extension and garage | 24/04/2008 | 30/05/2008 | PER |
| 08/00450/COU | Mary MacNiven Cuil House Cairndow Argyll And Bute PA26 8BL Change of use and alterations of steading to form self-catering accommodation and artist's studio. | 19/03/2008 | 23/05/2008 | PER |
| 08/00439/DET | Richmack Ltd 10 Castle Street Port Bannatyne Isle Of Bute Argyll And Bute Installation of replacement windows | 29/02/2008 | 03/06/2008 | PER |
| 08/00432/DET | D McCreadie Flat 6 Lorne Place Tighnabraich Argyll And Bute PA21 2DS Retention of two roof light windows and timber fence | 26/03/2008 | 14/05/2008 | PER |
| 08/00430/COU | Mr And Mrs M Brunjes Fire Station Tighnabraich Argyll And Bute PA21 2DS Conversion of former fire station to dwellinghouse | 10/03/2008 | 29/05/2008 | PER |

**TOWN AND COUNTRY PLANNING
DELEGATED DECISIONS SINCE LAST COMMITTEE
Bute and Cowal**

| App No | Applicant name, address and proposal | Valid date | Decision date | Decision |
|---------------|---|-------------------|----------------------|-----------------|
| 08/00411/COU | Mr Guy Crichton 13 Craigmore Road Rothesay Isle Of Bute Argyll And Bute PA20 9LB Change of Use from residential care home to dwellinghouse | 07/03/2008 | 14/05/2008 | PER |
| 08/00395/DET | D M Rental 24 Hillfoot Street Dunoon Argyll And Bute PA23 7DS Alteration and extension to form 2 dwellinghouses and formation of car parking spaces | 19/03/2008 | 06/06/2008 | PER |
| 08/00391/DET | Baron Van Lynden Ballimore Estate Otter Ferry Argyll And Bute PA21 2DH Formation of forest access | 17/03/2008 | 14/05/2008 | PER |
| 08/00385/OUT | Mrs M Conner Land West Of 4 Hunter Street Kilm Argyll And Bute Erection of dwellinghouse and formation of vehicular access | 03/04/2008 | 29/05/2008 | PER |
| 08/00309/DET | Northern Energy Developments Ltd Land To The North Of Dalinlongart Waste Disposal Site Sandbank Dunoon Erection of a wood fired combined heat and power plant and formation of vehicular access | 20/02/2008 | 06/06/2008 | PER |
| 08/00227/OUT | Donald McVicar Land To The North East Of Gortain Croft Strathlachlan Cairndow Argyll And Bute PA27 8BU Erection of two dwellinghouses | 01/02/2008 | 27/06/2008 | PER |

**TOWN AND COUNTRY PLANNING
DELEGATED DECISIONS SINCE LAST COMMITTEE
Bute and Cowal**

| App No | Applicant name, address and proposal | Valid date | Decision date | Decision |
|----------------|---|-------------------|----------------------|-----------------|
| 08/00148/TPO | Mr Eliot Peterson Land To North Of 27 Victoria Road Hunters Quay Argyll And Bute Removal of 40 trees | 17/01/2008 | 24/06/2008 | REF |
| 08/00003/LIB | Mr James Fraser Flat 47 Tower Street Rothesay Isle Of Bute Argyll And Bute PA20 0AW Installation of replacement windows | 03/01/2008 | 09/06/2008 | PER |
| 08/00002/DET | Mr James Fraser Flat 4 7 Tower Street Rothesay Isle Of Bute Argyll And Bute PA20 0AW Installation of replacement windows | 03/01/2008 | 09/06/2008 | PER |
| 07/02379/OUT | Mr Eliot Peterson Land To The North Of 27 Victoria Road Hunters Quay Dunoon Erection of three dwellinghouses and formation of vehicular accesses | 13/12/2007 | 24/06/2008 | REF |
| 07/02189/COU | Walkers Home And Garden Centre 361 Argyll Street Dunoon Argyll And Bute PA23 7RN Use of land for the siting of storage containers (retrospective). | 13/11/2007 | 30/05/2008 | PER |
| 07/02102/VARCO | Fynelife Ltd Bedford House Alexandra Parade Dunoon Argyll And Bute PA23 8AE Removal of Condition 2 of permission ref. 06/01726/COU to allow continued occupation. | 06/11/2007 | 10/06/2008 | PER |

**TOWN AND COUNTRY PLANNING
DELEGATED DECISIONS SINCE LAST COMMITTEE
Bute and Cowal**

| App No | Applicant name, address and proposal | Valid date | Decision date | Decision |
|---------------|---|-------------------|----------------------|-----------------|
| 07/00006/DET | Mr And Mrs A Smith Garden Ground Of Rowantree Kames Tighnabraich Argyll And Bute PA21 2AE Erection of dwellinghouse | 20/12/2006 | 30/06/2008 | PER |

**BUILDING STANDARDS
DELEGATED DECISIONS SINCE LAST COMMITTEE
Bute and Cowal**

| CASENO | APPLICANT NAME/PROPOSAL AND SITE ADDRESS | RECEIVED | VETTED DATE | DECISION | DECISION |
|-------------------|--|------------|----------------|------------|----------|
| 06/00201/ERECDW/A | Desmond And Lynnn O'Keefe Plot B Ground South East Of Riverbank Surgery Kilmun Argyll And Bute Amennment to Warrant, to form basement storage level. | 28/06/2007 | 04/07/2007 | 21/05/2008 | WARAPP |
| 06/01488/ERECDW/A | Archd Fergusson Ltd Plot 1 And 3 Garden Ground Creggandarroch House Blairmore Argyll And Bute PA23 8TH Amendment to warrant, to cover removal of balcony, changing french windows to windows, and division of kitchen/family room (Plots 1 _ 3 only). | 16/10/2007 | 03/12/2007 | 28/05/2008 | WARAPP |
| 06/01488/ERECDW/B | Archd Fergusson Ltd Plot 1 And 3 Garden Ground Creggandarroch House Blairmore Argyll And Bute PA23 8TH Amendment to Warrant to cover; alterations to layout, deletion of first floor balcony, replacement of open fire with multi fuel stove - (RELATING TO PLOT 1 ONLY) | 25/04/2008 | 09/05/2008 | 28/05/2008 | WARAPP |
| 07/00033/ALTER/B | N H S Highland Dunoon And District General Hospital 360 Argyll Street Dunoon Argyll And Bute PA23 7RL Amendment to warrant to; alter layout of new dental surgery and decontamination room - remove works to DSP and office space | 15/04/2008 | | 21/05/2008 | WARAPP |
| 07/00874/ALTER | SMS Ltd Unit 19 Sandbank Business Park Highland Avenue Sandbank Dunoon Argyll And Bute PA23 8PB Alteration to form additional offices. | 21/06/2007 | 24/08/2007 | 02/07/2008 | WARAPP |
| 07/01135/ALTER/A | NHS Highlands Dunoon And District General Hospital 360 Argyll Street Dunoon Argyll And Bute PA23 7RL Amendment to warrant, to cover canopy design, ramp and X-ray department. | 20/03/2008 | | 21/05/2008 | WARAPP |
| 07/01155/ALTER | Mr Kenneth James Flat 2/1 Earl Place 74 Ardbeg Road Rothesay Isle Of Bute Argyll And Bute PA20 0NN Alterations to flat, to relocate kitchen, forming additional bedrom; and formation of shower room | 10/09/2007 | 19/09/2007 | 02/07/2008 | WARAPP |

**WARAPP=Building Warrant Approved WARREF=Building Warrant Refused
WARWIT=Building Warrant Withdrawn COMF=Letter of Comfort issued COMFR=Letter of Comfort refused
EXEMPT=Exempt Building Warrant LOCWIT= Letter of Comfort withdrawn SUPERS=Superceded by new Building**

| | | | | | |
|------------------|---|------------|------------|------------|--------|
| 07/01275/ALTER/A | John And Laurence Todd 50 Hill Street Dunoon Argyll And Bute PA23 7AY Amendment to Warrant, to relocate kitchen window, and form a step to bedroom window. | 28/04/2008 | 14/05/2008 | 19/05/2008 | WARAPP |
| 07/01428/EXTEND | Mr And Mrs G Davidson Craigiebell 338 Argyll Street Dunoon Argyll And Bute PA23 7RL Extension to dwelling, to form kitchen at rear and rooms within attic | 20/11/2007 | 27/11/2007 | 23/05/2008 | WARAPP |
| 07/01514/ALTEXT | Mr And Mrs Coutts 77 Argyll Road Kilmun Argyll And Bute PA23 8LZ Alterations and extension to dwelling; to relocate kitchen, form additional bedroom and WC room, and erection of a conservatory. | 06/12/2007 | 22/01/2008 | 19/05/2008 | WARAPP |
| 07/01536/ERECDW | Paul Walker Land To North Of Auchamore Farm 9 Alexander Street Dunoon Argyll And Bute PA23 7LS Erection of dwellinghouse | 17/12/2007 | 27/12/2007 | 21/05/2008 | WARAPP |
| 07/01550/ERECDW | Stewart McNee (Dunoon) Ltd Plot South Of Ardenlee Lodge Bullwood Road Dunoon Argyll And Bute Erection of a dwellinghouse | 19/12/2007 | 07/01/2008 | 21/05/2008 | WARAPP |
| 08/00038/ALTER | Roxburn Properties North West 7 West Princes Street Rothesay Isle Of Bute Argyll And Bute PA20 9AF Alterations to flats, to relocate kitchens and bathrooms | 09/01/2008 | 25/01/2008 | 19/05/2008 | WARAPP |
| 08/00060/ALTER | Mrs Jane Fiona Hartley Flat 2/2 32 Ardbeg Road Rothesay Isle Of Bute Argyll And Bute PA20 0NL Alteration to flat, to to relocate bathroom and kitchen, and form additional bedroom | 14/01/2008 | 06/02/2008 | 20/05/2008 | WARAPP |
| 08/00098/ERECDW | Mr And Mrs K Schwartz Craigend Cottage Kilmun Argyll And Bute PA23 8SE Erection of one and a half storey dwellinghouse with associated septic tank. | 17/01/2008 | 07/02/2008 | 19/05/2008 | WARAPP |

**WARAPP=Building Warrant Approved WARREF=Building Warrant Refused
WARWIT=Building Warrant Withdrawn COMF=Letter of Comfort issued COMFR=Letter of Comfort refused
EXEMPT=Exempt Building Warrant LOCWIT= Letter of Comfort withdrawn SUPERS=Superseded by new Building**

| | | | | | |
|-----------------|---|------------|------------|------------|--------|
| 08/00292/CONV07 | Drimsynie Construction Ltd Drimsynie Court Lochgoilhead Cairndow Argyll And Bute PA24 8AD Conversion of office to form dwelling house | 13/03/2008 | | 02/07/2008 | WARAPP |
| 08/00299/ALTER | Mr A Ridyard Kildonan 10 Baycroft Strachur Cairndow Argyll And Bute PA27 8BW Internal alterations - removal of non load bearing wall. | 14/03/2008 | 25/03/2008 | 17/06/2008 | WARAPP |
| 08/00300/ALTER | N H S Highland Dunoon And District General Hospital 360 Argyll Street Dunoon Argyll And Bute PA23 7RL Alterations to hospital, to temporary relocation the maternity ward. | 14/03/2008 | 16/04/2008 | 21/05/2008 | WARAPP |
| 08/00305/ERECDW | MacIntosh Homes Ltd Land West Of Seafield Strone Argyll And Bute Erection of three flats, and associated lpg tank | 17/03/2008 | | 28/05/2008 | WARAPP |
| 08/00353/ALTEXT | Ian McKnight Ashbank Strachur Cairndow Argyll And Bute PA27 8BX Erection of front sun lounge and rear extension | 27/03/2008 | 21/04/2008 | 05/06/2008 | WARAPP |
| 08/00386/ERECDW | Mr And Mrs Mitchell Land South East Of Shore Cottage Port Lamont Killellan Farm Toward Toward Dunoon Argyll And Bute Erection of dwellinghouse, with associated LPG and septic tank | 07/04/2008 | 01/05/2008 | 02/07/2008 | WARAPP |
| 08/00419/ALTER | John And Irene Sutcliffe Ardran The Bay Strachur Argyll And Bute PA27 8DE Alterations to insert new window opening, form bedroom, and form solid roof to conservatory | 18/04/2008 | 14/05/2008 | 19/06/2008 | WARAPP |
| 08/00489/ERECTD | John Watson The Reef Toward Argyll And Bute PA23 7UA Erection of a concrete sectional garage | 07/05/2008 | | 10/06/2008 | WARAPP |

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| 08/00490/EXTEND | Boyd Neilson 2 Laudervale Dunoon Argyll And Bute PA23 7QL Erection of conservatory | 07/05/2008 | 12/05/2008 | 20/06/2008 | WARAPP |
| 08/00493/EXTEND | Mr And Mrs Forsyth Glenview Wyndham Road Innellan Argyll And Bute PA23 7SH Extension to dwelling, to form conservatory | 06/05/2008 | 21/05/2008 | 05/06/2008 | WARAPP |
| 08/00494/DISAB1 | The Baptist Church The Baptist Church 7 King Street Rothesay Isle Of Bute Argyll And Bute Alteration to church, to form accessible toilet | 01/05/2008 | | 02/07/2008 | WARAPP |
| 08/00511/ALTER | Mr Roland Zielinski 51 Cammesreinach Crescent Hunters Quay Dunoon Argyll And Bute PA23 8JZ Installation of window to gable. | 12/05/2008 | 27/05/2008 | 25/06/2008 | WARAPP |
| 08/00512/ALTER | Mr Allan Greenhill Ground Floor Northmost Flat 5B Columshill Place Rothesay Isle Of Bute Argyll And Bute PA20 0DL Alteration to lower flat, to form bathroom window. | 13/05/2008 | 20/05/2008 | 20/05/2008 | WARAPP |
| 08/00541/EXTEND | James And Julia Black Willowbank The Bay Strachur Cairndow Argyll And Bute PA27 8DE Extension to dwelling to form kitchen | 16/05/2008 | 28/05/2008 | 17/06/2008 | WARAPP |
| 08/00542/ALTER | TSC Ltd Caledonia House Sandbank Business Park Highland Avenue Sandbank Dunoon Argyll And Bute PA23 8QZ Alterations to form additional office space | 19/05/2008 | | 02/07/2008 | WARAPP |
| 08/00543/EXTEND | Kean Construction Trefoil St Catherines Cairndow Argyll And Bute PA25 8BA Erection of of single storey lounge extension | 19/05/2008 | 29/05/2008 | 19/06/2008 | WARAPP |

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| 08/00550/CONV02 | Mrs Mary Pollock 2 Abbeyhill Dunoon Argyll And Bute PA23 8FG Conversion of garage to form bedroom with ensuite | 21/05/2008 | 04/06/2008 | 19/06/2008 | WARAPP |
| 08/00579/ALTER | Tommy Williamson 13 Broomfield Drive Dunoon Argyll And Bute PA23 7LJ Alteration to dwelling, to form pitched roof, and french windows | 02/06/2008 | 03/06/2008 | 03/06/2008 | WARAPP |
| 08/00591/ALTER | Stuart Scott Kames Castle Port Bannatyne Isle Of Bute Argyll And Bute PA20 0QP Alteration to form internal opening | 28/05/2008 | | 25/06/2008 | WARAPP |
| 08/00608/ALTER | Mr And Mrs R Mozley Mosgail Stewart Street Kilm Dunoon Argyll And Bute PA23 8DS Internal alterations to form doorway into cellar area | 09/06/2008 | 17/06/2008 | 19/06/2008 | WARAPP |
| 08/00613/DEMOL | Peter Goodwin Langalchorad Cottage Kingarth Isle Of Bute Argyll And Bute PA20 9LX Demolish cottages and outbuilding | 11/06/2008 | | 25/06/2008 | WARAPP |

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