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Argyll and Bute Council
Comhairle Earra Ghaidheal agus Bhoid

Corporate Services
Director: Nigel Stewart



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27 January 2009

NOTICE OF MEETING

A meeting of the **BUTE AND COWAL AREA COMMITTEE** will be held in the **QUEEN'S HALL, DUNOON** on **TUESDAY, 3 FEBRUARY 2009** 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 13th January 2009 (Pages 1 - 6)
- 4. PRESENTATION BY AREA CHAIR TO MR S DAVIDSON**
- 5. COMMUNITY SERVICES**
 - (a) Dunoon Grammar School: Achievement Report 2008 (Pages 7 - 14)
- 6. CORPORATE SERVICES**
 - (a) Verbal Report on Dunoon - Gourock Ferry Service
 - (b) Bute & Cowal Area Plan (Pages 15 - 34)
- 7. PUBLIC AND COUNCILLOR QUESTION TIME**

8. DEVELOPMENT SERVICES

- (a) Report on Loch Lomond and The Trossachs National Park Consultative Draft Local Plan (Pages 35 - 42)
- (b) Planning Application 08/01513/DET, Mr & Mrs A Barker, Land between Tigh Na Ruel and Lochhead Cottage, Glendaruel (Pages 43 - 58)
- (c) Change of Use Application 08/01759/COU, Stewart Shaw Ltd, Yard 4A Colbeck Place, Colbeck Lane, Rothesay, Isle of Bute (Pages 59 - 68)
- (d) Non-material Amendment 08/01995/NMA, Heather Monteith, Flat 4, Craighenure Flats, Shore Road, Innellan (Pages 69 - 78)
- (e) Delegated Development Control and Building Control Decisions (Pages 79 - 88)

9. EXEMPT ITEMS

- E1 (a) Lease of Site at Dunoon Stadium (Pages 89 - 94)
- E2 (b) Enforcement Reports (Pages 95 - 116)

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 - Paragraph 6 Information relating to the financial or business affairs of any particular person (other than the authority). And

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.

E2 - 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 EAGLESHAM HOUSE, MOUNTPLEASANT ROAD, ROTHESAY, ISLE OF BUTE on TUESDAY, 13 JANUARY 2009

Present: Councillor B Marshall (Chair)

Councillor A MacAlister	Councillor L Scoullar
Councillor A McNaughton	Councillor R Simon
Councillor J McQueen	Councillor I Strong
Councillor R Macintyre	

Attending: Charles Reppke, Head of Democratic Services and Governance
David Eaglesham, Area Team Leader Development Control

1. APOLOGIES

An apology for absence was intimated on behalf of Councillor Walsh and Chief Inspector Mosley.

2. DECLARATIONS OF INTEREST

Councillor A McNaughton declared a non financial interest in items 4a and b by reason of personal knowledge of the applicant.

Councillors R Macintyre and L Scoullar declared a non financial interest in item 4f by reason of personal knowledge with the main objector.

3. MINUTES

(a) MINUTE OF AREA COMMITTEE OF 16TH DECEMBER 2008

The Minute of the Area Committee of 16th December 2008 was approved as a correct record.

4. DEVELOPMENT SERVICES

(a) PLANNING APPLICATION 08/00607/DET, J MCNAUGHTON, SITE 1 LAND 250 METRES SOUTH OF SALTHOUSE, COLINTRAIVE

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

Motion

Section 25 of the Town and Country (Scotland) Act 1997 requires that decisions are made in accordance with the development plan unless material considerations indicate otherwise. The development plan comprises the Cowal Local Plan and the Argyll and Bute Structure Plan.

In terms of the Cowal Local Plan, the site complements the existing settlement pattern along the eastern shore of Loch Riddon which is

characterised by small clusters of houses at widely spread intervals. Although the site of the development is more elevated than others, it is well screened by existing trees on the loch side and only the roof would be visible from the A886. I therefore consider that the proposal accords with POL HO 10 of the Cowal Local Plan.

The Post Inquiry Modified Argyll & Bute Local Plan, although the most recent statement of council policy, is only a material consideration. In the Plan, the site lies within a ROA, although the Reasoned Justification to Policy LP HOU 1 mentions that development proposals in such areas in National Scenic Areas will be considered to be premature until a Landscape Capacity Study has been approved by the Council. However the ROA in question stretches over 1km along the northern end of the east shore on Loch Riddon and given that precedent was set in relation to Site 2 in 2004 when that plot was considered to have an acceptable environmental impact, I cannot imagine that a Landscape Capacity Study could find that the landscape impact of this site was now unacceptable. Approval of this application would not therefore compromise the findings of such a study. I do not therefore consider that the emerging Local Plan should override the provisions of the development plan in this case.

I also consider that operational need is an important consideration, bearing in mind STRAT AC 1 which “allows non agricultural form of development to support farming”.

Consequently, I move that the application be approved as being in accordance with the development plan subject to conditions to be approved by the Head of Planning Services in consultation with the Area Chair.

Proposed: Councillor B Marshall
Seconded: Councillor R Simon

The Head of Democratic Services and Governance and Area Team Leader, Development Control advised Members that this was not a competent motion and explained the reasons for the advice and advised that it would be recorded in the minutes that this advice had been given to Members.

The Chair, having considered the advice, ruled that the motion was competent.

Decision

The Committee unanimously agreed the terms of the Motion and noted that the application would be referred to the Protective Services and Licensing Committee.

(Reference: Report by the Head of Planning Services dated 28th November 2008 – submitted)

(b) **PLANNING APPLICATION 08/00611/DET, J MCNAUGHTON, SITE 2
LAND 250 METRES SOUTH OF SALTHOUSE, COLINTRAIVE**

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

Motion

Section 25 of the Town and Country Planning (Scotland) Act 1997 requires that decisions are made in accordance with the development plan unless material considerations indicate otherwise. The development plan comprises the Cowal Local Plan and the Argyll & Bute Structure Plan.

This site benefitted from an outline planning permission granted as recently as 2004. The permission was granted (under delegated powers) and presumably considered to accord with the development plan despite being located in a National Scenic Area. As the development plan has not changed, the current application must therefore accord with the development plan.

The Post Inquiry Modified Argyll & Bute Local Plan, although the most recent statement of Council policy, is only a material consideration. In that Plan, the site lies within a Rural Opportunity Area, although the Reasoned Justification to Policy LP HOU 1 mentions that development proposals in such areas in National Scenic Areas will be considered to be premature until a Landscape Capacity Study had been approved by the Council. However, the Rural Opportunity Area in question stretches over 1km along the northern end of the east shore of Loch Riddon and, given that the plot was considered in 2004 to have an acceptable environmental impact, I can not imagine that a Landscape Capacity Study could find that the landscape impact of this site was now unacceptable. Approval of this application, bearing in mind its recently expired planning permission, would not therefore compromise the findings of such a study. I do not therefore consider that the emerging Local Plan should override the provisions of the development plan in the case.

Consequently, I move that the application be approved subject to conditions to be approved by the Head of Planning Services in consultation with the Area Chair.

Proposed: Councillor B Marshall

Seconded: Councillor R Simon

The Head of Democratic Services and Governance and Area Team Leader, Development Control advised Members that this was not a competent motion and explained the reasons for the advice and advised that it would be recorded in the minutes that this advice had been given to Members.

The Chair, having considered the advice, ruled that the motion was competent.

Decision

The Committee unanimously agreed the terms of the Motion and noted that the application would be referred to the Protective Services and Licensing Committee.

(Reference: Report by the Head of Planning Services dated 26th November 2008 – submitted)

- (c) **PLANNING APPLICATION 08/01244/DET, GEORGE HANSON (BUILDING CONTRACTORS) LTD, LAND SOUTH OF MONTFORD HOUSE, CRAIGMORE ROAD, ROTHESAY**

Councillor I Strong intimated her apologies for being late and joined the meeting at this stage.

Decision

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

(Reference: Report by the Head of Planning Services dated 17th December 2008 – submitted)

- (d) **LISTED BUILDING APPLICATION 08/01537/LIB, GEORGE HANSON (BUILDING CONTRACTORS) LTD, LAND SOUTH OF MONTFORD HOUSE, CRAIGMORE ROAD, ROTHESAY**

Decision

The Committee agreed to refer to Historic Scotland 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 17th December 2008 – submitted)

- (e) **CHANGE OF USE APPLICATION 08/01587/COU, DENICE PURDIE, CRAWFORD COTTAGE, STRATHLACHLAN, STRACHUR**

Decision

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

(Reference: Report by the Head of Planning Services dated 22nd December 2008 – submitted)

- (f) **APPROVAL OF RESERVED MATTERS 08/01849/REM, MR D HAIG, GROUND TO REAR OF ST BLANES HOTEL, KILCHATTAN BAY, ISLE OF BUTE**

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

Decision

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

(Reference: Report by the Head of Planning Services dated 18th December 2008 – submitted)

- (g) **PLANNING APPLICATION 08/01815/DET, MACINTOSH HOMES, RUBERSLAW HOUSE, SHORE ROAD, INNELLAN.**

Decision

The planning application be refused in terms of the report by the Head of Planning Services.

(Reference: Report by the Head of Planning Services dated 17th December 2008 – submitted)

- (h) **DELEGATED DEVELOPMENT CONTROL AND BUILDING CONTROL DECISIONS**

The Committee noted Delegated Development Control and Building Control Decisions made since the last meeting.

5. EXEMPT ITEMS

EXCLUSION OF PRESS AND PUBLIC

The Committee resolved in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973 to exclude the public for the following item of business on the grounds that it was likely to involve the disclosure of exempt information as defined in Paragraph 13 of Part 1 of Schedule 7A to the Local Government (Scotland) Act 1973.

- (a) **ENFORCEMENT REPORTS**

Decision

Enforcement Reports:-

08/00256/ENOTH3 – no further action
08/00291/ENOTH1 – no further action

(b) **TREE PRESERVATION ORDER**

Decision

The Committee agreed with the recommendations in the report by the Head of Planning Services.

ARGYLL & BUTE COUNCIL**BUTE AND COWAL
AREA COMMITTEE****CORPORATE SERVICES****3 FEBRUARY 2009**

DUNOON GRAMMAR SCHOOL: ACHIEVEMENT REPORT 2008**1. SUMMARY**

A report on the performance of all Argyll and Bute pupils in the Scottish Qualifications Authority (SQA) examination results was presented to the Strategic Policy Committee on 20 November 2008.

This report, presented by the Head Teacher, Mr Stewart Shaw, outlines the major achievements of the school in 2007/8 and includes the SQA examination results for pupils who sat examinations in May/June 2008. The results are based on pre-appeal data.

2. RECOMMENDATIONS

The Area Committee are asked to note the continuing improvement in the performance of pupils and the commitment of staff in their examination successes and in the wider aspects of achievement across the school.

3. DETAILS

The details are included in the attached report from the school.

4. IMPLICATIONS

Policy:	None
Financial:	None
Personnel:	None
Equal Opportunities:	None

For further information contact: Mr Stewart Shaw, Head Teacher
Dunoon Grammar School

Telephone: 01369 705010

**Argyll and Bute Council: Community Services – Education
Dunoon Grammar School - Report on Achievement 2007-2008**

Introduction

2007-08 was another successful year in Dunoon Grammar School. The School moved into its new accommodation in August 2007 and although there are some teething problems the overwhelming view of staff, pupils, parents and visitors is that the premises are first class. The school has had a busy eventful year. There are positive signs in our examination results and a plethora of opportunities offered to our young people to show their talents in the wider learning agenda. At the end of the session Mr Joe Rhodes retired as head Teacher and was replaced by Mr Stewart Shaw.

What we intend to improve in 2008/9

Priority 1: A Curriculum for Excellence

We will engage with our partner primaries to begin to develop a seamless curriculum from P5 to S3.

We will introduce Skills for Work courses in S3.

We will trial an interdisciplinary task on Citizenship with S2.

Staff will begin to match courses into the new outcome and experience statements issued by Learning and Teaching Scotland.

Priority 2: Learning and Teaching

We will continue to embed the techniques of the Assessment is for Learning programme.

We will continue to incorporate the use of ICT in learning.

We will continue to focus on raising attainment, particularly in S5.

Priority 3: Self Evaluation

We will develop a culture of self evaluation which responds positively to client constructive criticism and which allows us to look critically at our policies and practices to systematically identify our strengths and weaknesses with a view to informing us of our improvement needs.

Priority 4: Pupil Support

We will develop a fully integrated Pupil Support Department and an ethos of inclusion within the school community: the additional support needs of all pupils will be known, understood and openly recognised as a shared responsibility of all staff.

We will review current practices in the teaching of Personal, Social and Health Education

We will introduce assertive discipline techniques consistently across the school.

We will pilot a programme of personal support in S5 via Assertive Mentoring and by running a Study Skill evening delivered by Strathclyde University.

Attainment

The school has a standing target to raise attainment for all pupils across the curriculum. Test and examination data are regularly analysed to help identify areas for improvement.

5-14 Attainment

The percentage of the S2 roll attaining or exceeding the 5-14 level E by the end of 2007/8 school year was as follows:

	School %	Argyll & Bute %
Reading	65	72
Writing	52	59
Mathematics	63	70

Pupil Performance in all three categories has improved from the previous year's figures.

SQA Results 2008

	School	A & B	Scotland
In S4 5+ Standard Grades 1-6	96	94	90
5+ Standard Grades 1-4	86	83	76
5+ Standard Grades 1-2	37	36	34
In S5 1+ Higher Grades A-C	43	44	38
3+ Higher Grades A-C	21	24	22
5+ Higher Grades A-C	6	10	10
In S6 3+ Higher Grades A-C	25	30	30
5+ Higher Grades A-C	15	19	19
1+ Advanced Higher	9	12	12

S4 performed well in the SQA examinations being above Argyll and Bute and the National averages in all three measures.

There were strong performances in Biology, French, Geography and PE at Higher Level; and in Computing Studies, Hospitality and French in S4.

What else happens in Dunoon Grammar School?

The following represents a selection of other activities and achievements of pupils in Dunoon Grammar School.

History/Modern Studies

Department staff run a History Club; a Classics Club and a Debating Society. History students in December visited an Imperial War Museum exhibition in Manchester.

Standard Grade Modern Studies visits to the UK, Scottish & European Parliaments - meeting MPs, MSPs & MEPs and presenting a petition on the International Year of Sanitation to ask for more to be done to supply clean water to parts of Africa without access.

Higher Modern Studies class trip to the UK Parliament - meeting with local MP to discuss his work in Parliament and the constituency; visiting Dover House the HQ of the Scotland Office, meeting senior civil service officials and ministers at the Scotland Office to discuss the work of government and the civil service.

Organisation of a Fairtrade coffee morning by senior pupils supported by the local Co-op and for all staff and senior pupils to try different Fairtrade products.

Business Studies and Computing

Three teams of S3 Standard Grade Business Management pupils from Dunoon Grammar entered the dragon's den to 'pitch' groundbreaking business ideas to an esteemed panel of judges.

144 teams from throughout Scotland entered this year's Youth Challenge Competition, run by Highland and Island Enterprise - by entering and explaining their idea on the competitions website. Only 30 of these teams were then shortlisted to make a video-conference presentation to a panel of judges including the Head of BT in Scotland, the Head of Microsoft in Scotland and a Professor from MIT in the USA.

Dunoon Grammar School was one of the most successful schools in the competition with three teams included in the shortlist – DBMC, The Sophisticated Highlanders and the Technolochicks.

BREAKING NEWS: One team from Dunoon Grammar School has won through to the next phase of the Youth Challenge. The Sophisticated Highlanders have been invited to attend a full day workshop in Inverness, working with Business Professional to develop their idea further.

Enterprise Activities

The School's Young Enterprise Company was successful in completing the session and were runners-up at the Argyll and Bute Presentation Evening in Inveraray in May.

We had a successful "Greenfingers" project organised and run by Andrew Anderson, an S6 pupil who involved some S1 pupils with Additional Support Needs. This involved the buying, planting and growing of containers which were then sold to staff and friends to cover costs and profit to local charity. Andrew was awarded a prize of £100 donated by Andrew Kean of Firstpoint USA for Enterprise.

Modern Languages

German Exchange 20th anniversary - leading to a British Council celebration fund award of £5000, an article about the department in the Times Educational Supplement and invitations for Lesley Clark (leader of the exchange) to attend/speak at language-learning events in London and Stirling. She was also short-listed as a nominee for Teacher of the Year for her work in this area.

Visit to Glasgow Film Theatre to see a French film (S4-S6).

Launch of a French penpal scheme with Dunoon Grammar's old French partner school.

Launch of a Chinese penpal scheme and Beginners' Chinese classes at lunchtimes.

Launch of Spanish learners' after-school club.

Music

The Junior Choir gave a Christmas performance at Inverreck House

The Senior Choir performed at the Loch Fyne food fair and at the Community switching on of the Christmas lights.

There were several noteworthy individual performances:

At the Kirn Gala, Leanne Campbell performed her own composition/song;

Ryan Heddon, Liam Sommerville and Jonathan McGraw performed acoustic Guitar and Vocal music; and Megan Strapp sang.

Hayley Macfarlane was accepted for the National Youth Choir of Scotland.

Jonathan McGraw, Scott McGuigan, Leah O' Neil and Ryan Heddon took part in Rock School Residential course in Oban (CAST).

The Pipe Band took part at the Sunset Ceremony before Cowal Games and at the Cowal Round Table charity event.

Talent Show

In April a packed forum at the Grammar School was entertained by a plethora of talent. The show was in tribute to 'Sandra the Jannie' – Sandra Waugh.

School Show (Bugsy Malone)

Pupils and teachers teamed up to produce a fantastic version of the musical, mafia comedy Bugsy Malone in June. The show was a great success, playing to full houses each night. Pupils from S1 to S6 were involved in leading and managing all aspects of the show including performing, stage crew, sound, lighting, costumes, the band, props, make up, advertising, front of house and the design and creation of the posters, programmes, and tickets. The three performances were sold out and involved the whole community. Local businesses were also involved in advertising in the programme. Publicity shots appeared in the local paper.

Pupils in the cast, band and back stage crew were involved in rehearsing and preparing for the show from December 2007. They did this in their own time after school twice a week and at weekends in the run up to the show.

Argyll and Bute Education Awards

In the "Everyone Counts" category 'S2 Superstars' received a 'Highly Commended' Award.

Sam Coley received the Director's Award in the "Making a difference" category for his virtual walk-through computer presentation of the new building. In addition he received an award from Mansell for his informative newsletters about the progress of the new building.

Drama

The Drama department was heavily involved in many special events to promote wider achievement.

S1 Playfair Day

All S1 involved with participation from some senior pupils in S4/5/6 in leading workshops & performing a short play.

Domestic Abuse Conference

A group of Senior Drama students performed at an area wide Domestic Abuse Conference in Royal Marine Hotel. Students were also used as group facilitators for workshops.

S2 Citizenship Days

Senior Drama students were involved in taking workshop groups and performing as 'casualties' in the event.

Gavin Campbell (S6) was asked to take part in a documentary/ film for Strathclyde Police in 2007/08 which was distributed on DVD to highlight the work of the Strathclyde Force.

Some of the senior Drama students were also involved with the Whodunnit Day and in the initial setting up of the Radio Station.

Pupils in all years participated in a number of Theatre visits and events.

Small group of S4 pupils performed in the Christmas concert.

Sporting Achievements

Christopher Ritchie was selected for the Scottish Junior International Swimming Squad. He represented Scotland in Belgium. He also won an open-water swimming event (ie including adults) across the Clyde.

Fraser Keenan was selected as Cowal Junior Rugby player of the year. He has been selected to go to France this summer to play.

Meghan Nicholson has won numerous medals for fencing.

Jane Thomson, Rachelle MacOneghy and Mhairi O'Neill were selected for the under 18 Scottish Rugby squad. Jane was selected to play

Science

The annual Costa Rica trip was again successful.

The Science Club continues to stimulate pupils' interest in scientific applications.

Higher Chemistry and Biology pupils had a revision course at Paisley University for a day

A group of S3 pupils went on a trip to Glasgow University for a health related careers information day.

Other Activities and Achievements

Second Year

S2 had a busy year of whole year activities: Study Skills for Starters, Superstar Assemblies, Glenbranter Forest Visit and the 'Tempest' by the Walking Theatre Company for the top 40 pupils, and Citizenship Day. They also participated in the S2 Cook – Off. All six form classes had to put forward a team which was co-ordinated by the Pupil Council. An enjoyable day was had by all.

Cybersafety Week

This whole school was involved in this initiative which highlighted the need to use the internet safely.

Radio Station

When we move to the new building we introduced "Generation DGS" – our own Radio Station broadcast in the forum. The Radio was managed and staffed by pupils from S1-S6.

Website

The school website which was re-launched after the format was changed. The website is most attractive and informative. It is receiving many thousand hits in a year.

Fashion Show

A group of enthusiastic S3 and S4 pupils organised a very successful Fashion Show.

Conferences

In the course of the year various conferences are run to enrich our young people's learning: The Third Option Conference on self-employment for S6 and the Careers Conference for S4 being only 2 such examples.

Conclusion

As can be seen from this report the learning opportunities in Dunoon Grammar School are plentiful and varied. The above is only a selection of all that happens in a school year. The staff and pupils work hard to ensure that Dunoon Grammar School is an establishment of which the community of Cowal can be justifiably proud.

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ARGYLL & BUTE COUNCIL**BUTE AND COWAL
AREA COMMITTEE****3rd February 2009**

BUTE AND COWAL AREA PLAN

1. SUMMARY

Members agreed the draft Bute and Cowal Area Plan at the Area Committee meeting held on 2nd December 2008, at which time it was noted that the plan would be subject to a period of consultation prior to approval by Council in February 2009 as part of the Council's budget setting process. This consultation period has now been completed.

2. RECOMMENDATION

1. Approve the Bute and Cowal Area Plan as outlined in Appendix 1 and agree that this plan be recommended for approval by Council in February 2009 as part of the Council's budget setting process.

3. BACKGROUND

- 3.1 The Bute and Cowal Area Plan is an integral part of the Council's Planning and Performance Management Framework and has been considered along with the draft Corporate Plan and service plans from December – February, prior to anticipated final sign off by full Council in February. No comments on the draft plan have been received through the consultation period.
- 3.2 There has been a fundamental shift in how the area plans are to be viewed – rather than an aspirational document it is intended that, for the area delivery priorities, the content should be restricted only to those items which are fully developed, costed and focused. The intention in future years will be to start from a principle of what are the priority outcomes which the area committee want to achieve in the area, then specific actions will be identified.
- 3.3 Where the priority requires a revenue spend to be made services are being asked to confirm whether they will be making an allocation of this spend within their service budgets. Where they are not then the area committee needs to consider making an "Area Development Bid" for the sum required. Where a bid is to be made the Area Committee are asked to identify where they would propose reducing

spend in another area to meet the funding required.

- 3.4 Where the priority requires a capital spend then items can only be included where an Outline or Initial Business case has been undertaken.

4. IMPLICATIONS

Policy Sets Area priorities for future years. Subject to yearly review.

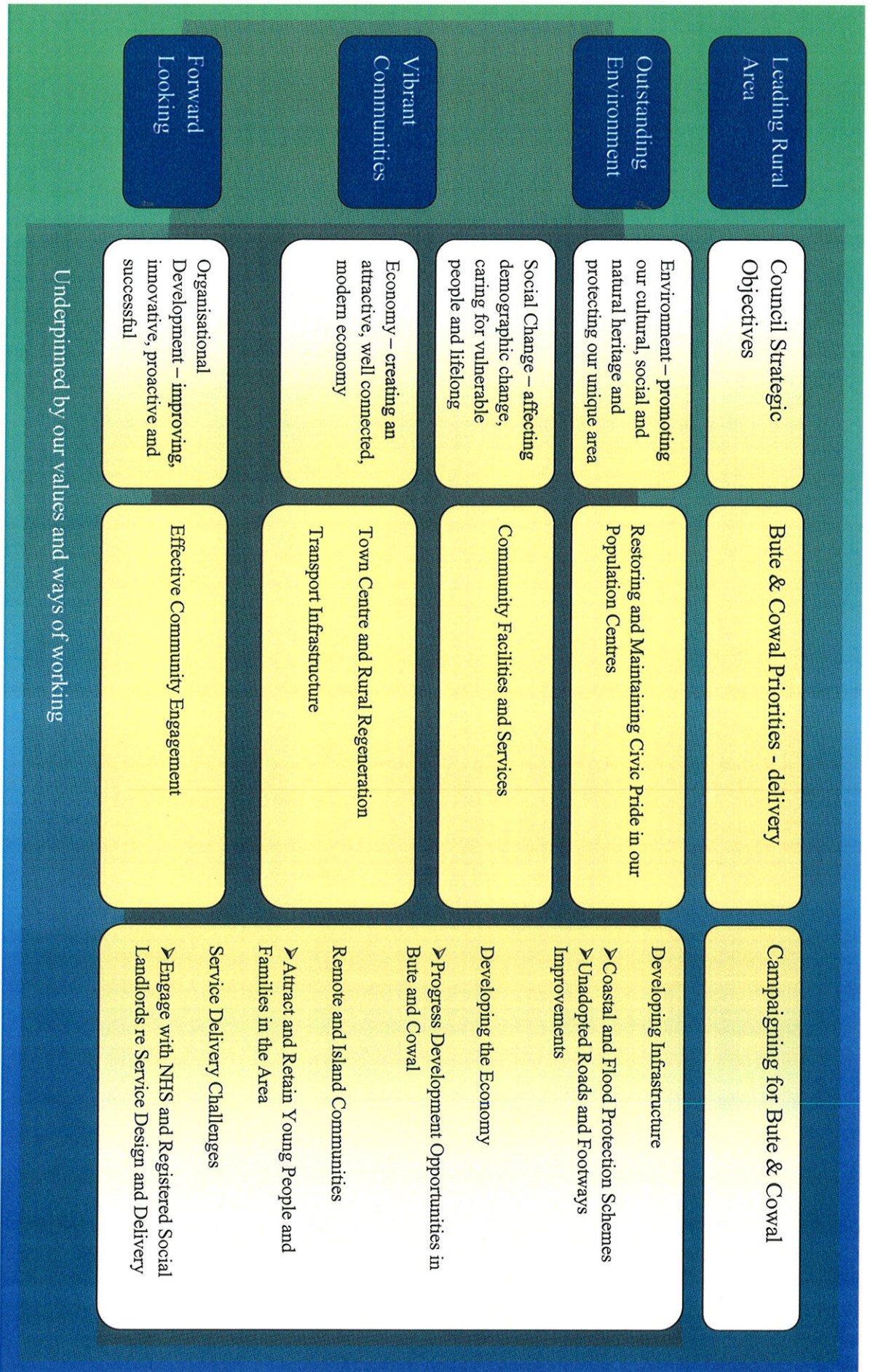
Financial Considered as part of the Council's budget process in February 2009

Personnel

Equal Opportunities

Legal

For further information please contact: Shirley MacLeod, Area Corporate Services Manager 01360 707130



AREA PLAN FOR BUTE & COWAL

Outstanding Environment

Environment - promoting our cultural, social and natural heritage and protecting our unique area

Ref	Area priority	Outcome	Actions to achieve outcome	Success measures	Key dates	Lead	What is the source of this outcome?					Risks	Area development bid	Area reduction
							Corporate Plan / SOA Ref	Impact Assessment	Best Value Review	Audit / Inspection	Legislative requirement			
	Restoring and Maintaining Civic Pride in our Population Centres	Areas subject to flooding will be protected	Implementation of the Kilbride Road Flood Prevention Scheme	Completion of scheme by 2009/10	2009/10	Arthur McCulloch	✓			✓	✓	Ground conditions, underground public utility apparatus, weather, unforeseen contractual circumstances, local residents' requirements, SEPA		
			Implementation of the Milton Burn Flood Prevention Scheme	Work commenced 09/10 and scheme completed 10/11	09 and 10	Arthur McCulloch	✓			✓	✓	Access to land, traffic flows and management of flows, ground conditions, underground public utility apparatus, weather, funding, market conditions, legal processes, SEPA		
			Assess and develop flood and coastal protection measures throughout Bute and Cowal, including: Queens Hotel Kilm : McKinlay Street, Rothsney,Clashmore, Toward :Hall Road Lochgoilhead :Additional schemes to Executive for approval	Identify and prioritise schemes throughout Bute and Cowal. Detailed design schemes then to be put in place. Additional schemes to be identified in capital plan. Number of schemes completed in area for 2009/9, 9/10,10/11 &11/12	2009/10	Arian Kerr				✓	Capital budget reduced. Other schemes take priority. Cost benefit assessment make			
					2011/12				✓		Capital budget reduced. Other schemes take priority. Cost benefit assessment make scheme impractical to proceed. Change in legislation			

Vibrant Communities

Economy - creating an attractive, well connected, modern economy

Ref	Area priority	Outcome	Actions to achieve outcome	Success measures	Key dates	Lead	What is the source of this outcome?					Risks	Area development bid	Area reduction
							Corporate Plan / SOA Ref	Impact Assessment	Best Value Review	Audit / Inspection	Legislative requirement			
	Town Centres and Rural Regeneration	Dunoon and Cowal established as the Marine Gateway to Scotland's First National Park.	Provision of a marina facility at the waterfront area	Detailed business plan developed	2009	Shirley Macleod					✓	Funding required Officer resource required		
			Provision of a high quality consumer driven civic and leisure facility at the waterfront area by refurbishment of the Queen's Hall.	Detailed business plan developed	2010	Shirley Macleod					✓	Funding required Officer resource required		
			Provision of a high quality consumer driven civic and leisure facility at the waterfront area by refurbishment of the Queen's Hall.	Funding secured	2010							Funding bid fails		
			Provision of a high quality consumer driven civic and leisure facility at the waterfront area by refurbishment of the Queen's Hall.	Contract tendered	2010							Funding bid fails		
			Provision of a high quality consumer driven civic and leisure facility at the waterfront area by refurbishment of the Queen's Hall.	Facility completed and operational	2012									
			Provision of a high quality consumer driven civic and leisure facility at the waterfront area by refurbishment of the Queen's Hall.	Detailed business plan developed	2010	Shirley Macleod					✓	Funding required Officer resource required		
			Provision of a high quality consumer driven civic and leisure facility at the waterfront area by refurbishment of the Queen's Hall.	Funding secured	2011							Funding bid fails		
			Provision of a high quality consumer driven civic and leisure facility at the waterfront area by refurbishment of the Queen's Hall.	Contract tendered	2011							Funding bid fails		
			Provision of a high quality consumer driven civic and leisure facility at the waterfront area by refurbishment of the Queen's Hall.	Facility completed and operational	2013									
			Redevelopment of the West Bay Swing Park	Phase 2 of redevelopment successfully completed in partnership with CLANN; play park equipped and operational	2010	Shirley Macleod					✓	Funding required		
			Redevelopment of the Argyll Street retail environment to provide a high quality shopping experience for residents and visitors	Detailed development plans developed in consultation with community and local business association	2010	Shirley Macleod					✓	Funding required; Officer resource required		
			Redevelopment of the Argyll Street retail environment to provide a high quality shopping experience for residents and visitors	Revenue and capital budgets identified	2010							Funding bids fail		
			Redevelopment of the Argyll Street retail environment to provide a high quality shopping experience for residents and visitors	Scheme tendered	2011							Funding bids fail		
			Redevelopment of the Argyll Street retail environment to provide a high quality shopping experience for residents and visitors	Work completed	2012									
			Developing and Promoting the brand "Destination Dunoon and Cowal"	Delivery of actions from the TAME group action plan.	2009	Shirley Macleod					✓	Funding required Existing partnership working needed to be maintained to deliver outcomes		
			Developing a vision for the future for the preservation and enhancement of Robhessay Pavilion and Waterfront Area.	Robhessay Pavilion redevelopment completed in line with Finalised Business Case	2012	Shirley Macleod					✓	Existing partnership working needed to be maintained to deliver		
			Robhessay Waterfront, including the Pavilion, 'regenerated and developed to provide a more attractive place to live and work in, and a place well worth visiting.	Townscape Heritage Initiative bid implemented and completed	2011							Existing partnership working needed to be maintained to deliver		

Vibrant Communities
Economy - creating an attractive, well connected, modern economy

Ref	Area priority	Outcome	Actions to achieve outcome	Success measures	Key dates	Lead	What is the source of this outcome?							Risks	
							Corporate Plan / SOA Ref	Impact Assessment	Best Value Review	Audit / Inspection	Legislative requirement	Research / Consultation	Area development bid	Area reduction	
	Town Centres and Rural Regeneration	Strengthen Communities to celebrate their own culture and heritage	Events and Festivals marketed by encouraging the growth in walking, sports, arts, literary, food and music festivals and events including local involvement. Sustained level of sponsorship from Council of strategic area events Advice on external funding for events and festivals. Develop Central Events Diary on Council website	Events and festivals supported through leisure development grants, the capital fund and external funding through partnership working. Sustainability of key events		Kerry Corbett								Grant budget reduced; partnerships dissolved	
			Development of marine access pontoons at Arrochar and Loch Goll.	Provision of Pontoons	2010	Nicola Debnam								Funding bid fails, Commitment of Partners	
		Bute and Cowal developed as a high quality place to live, shop and visit by provision of quality marine and leisure facilities.	Prioritising a programme of extension of the marine access programme. Pro active usage of lining and signage etc and scrub clearance to improve visibility on roads.	Audit to identify where opportunities exist Facilitate progression of projects This can be achieved by increased percentage of lining and scrub cutting achieved from base year.	2009 2010	Nicola Debnam Alan Kerr				✓	✓		Unable to identify community/private sector partners Depends on roads R10 budget. Availability of lining companies.		
	Transport Infrastructure	The safety of the Roads Network in Bute & Cowal is improved .	Review of traffic management schemes.	Measure number of traffic management schemes progressed each year. There is a staff and budget resource constraining this however can be supplemented by monies from car parking or area capital receipts.	2009	Alan Kerr					✓		Depends on Roads Network Budget and external temporary traffic orders. Objections to proposed schemes		

AREA PLAN FOR BUTE AND COWAL AREA

Service Financial Summary	2007/8	2008/9	Revenue			Capital			Human resources					
	actual £000	budget £000	2009/10 £000	2010/11 £000	2011/12 £000	Comments	2009/10 £000	2010/11 £000	2011/12 £000	Comments	2009/10 FTE	2010/11 FTE	2011/12 FTE	Comments
Budgetary Reconciliation														
Area development bids														
Area service reductions														
Total			0	0	0		0	0	0		0	0	0	

Main campaigning theme	Topic	Area topic	Commentary
Infrastructure	Establishment of Dunoon and Cowal as the Marine Gateway to Scotland's First National Park	Promotion of the new linkspan as the main transport hub for Dunoon and Cowal	Route needs to be successfully tendered with ferry operator running vehicle and passenger service from linkspan.
	Roads network	To provide a prioritised scheme for upgrading of unadopted roads and footways across Bute and Cowal, and to lever in funding for improvement works to be carried out.	Input to development of Council policy on upgrading of unadopted roads. Campaign with the Scottish Government for funding for upgrading of unadopted roads. Where owners are willing to work in partnership facilitating the improvement of unadopted roads across Bute and Cowal on a prioritised basis.
Coastal and Flood Protection Schemes	Implementation of the Loch Fyne Integrated Coastal Zone Management Plan		

Main campaigning theme	Topic	Area topic	Commentary
Developing the economy	Progress Development Opportunities in Bute & Cowal	Support business associations to become effective partnerships leading the regeneration of local business communities.	Proactively work with local organisations and business groups to improve the local retail and commercial environments, and to encourage the formation of business associations to lead in regenerating vibrant business communities.

Main campaigning theme	Topic	Area topic	Commentary
Remote and island communities	Attract and Retain Young People and Families in the Area	Promote and develop a diverse population in Bute and Cowal, encompassing a demographic spread across all age groups. In order to mitigate the predicted large increase in the percentage of the population who will be over 65 by 2020.	<p>Maintain and develops high quality ferry services to the area in order to ensure good quality, affordable access for residents and visitors</p> <p>Ensure that local high quality education facilities are provided and managed in the primary, secondary and higher education sectors, providing opportunity for effective life long learning</p> <p>Ensure provision of job opportunities across all sectors as a means of retaining people of working age in the community, and of attracting inward migration of key and skilled workers to Bute and Cowal.</p> <p>Ensure an adequate provision of good quality affordable housing in all communities</p> <p>Protect and enhance Bute and Cowal's quality scenic area to protect and promote the area as a good place to visit, live and work for all age</p>

Main campaigning theme	Topic	Area topic	Commentary
<p>Service delivery challenges</p>	<p>Work with service delivery organisations and Community Planning Partners on Service Design and Delivery</p>	<p>Work in partnership with NHS Highland, the Scottish ambulance Service the private sector and voluntary sector to ensure delivery of health care services which are responsive, appropriate and fit for purpose, are delivered in a local setting whenever possible and meet the needs of all sections of the Bute and Cowal communities.</p> <p>Work in partnership with Registered Social Landlords, the private sector & voluntary sector to ensure delivery of housing services which & responsive, appropriate & fit for purpose, & meet the needs of all sections of the Bute and Cowal communities.</p>	<p>Active participation in the Joint Health Locality Group</p> <p>Active participation in the ACHA area committee</p> <p>Work with RSL's in identifying opportunities for social and affordable housing.</p> <p>Progression of developments on areas contained within the Strategic Land Bank.</p>

Main campaigning theme	Topic	Area topic	Commentary
Service delivery challenges	Work with service delivery organisations and Community Planning Partners on Design Service and Delivery	Work in partnership with Registered Social Landlords, the private sector and voluntary sector to ensure provision of housing which is energy efficient, well insulated has a low environmental impact, and works to eradicate fuel poverty.	Supporting of RSL's in upgrading of existing properties.

ARGYLL AND BUTE COUNCIL
DEVELOPMENT SERVICES

BUTE AND COWAL AREA
COMMITTEE

3RD February 2009

**REPORT ON LOCH LOMOND AND THE TROSSACHS NATIONAL PARK
CONSULTATIVE DRAFT LOCAL PLAN**

1. SUMMARY

- 1.1** This report summarises the main issues contained within the Loch Lomond and The Trossachs National Park Consultative Draft Local Plan November 2008, and recommends appropriate responses in relation to Argyll and Bute Councils interests.

2. RECOMMENDATIONS

It is recommended that the Committee:-

- 2.1** Agree the recommendations made in part 2.2 below and pass these for endorsement at the Executive Committee on 19th February
- 2.2** That Argyll and Bute Council;
- Is broadly supportive of the Loch Lomond and the Trossachs first local plan and in particular welcomes the proposed policies which accord with the aims and objectives of the Argyll and Bute Structure and Local Plans, in particular policies TRAN 1 and TRAN 3,
 - That the Council objects to COM 2 where it seeks to prevent change of use of Libraries and Schools unless they have been marketed for such uses for 12 months, because these services are predominantly provided by local authorities within the areas which they are responsible for, as such no alternative market exists for these uses, where a local authority declares them surplus to requirements due to closure or replacement.
 - That the Council object to RET 1 in relation to retail development, because the lack of reference to sequential approach and definition of small scale retail development is not consistent with the approach advocated by SPP8 or the Argyll and Bute Structure Plan as it applies to the Argyll and Bute sector of the National Park.

3. BACKGROUND

3.1 The Loch Lomond and The Trossachs National Park Authority have issued a Consultative Draft Local Plan. This new local plan will replace all of the local plans currently operating in the National Park area, including the Cowal Local Plan 1993 and the Dumbarton District Wide Local Plan 1999, which the Park Authority inherited from this Council upon its formation in 2002. The Consultative Draft Local Plan can also be viewed on the National Parks web site at: <http://www.lochlomondtrossachs.org/>

3.2 The Local Plan seeks to reflect the four statutory aims of the National Park:

- To conserve and enhance the natural and cultural heritage of the area;
- To promote sustainable use of the natural resources of the area;
- To promote understanding and enjoyment (including enjoyment in the form of recreation) of the special qualities of the area by the public; and
- To promote sustainable economic and social development of the area's communities.

The Local Plan will also have to reflect the National Park Plan 2007-2012 which sets out the Park Authorities long term vision for the park area. This vision aims amongst other things, to enrich the Park's scenic qualities, promote a high-quality built and historic environment, secure vibrant, sustainable, and inclusive communities, as well as a prosperous living and working countryside that maximises the Park's social, economic and environmental assets.

3.3 Much of the content of the National Park Local Plan is broadly similar to that of the Argyll and Bute Local Plan. This is to be expected as policies have been informed by consultation with bodies such as SNH and SEPA who have sought a consistent approach to policies which deal with their interests. Other policies detail how the National Park will deal with development proposals within their area in a way which reflects the unique characteristics of their area and have little consequence outwith the park area. There are however a number of matters are considered to be of more direct interest to Argyll and Bute Council and this report seeks to highlight these.

3.4 The National Park Local Plan provides support for transport infrastructure proposals including improvements to the A82 north of Tarbet subject to appropriate landscape and visual impact assessment, and for the improvements to the pier at Arrochar to enable marine access through policy TRAN 1 and Schedule 7. Policy TRAN 2 supports sustainable travel

and improved travel options to make a positive contribution to encouraging sustainable travel in accordance with national, regional and local transport policy. It also, through policy TRAN 3, seeks to ensure that new developments within the park do not have an adverse effect on traffic flows on the existing road network with particular reference being made to potential conflict between tourist traffic and through traffic on trunk roads (A82, A83, A84 and A85). These are particularly important in providing access to and from Argyll and Bute, and as such these policies are supported and welcomed.

- 3.5** In relation to housing policy the Housing Market Areas of both Helensburgh and Lomond and Cowal include parts of the park. As an overall aim the National Park Authority are seeking to arrest population decline within the area by seeking to secure a slight increase in building rates. However, the way in which this aim is to be applied varies across the Park. For the Loch Lomond side villages the existing approach based on affordable local needs only will continue, including a new allocation for 100% affordable housing at Luss. Elsewhere a more flexible approach is taken to housing including new allocations at Ardentinny, and Arrochar/Sucboth. A variable approach is also taken to the requirement for affordable housing: in Loch Lomond side settlements this is 100%; in Arrochar and Sucboth 50%, while in Ardentinny, Blairmore, Strone and Kilmun it is 25% on developments of four or more houses. The National Park Consultative Draft Local Plan also includes policy HOU 3 which recognises that in exceptional cases new housing development outwith settlements will be supported where it meets identified housing needs for affordable housing in perpetuity, and where it is demonstrated that there are limited opportunities within the settlement boundary. Policy HOU4 also contains a positive approach to development of small scale housing within rural communities and single dwellings within existing building groupings in the countryside where these contribute to affordable housing needs in perpetuity.
- 3.6** The National Park Local Plan also seeks to be generally supportive of new economic development and had identified an allocation for this purpose at Arrochar, and a rural activity area centred around the existing timber yard south of Strachur for small scale wood processing, sale of timber products and small rural business units.
- 3.7** The National Park Local Plan also seeks to promote the development of sustainable communities as part of their statutory remit. The approach which the Park have used to do this is largely similar to that used in the Argyll and Bute

Local Plan in terms of policies which seek to retain existing recreational land and playing fields, and support for new community facility developments. The National Park Local Plan policy COM 2 Change of Use of Community Facilities seeks to prevent the change of use of community facilities unless it can be demonstrated beyond reasonable doubt that it is not viable to continue operating as a community facility by: a) remaining vacant for a minimum of 12 months; and b) the existing use has been marketed at an appropriate price for 12 months as demonstrated in a marketing plan. This is largely similar to the Argyll and Bute Local Plan POL COM 2, however the National Park Authority have extended their definition of community facilities to include shops, pubs, halls, post offices, banks, petrol stations libraries, public toilets, churches and schools. This policy could therefore have implications for services provided by Argyll and Bute Council such as schools and libraries. These uses are predominately provided by local authorities, no market would exist for the use of schools and libraries as schools and libraries if a local authority had declared them surplus to requirements. The requirement to market them for such uses would have little effect other than to introduce a 12 month delay, during which time, often attractive traditional buildings would deteriorate through lack of maintenance thereby hindering the sustainable reuse of such buildings. It would also be counterproductive as the closure of a public building such as a school can often provide an economic or social opportunity that otherwise would not be available to a community.

- 3.8** The National Park Local Plan recognises that retail development contributes to the vitality and viability of the Parks settlements and the sustainability of the rural economy. The plan states that retail opportunities will largely remain small scale in keeping with supporting local community needs and associated tourism related economic development. The retail policy therefore seeks to support new retail opportunities in the settlements, and in conjunction with Sustainable Tourism Policy TOUR 1 and Schedule 4 as well as at Loch Lomond Shores, Balloch as this is identified as an out of centre retail location in the Glasgow and Clyde Valley Structure Plan. While the introduction to the policy refers to small scale, no definition of scales is given in the policy, nor is there any reference to a sequential approach which is required both by Scottish Planning Policy 8 and by PROP SET 2 of the Argyll and Bute Structure Plan which presently the National Park Local Plan is required to conform to. In the absence of a reference to the sequential approach, the definition of appropriate scales of retail development, and particularly because of the promotion of retail developments as part of

tourism developments within the park it is possible that retail developments could be permitted in the park which would undermine the viability and vitality of the town centres identified in the Argyll and Bute Structure Plan.

- 3.9** The other main area where there may be cross boundary issues is in relation to Renewable Energy Developments. The National Park Local Plan has policies which refer to Wind, Hydro, Biomass and Solar schemes. In accordance with the policy contained in SPP6 the policies do not support large scale (20MW plus) Windfarm developments or Hydro electric schemes (1 MW and over). The policy approach for medium or small scale developments of either Wind or Hydro schemes is broadly similar to that adopted by the Argyll and Bute Local Plans. The National Park Local Plan also has a policy (REN 5) which sets out how the Park Authority will respond to consultations on renewable energy developments outwith the park area. This policy states that they will object to renewable energy developments where they individually or cumulatively have an adverse impact on the landscape setting of the Park (particularly principle gateways); result in significant negative impacts on Natura 2000 sites, protected species or biodiversity within the park; or result in significant adverse impacts upon residential amenity. In the case of Argyll and Bute it is considered that all of these issues would be taken into consideration by the policy considerations included within the Renewable energy chapter of the Argyll and Bute Local Plan, and the Council as relevant planning authority would be well placed to adjudicate on these issues, however the support of the National Park Authority in relation to applications deemed inappropriate by the Council as relevant planning authority would be welcomed.

4. CONCLUSIONS

- 4.1** The Loch Lomond and the Trossachs National Park Authority have consulted on their new National Park Local Plan. The plan contains many policies which are similar to those of the Argyll and Bute Local Plan and which have few implications for developments outwith the National Park area. There are a number of policies which are supportive of the aims and objectives of Argyll and Bute such as TRAN 1 and TRAN 3 relating to improvements to the A82 north of Tarbet, and prevention of conflict between through traffic and tourist traffic on trunk roads. There are however, a number of policies such as COM 2 and RET 1 which have unacceptable implications for Argyll and Bute Council both a local authority responsible for services such as education and libraries, and a planning authority, and therefore have been identified as areas where objections

are required in order to protect the Councils interests.

5. IMPLICATIONS

Policy: None for Argyll and Bute Council as Planning Authority

Financial: None

Personnel: None

Community: The new National Park Local Plan will result in an up to date local plan for those communities in Argyll and Bute for whom the National Park Authority is the Planning Authority.

For further information contact: Mark Lodge Senior Planning and Strategies Officer

Telephone 01546 604280

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

Ward Number - 6, Cowal
Date of Validity - 28th August 2008
Committee Date- 3rd February 2009

Reference Number: 08/01513/DET
Applicants Name: Mr & Mrs A Barker
Application Type: Detailed
Application Description: Erection of two dwellinghouses & installation of septic tank
Location: Land between Tigh Na Ruel and Lochhead Cottage, Glendaruel.

(A) THE APPLICATION

(i) Development Requiring Express Planning Permission

- Erection of two dwellinghouses
- Installation of septic tank

(ii) Other specified operations

- Use of private water supply

(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 conditions and reasons, along with the informatives, detailed overleaf.

(C) SUMMARY OF DETERMINING ISSUES AND MATERIAL CONSIDERATIONS

(i) Development Plan Context:

The development is considered to represent acceptable infill development consistent with policy HO 10 of the adopted Cowal Local Plan 1993.

The site is identified within both a 'National Scenic Area' (NSA) and 'Rural Opportunity Area' (ROA) in the Argyll and Bute Local Plan Post Inquiry Modifications. The Council is treating such ROA's as 'Sensitive Countryside' until a landscape capacity study of each ROA has been undertaken and agreed by Council.

Structure Plan Policy STRAT DC 5 states that, within areas of 'Sensitive Countryside' encouragement shall be given to small scale infill, rounding off, redevelopment proposals and/or change of use of buildings. In special cases development in the open countryside may be supported if it accords with an Area Capacity Evaluation (ACE).

The proposed development meets the criteria of infill development so the proposal is consistent with Policy STRAT DC 5 of the Structure Plan along with policy LP HOU 1 of the Argyll and Bute Local Plan Post Inquiry Modifications.

(ii) Representations:

One letter of objection has 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.

No.

(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.

N/A

(viii) Has a sustainability Checklist Been Submitted:

N/A

Angus J Gilmour
Head of Planning
15 January 2009

Author: John Irving, Tel: 01369708621 **Date:** 15 January 2009
Reviewing Officer: David Eaglesham, Tel: 01369708608 **Date:** 15 January 2009

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: 08/01513/DET

1. That the development to which this permission relates must be begun within five years from the date of this permission.

Reason: *in order to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.*

2. Prior to commencement of development, a full appraisal to demonstrate the wholesomeness and sufficiency of the private water supply to serve the development shall be submitted to and approved in writing by the Planning Authority in consultation with the Council's Area Environmental Health Manager. This assessment shall be carried out by qualified and competent person(s). Such appraisal shall include a risk assessment having regard to the requirements of Schedule 4 of the Private Water Supplies (Scotland) Regulations 2006 and shall on the basis of such risk assessment specify the means by which a wholesome and sufficient water supply shall be provided and, thereafter, maintained to the development.

Reason: *In the interests of public health and in order to ensure that an adequate private water supply in terms of both quality and quantity can be provided to meet the requirements of the proposed development.*

3. The risk assessment as detailed in condition 2 shall also include details of any other party who has a responsibility for the provision and/or maintenance of this supply. Such appraisal shall also demonstrate that the wholesomeness and sufficiency of any other supply in the vicinity of the development, or any other person utilising the same source or supply, shall not be compromised by the proposed development. Furthermore, the development itself shall not be brought into use or occupied until the required supply has been installed in accordance with the agreed conditions.

Reason: *In the interests of public health and in order to ensure that an adequate private water supply in terms of both quality and quantity can be provided to meet the requirements of the proposed development.*

4. The appraisal as detailed in conditions 2 and 3 above, shall investigate the suitability of the capped bore-hole on site as the preferred option for the source of the water supply. Should this not prove feasible then the private water supply to the proposed development shall not be taken from the surface water supply serving the adjoining properties at *Lochhead Cottage* and *Tigh na Ruel*, unless condition 3 above is met and the extraction point is taken below the intake for the existing supplies.

Reason: *In the interests of public health and in order to ensure that an adequate private water supply in terms of both quality and quantity can be provided to meet the requirements of the proposed development.*

5. Prior to commencement of development, visibility splays measuring 120 metres from a 2.5 metre set back from the centre point of the access shall be free from 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.*

6. Prior to the first occupation of either dwellinghouse, the following works shall be undertaken to the satisfaction of the Planning Authority in consultation with the Area Roads Manager;
- i) A parking and turning area for two vehicles per dwellinghouse shall be fully constructed and thereafter maintained in perpetuity for such a dedicated purpose.
 - ii) The vehicular access shall be a minimum of 5 metres wide for the first 5 metres from the edge of the road.
 - iii) The gradient of the access shall not exceed 5% for the first 5 metres and 8% for the remainder.
 - iv) The first 5 metres of the access shall be constructed with a sealed surfaced to prevent debris from being deposited on to the road.

Reason: *In the interests of road safety.*

7. Prior to commencement of development, a detailed flood risk assessment shall be submitted for approval of the Planning Authority in consultation the Area Roads Manager. This assessment shall detail possible flood risk from the burn which flows through the middle of the site and shall also include full details of the proposed head wall and inlet details for this watercourse, 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.*

8. The external wall finish shall be a white wet dash render and the roof covering shall be natural slate, samples of both of which shall be submitted for approval, prior to their first use, unless the prior written consent of the Planning Authority is obtained for variation. The approved external finishes shall thereafter be maintained for the life of the building.

Reason: *In the interests of visual amenity in the Kyles of Bute National Scenic Area.*

9. Prior to commencement of development, full details of the proposed surface treatments for the access track and parking areas shall be submitted for the written approval of the Planning Authority. This shall include the use of muted colours and/or grasscrete or similar, unless the prior written consent for variation is obtained in writing from the Planning Authority.

Reason: *In the interest of reducing the development's wider landscape impact and prominence and to retain its rural character.*

INFORMATIVES RELATIVE TO APPLICATION: 08/01513/DET

i. 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.

ii. 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.

iii. Visibility splays

The Area Roads Manager has advised that available sightlines of 120 metres from a 2.5 metre setback are acceptable but the applicant should give consideration to clearing additional vegetation which would allow the sightline to the west to be extended to 140 metres and the sightline to the east to be extended to 180 metres.

iv. Scottish & Southern Energy

The proposed development is in close proximity to an overhead electric line, the applicant is advised of the need to follow the guidance of Health & Safety Executive document GS 6 "Avoidance of Danger from Overhead lines". The applicant is advised to contact Scottish & Southern Energy (Mr Gavin Carswell, Tel: 01631569222, email: gavin.carswell@scottish-southern.co.uk) prior to proceeding with the development in order that a quotation can be prepared for the deviation of the overhead line. Overhead line deviations typically take a minimum of 6 months to complete from the time a quotation is accepted.

v. SEPA

For SEPA's comments please see attached copy of consultation response dated 17th November 2008.

APPENDIX A – RELATIVE TO APPLICATION NUMBER: 08/01513/DET

MATERIAL CONSIDERATIONS AND ADVICE

(i) POLICY OVERVIEW AND MATERIAL ADVICE

Argyll & Bute Structure Plan 2002

Policy STRAT DC 4 '*Development in Rural Opportunity Areas*' encourages, within Rural Opportunity Areas, small-scale developments on suitable sites that, in terms of siting and design, will visually integrate with the landscape and settlement pattern.

Policy STRAT DC 5 '*Development in Sensitive Countryside*' encourages small scale development to infill and rounding off sites, redevelopment and change of use of existing building.

Policy STRAT DC 8 '*Landscape & Development Control*' seeks to resist development with NSA's which has an adverse wider landscape or coastscape impact.

Cowal Local Plan 1993

Policy POL RUR 1 '*Landscape Quality*' seeks to resist prominent or sporadic development that would have an adverse environmental impact upon the *Kyles of Bute* National Scenic Area and requires development proposals to be assessed against the following criteria: Environmental Impact; Locational/Operational Need, Economic Benefit; and Infrastructure and Servicing Implications.

Policy POL RUR 13 '*Development in the Countryside*' seeks to support development in the countryside that are sensitive to and integrated with their surroundings.

Policy POL HO 10 '*Housing Development*' in the Countryside' seeks to encourage single or small-scale residential development in the countryside providing there are no infrastructure, servicing or environmental constraints. Particular attention will be paid to infill, rounding off and redevelopment opportunities related to existing development and landform.

Policy POL PU 3 '*Protection of Existing Properties with Private Services*' seeks to resist development that could have a detrimental effect on existing services (water and sewerage) to properties.

Argyll and Bute Local Plan Post Inquiry Modifications (November 2008)

Policy LP ENV 9 '*Development Impact on National Scenic Areas (NSA's)*' seeks to refuse development in NSA's unless the integrity of the designation is not compromised and any adverse effects are outweighed by social or economic benefits of national importance.

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

Policy LP HOU 1 '*General Housing Development*' within Sensitive Countryside zones it is not considered to have general capacity to absorb any scale of new housing development in the countryside.

Policy LP SERV 1 '*Private Sewerage Treatment Plants & Wastewater Systems*' connection to public sewer will be a prerequisite of planning consents for all developments within the settlement unless demonstrated that it is not feasible for a technical or economic reason.

Policy LP SERV 4 '*Water Supply*' supports in principle for the use of private water supplies where a public water supply is not or could not be made available.

Policy LP 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 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

Scottish Planning Policy 3 '*Planning for Housing*' (2003) promotes housing development in the countryside that supports the rural economy, local services, embodies the principles of sustainable development and enhance the rural environment. Encouragement of careful attention to siting and the adoption of house designs which reflect the variations in landscape and building character found across Scotland. This document stresses the importance of factors such as appropriate design and layout, development form and landscape impact.

Planning Advice Note 72 '*Housing in the Countryside*' (2005) sets out key design principles which need to be taken into account when determining planning applications. This includes single house developments and important factors such as location within the landscape, woodland setting, layout, scale, design and materials. The PAN reinforces the need for Planning Authorities to determine planning applications taking account of the aforementioned principles in a clear and concise manner. The PAN also reiterates that design is a material consideration in determining planning applications.

(ii) SITE HISTORY

Outline Planning Permission (01-94-1008) granted on 20th February 1995 for the erection of a dwellinghouse in the northern part of the current application site.

Application for Reserved Matters approval (97/01422/REM) for a dwellinghouse refused on 6th February 1998 relating to matters of design, road safety, private water supply and septic tank.

Detailed Planning Permission (98/00865/DET) for a dwellinghouse refused at appeal on 29th June 1999. The refusal principally related to siting and design whilst the Reporter was not persuaded that the increased level of risk to the existing water supply would be so unreasonable that, in itself, it could form a justifiable basis for refusing Planning Permission.

An application for Detailed Planning Permission (05/02466/DET) for the erection of a dwellinghouse on the application site was withdrawn on 20th June 2006.

Planning permission 06/01314/DET granted on 11th October 2006 for the erection of a dwellinghouse and installation of septic tank, soakaway and underground oil tank.

(iii) **CONSULTATIONS**

Area Roads Manger (memo dated 3th September 2008): No objection subject to conditions and advisory information.

Area Environmental Health Manager (memos dated 4th & 18th September 2008): No objection subject to conditions regarding the proposed private water supply provision.

Scottish Water (letter dated 3rd September 2008): No objection. There are no public sewers in the vicinity of the development site. Water main has capacity to service this proposed development.

SEPA (letter dated 21st October & 17th November 2008): No objection. Initial concerns regarding potential flooding resolved.

Scottish & Southern Energy (letter dated 2nd September 2008): No objection subject to rerouting of overhead powerline.

(iv) **PUBLICITY AND REPRESENTATIONS**

Under Article 9 Neighbour Notification procedure and Potential Departure advertisement (expired 26th September 2008) and 'Bad Neighbour' advertisement (expired 19th September 2008), one letter of representation has been received from George Wylie (letter dated 2nd September 2008), *Lochhead Cottage South*, Ormidale, Glendaruel, Argyll, PA22 3AF. The points raised are summarised below:

- i. Both are large dwellings of inappropriate scale for the site.
Comment: See assessment below. The design and scale of both dwellinghouses is considered to be acceptable.
- ii. The general appearance of the two dwellings is not unattractive. However, northeast elevation gable of 'The House' is glazed by the inclusion of large windows on either side of a double glazed French door. While not quite a conservatory, one would not expect to find this in a sensitive rural infill site.
Comment: See assessment below. The design and scale of both dwellinghouses is considered to be acceptable.
- iii. Roof pitch angle of 45 degrees is out of keeping.
Comment: See assessment below. The design and scale of both dwellinghouses is considered to be acceptable.
- iv. Design of dwellinghouses clearly visible from main road.
Comment: See assessment below. The design and scale of both dwellinghouses is considered to be acceptable.

- v. The Cottage is extremely close to our home (Lochhead Cottage South) and with its alignment to mirror our house we feel this seriously threaten the setting of our home.

Comment: The position of this dwellinghouse conforms to the surrounding built form.

- vi. We feel the close siting of The Cottage is invasive of our privacy.

Comment: There are no windows located on the south elevation of The Cottage or the north elevation of Lochhead Cottage to permit overlooking between both properties.

- vii. We feel that both the quality and quantity of both natural and direct sun light falling on our car port and gable end of our home.

Comment: The gable end and car port of Lochhead Cottage does not represent the principal elevation of this property. Importantly, this application site is located to the north of Lochhead Cottage and therefore it cannot interfere with direct sunlight falling on Lochhead Cottage.

- viii. Our house will be overlooked by the windows on the southeast elevation of The House.

Comment: The windows of The House are located in excess of 35 metres from the boundary of Lochhead Cottage. This is above the minimum standard of 18 metres as set out in Appendix A of the emerging local plan. There is no overlooking issue between these properties.

- ix. The Cottage is so close to our home that from a distance it would look like an extension to our home.

Comment: The distance between both properties is in excess of 8 metres, which is considered to be acceptable. Lochhead Cottage boasts a lean to log store/car port on its northern gable which extends to the dividing boundary. Importantly there are no windows located on the southern gable end elevation of the proposed dwelling and therefore no associated privacy issues.

- x. While the existing properties all face the road and run parallel to it, the strongly angled siting of 'The House' is in serious conflict to the natural flow and settlement pattern.

Comment: See assessment below.

- xi. Unlike most of the private water supplies in this area, this supply is not natural. It is totally man-made and artificial. Each of the present owners of the houses own a third share of the system. The tank is thought to hold sufficient capacity to hold just one days supply.

Comment: See assessment below.

- xii. Previous hydrologist's study commissioned by the Bute & Cowal Area Committee highlighted the general fragility of the supply and indicated the increased likelihood of failure if one additional dwelling was attached to it. Given the history attached to this suggestion, we consider it to be a serious non starter for a variety of reasons.

Comment: See assessment below.

- xiii. The two proposed dwellinghouses cannot be described as environmentally friendly as far as any private water supply is concerned. With the proposed developments combined total of 5 bedrooms and two shower rooms each with WC's, one would not have to be an expert to anticipate their considerable potential to consume a very large amount of water.

Comment: See assessment below.

- xiv. While opposed to any connection to the private supply we would not, in principle, be against the applicants seeking to join with the main system provided proper safeguards were put in place.

Comment: Scottish Water have confirmed that there is no public main within the vicinity of this site.

- xv. We are extremely surprised when the applicants decided against their on site, underground water supply. It does seem to us that the real 'solution' is under their feet. The bore hole is still in situ and is capped. Having spoken with the drilling company on site, we understand that the bore hole would easily supply the needs of both proposed dwellinghouses.

Comment: See assessment below.

APPENDIX B – RELATIVE TO APPLICATION NUMBER:08/01513/DET

PLANNING LAND USE AND POLICY ASSESSMENT

A. Settlement Strategy

The adopted Cowal Local Plan encourages single or small-scale residential development in the countryside providing there are no infrastructure, servicing or environmental constraints. Particular attention will be paid to infill, rounding off and redevelopment opportunities related to existing development and landform. This proposal represents acceptable infill development which respects the surrounding built form while there is not considered to be any adverse environmental or servicing constraints.

The proposal is consistent with Policy POL HO 10 of the adopted Cowal Local Plan 1993.

The site is in a Rural Opportunity Area (ROA) and a National Scenic Area (NSA) in the Argyll & Bute Local Plan Post Inquiry Modifications. The Council has resolved to treat such ROA designations as 'Sensitive Countryside' until a landscape capacity study has been undertaken of the ROA and its findings agreed by Council. Given the aforementioned, in terms of determining this planning application the site must be assessed as being located within 'Sensitive Countryside'.

In terms of Structure Plan Policy STRAT DC 5, there is a presumption in favour of 'small scale' development provided it is restricted to infill, rounding off, redevelopment or change of use of buildings. The proposed erection of two modest, traditionally designed dwellinghouses, centrally located within a cluster of three existing dwellinghouses represents, in principle, acceptable in-fill development, consistent with both the approved structure plan and emerging local plan.

The proposal is consistent with Policy STRAT DC 5 of the Structure Plan and Policy LP HOU 1 and Appendix E of the Argyll & Bute Local Plan Post Inquiry Modifications.

B. Location, Nature and Design of Proposed Development

The application site is located between two existing dwellings – *Tigh na Ruel* to the north and *Lochhead Cottage* to the south. It lies within the *Kyles of Bute* National Scenic Area and the A8003 road lies to the east of the site. To the west of the site, there is a steeply sloping wooded bank.

Both proposed dwellinghouses represent a traditional approach to design and are of an acceptable scale and massing. The dwellinghouses are vernacular in style with a natural slate roof while the walls will be finished in a traditional white wet dash render. Traditional timber windows and doors are to be installed and both dwellings include chimney features. '*The House*' boasts traditional designed dormer windows on the front elevation roof slope.

The location of both dwellings within the site and the position of windows ensures that the amenity and established levels of privacy to the adjoining properties is not compromised. Furthermore, the proposed conditions which require the submission of a detailed landscaping and boundary treatment schemes will ensure adjoining properties are adequately screened from this development.

The site is low lying and relatively flat, rising just 3.5 metres over a distance of more than 40 metres from the east to the west of the site. While this site is located within the Kyles of Bute NSA the proposal's wider landscape impact will be minimal and any such impact will be successfully absorbed by the wooded backdrop to the rear.

The proposal is consistent with policy LP ENV 19 and Appendix A of the Argyll & Bute Local Plan Post Inquiry Modifications along with the Sustainable Design Guidance 1 'Small Scale Housing Development'.

C. Natural Environment

The site is located at the northern end of the Kyles of Bute NSA at the head of Loch Ruel, for landscape character description see Section D below.

It is considered that this proposal will not have an adverse impact on the wider landscape within this nationally designated area. This is not a prominent, high level site in the open countryside but a low lying infill site within an existing cluster of buildings. The wooded back drop at the rear of the site will ensure that these modest dwellinghouses are successfully absorbed into the surrounding landscape.

The proposal is consistent with Policy STRAT DC 8 of the adopted Structure Plan, Policy POL RUR 1 of the Cowal Local Plan and Policy LP ENV 9 of the Argyll & Bute Local Plan Post Inquiry Modifications.

D. Landscape Character

The landscape character of the Kyles of Bute comprises a mix of 'Craggy Upland', 'Steep ridgeland and Mountains', and 'Open Ridgeland' as outlined in the Argyll and Bute Firth of Clyde Landscape Character Assessment (1996).

The area combines deeply enclosed passages of sea, scattered with islands, diverse mixed woodland on lower slopes, opening on higher ground to reveal a mix of smooth steep ridgeland and rocky roughly undulating hill country. These elements combine to create a great sense of visual drama of contrasting scale and form.

The description of the Kyles of Bute NSA notes the striking views, which are offered over three arms of water from the mainland hills and high degree of enclosure, which confer an appearance of peaceful calm on these narrow waters, which underlies their physical beauty.

E. Road Network, Parking and Associated Transport Matters.

Both properties will be served from a single access on to the A8003. Parking and tuning for two cars per dwellinghouse are provided on site.

The Area Roads Manager has raised no objection to this application subject to conditions to ensure required visibility splays are maintained along with the submission of a flood risk assessment to ensure that increased run-off to the existing culverted burn within the site can be accommodated.

The proposal is consistent with policy TRAN 4 of the Argyll & Bute Local Plan Post Inquiry Modifications.

F. Infrastructure

Water Supply Another significant issue at this site has been the private water supply. It is proposed to utilise a private water supply by abstraction of water from the existing burn.

At the time of the application for Detailed Planning Permission (ref: 98/00865/DET) in June 1998, the intention to connect to the private water supply that served existing dwellings was central to the acceptability of the proposal. Consideration of the application was continued at a number of Bute and Cowal Area Committees, initially to allow the submission of a hydrologist's report on behalf of the applicant and latterly due to concerns regarding the qualifications of the Water Consultant that had been employed by the applicant. Ultimately, the Council commissioned a report by a suitably qualified hydrologist whilst the applicant appealed to the Scottish Executive on the basis that the application had not been determined within the prescribed time period.

In respect of the water supply issue, and on the evidence before him (including the Council-commissioned report), the Reporter was not persuaded that the increased level of risk to the existing water supply would be so unreasonable that, in itself, it could form a justifiable basis for refusing Planning Permission. The appeal was dismissed. However, this was principally on the grounds of siting and designs (see above).

Planning permission 06/01314/DET proposed to not utilise the existing private water supply but rather to draw water from a borehole within the confines of the application site. In the light of concern as to the reliability of water supply from the burn, a borehole drilled on behalf of a previous applicant found potable water at a depth of 4 metres which the drillers considered demonstrated an adequate supply if supplemented by a water storage tank.

While specific objections have been raised by the owners of Lochhead Cottage regarding the use of the private water supply (see Appendix A, section iv above) it is considered that the points of concerns can be adequately addressed by the recommended conditions of the Council's Environmental Health Manager. These seek to ensure that there is no loss to the quality and quantity of water supplied to the neighbouring properties of both *Lochhead Cottage* and *Tigh na Ruel*. The conditions will seek, in the first instance, to the use of the capped borehole within the site as the preferred water source.

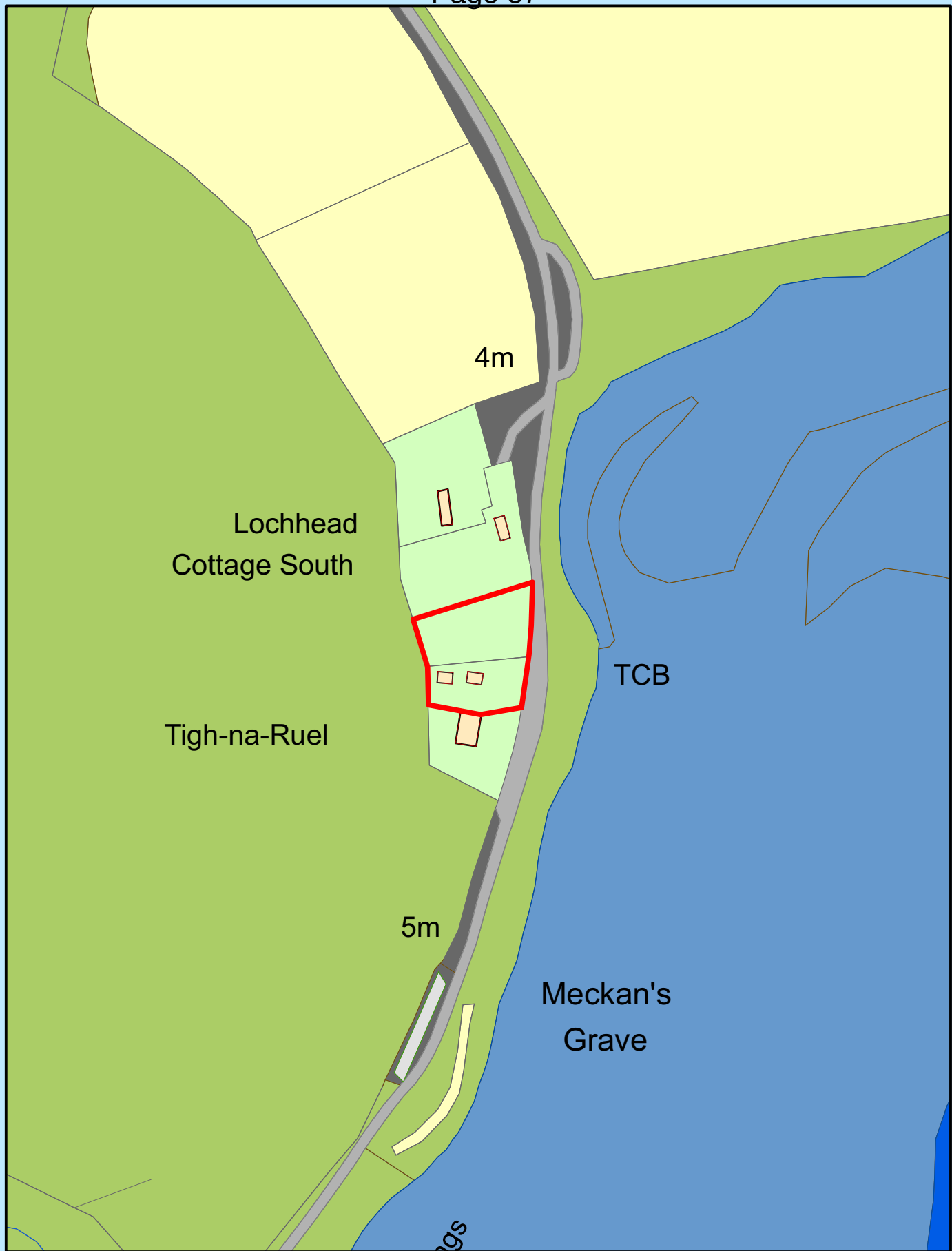
Private Sewerage System It is proposed to install a private foul drainage system via partial filter and soakaway system to an existing outfall to the shore. Scottish Water has confirmed that there are no public sewers within the vicinity of the development site while SEPA have raised no objection to the proposed foul drainage system.

The proposal is considered to be consistent with policy POL PU 3 of the Cowal Local Plan and policies LP SERV 1 and 4 of the Argyll & Bute Local Plan Post Inquiry Modifications.

CONCLUSION

It is considered that the proposal represents acceptable infill development within an existing cluster of buildings. The modest, traditional design of both dwellinghouses is entirely acceptable while the landscape impact of this development can be successfully absorbed into the surrounding environment.

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**COMMITTEE LOCATION PLAN
RELEVANT TO PLANNING
APPLICATION 08/01513/DET**

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

Ward Number - 8, Isle of Bute
Date of Validity - 1st October 2008
Committee Date- 3rd February 2009

Reference Number: 08/01759/COU
Applicants Name: Stewart Shaw Ltd
Application Type: Retrospective Change of Use
Application Description: Change of use of former milk tankers yard (Sui generis use) to builder supply yard incorporating cement mixing facility (Class 5 & 6 uses) (Retrospective).
Location: Yard 4A Colbeck Place Colbeck Lane Rothesay Isle of Bute PA28 0HB.

(A) THE APPLICATION

(i) Development Requiring Express Planning Permission

Change of use of former milk tankers yard (Sui generis use) to builder supply yard incorporating cement mixing facility (Class 5 & 6 uses).

(ii) Other specified operations.

N/A.

(B) RECOMMENDATION

It is recommended that retrospective planning permission **be granted** subject to the attached conditions and reasons, along with the informative detailed overleaf.

(C) SUMMARY OF DETERMINING ISSUES AND MATERIAL CONSIDERATIONS

(i) Development Plan Context:

The site is located with Rothesay settlement zone as defined in the Structure Plan and emerging Local Plan. It is also located within an Area for Action as defined by the emerging Local Plan.

Policy STRAT DC 1 of the Structure Plan seeks to resist bad neighbour developments within settlements which are essentially incompatible with the close configuration of land uses found in the area. This site is located on the fringe of the industrial area of Rothesay with some neighbouring residential properties. However, owing to the site's previous industrial type usage and the proposed conditions to be attached to the grant of planning permission, the development is considered to be consistent with this policy.

With regards to policy LP BUS 1 of the emerging Local Plan, the development represents acceptable 'small scale' development within an established industrial location in Rothesay.

(ii) Representations:

Two letters of representation have been received.

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

Not applicable.

(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:

Not applicable.

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

No.

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

Not applicable.

(viii) Has a sustainability Checklist Been Submitted:

No.

Angus J Gilmour
Head of Planning
26th January 2009

Author: John Irving, Tel: 01369708621
Reviewing Officer: David Eaglesham, Tel: 01369708608

Date: 15th January 2009
Date: 26th January 2009

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: 08/01759/COU

1. Visibility splays measuring 35 metres from a 2.5 metre set back shall be free from 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.*

2. Within two months from the date of this permission, a turning area shall be provided within the site, suitable for all vehicles and the first 2.5 metres of the access behind the back of the footpath shall be constructed with a sealed surface.

Reason: *In the interest of road safety and to prevent debris from being deposited onto the footway and road.*

3. The unloading and uploading of all building materials shall only be undertaken within the yard (i.e. the defined application site) and shall not be undertaken on the public carriageway.

Reason: *In the interest of road safety.*

4. The yard shall only operate between the hours of 07:30 and 18:30 Monday to Friday and 08:00 and 17:00 on Saturdays. No operations (including vehicles started, moved or maintained) within the yard should occur outwith these defined hours including Sundays and statutory public holidays.

Reason: *To prevent any loss of amenity to local residents and/or nuisance as a result of the use of the yard.*

5. No cement mixing facility or associated operations shall occur within this yard, unless consent for variation is obtained in writing from the Planning Authority.

Reason: *To prevent any loss of amenity to local residents and/or nuisance as a result of the use of the yard.*

INFORMATIVES RELATIVE TO APPLICATION: 08/01759/COU

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.

APPENDIX A – RELATIVE TO APPLICATION NUMBER: 08/01759/COU

MATERIAL CONSIDERATIONS AND ADVICE

(i) POLICY OVERVIEW AND MATERIAL ADVICE

Argyll & Bute Structure Plan 2002

STRAT DC 1 '*Development within the Settlements*' development which do not accord with this development are urban bad neighbour developments which are essentially incompatible with the close configuration of land uses found in settlements.

Bute Local Plan 1990

POL COM 6 '*Bad Neighbour Development*' seeks to resist development that is considered to have an adverse effect on the amenity of residential property.

Argyll & Bute Local Plan Post Inquiry Modifications 2008

LP BUS 1 '*Business & Industry in Existing Settlements*' seeks to encourage new or extensions to existing industrial enterprises within the settlements providing it is a form, location and scale.

LP BAD 1 '*Bad Neighbour Development*' seeks to resist development that is considered to have an adverse effect on the amenity of residential property including issues of odour, noise and traffic impact etc.

LP ENV 19 '*Development Setting, Layout & Design*' seeks to achieve a high standard of layout, setting and design where new developments are proposed.

LP 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 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 03/00023/OUT refused on 1st April 2003 for the erection of garage to store milk tankers, based on design and 'bad neighbour' issues.

Planning permission 03/00643/DET granted on 9th June 2003 for the erection of steel garage for the storage of milk tankers.

Variation of condition application 03/01921/VARCON granted on 19th December 2003 for the variation of condition 2 of planning permission 03/00643/DET to allow the starting of vehicles at 6am.

(iii) CONSULTATIONS

Area Roads Manager	25.11.2008	No objection subject to conditions, as long as all loading and unloading is carried out off the carriageway.
Area Environmental Health Manager	12.11.2008	No objection subject to conditions, providing the cement mixing operations cease.

(iv) PUBLICITY AND REPRESENTATIONS

Under Article 9 Neighbour notification procedure and potential departure advertisement, which expired on 7th November 2008, two letters of representation have been received from the following:

- Mr and Mrs J McGinnes, 2 Colbeck Place, Rothesay PA20 0HD, and
- Mr & Mrs Boyle, Mill Cottage Garden Centre Mill Street Rothesay Bute PA20 0BJ.

The points raised are summarised below:

i. A cement mixer is constantly parked in the yard and is on and off all day, sometimes 6 days out of 7. They start as early as 8am, finishing as late as 6pm. Forklift truck also causing disturbance to neighbours as this involves unloading deliveries on a regular basis.

Comment: See assessment below.

ii. The exiting vehicular access serving 4A Colbeck Lane is across the public footpath, is restricted in width and has no visibility splays.

Comment: See assessment below.

iii. The access can accommodate short rigid chassis lorries, subject to no obstructions by parked vehicles, but the articulated lorries now being used to bring materials in bulk to the island, cannot readily get parked and various local drivers of articulated lorries have stated they would only attempt to reverse into 4A Colbeck Lane if there were no vehicles parked in the vicinity.

Comment: The Area Roads Manager has raised no objection to this application subject to all loading and unloading being carried out off the carriageway.

iv. Delivery Lorries often unload on the public road using forklift trucks, causing an obstruction which causes chaos to traffic movement in Union Street and the surrounding streets and severely restricts access to our business and others in the area.

Comment: The Area Roads Manager has raised no objection to this application subject to all uploading and unloading being carried out off the carriageway.

APPENDIX B – RELATIVE TO APPLICATION NUMBER: 08/01759/COU

PLANNING LAND USE AND POLICY ASSESSMENT

A. Settlement Strategy

The site is located with Rothesay settlement zone as defined by the Structure Plan and emerging Local plan. It is also located within an Area for Action as defined by the emerging local Plan.

Policy STRAT DC 1 of the Structure Plan seeks to resist bad neighbour developments within settlements which are essentially incompatible with the close configuration of land uses found in the area. This site is located on the fringe of a predominantly industrial area of Rothesay, with some neighbouring residential properties. However, owing to the site's previous industrial usage and the conditions proposed to be attached to the grant of planning permission, to combat any bad neighbour issues with this proposal, the development is considered to be consistent with this policy.

The Area Environmental Health Manager has undertaken a noise assessment which has found the cement mixing facility to be unacceptable. As such, a condition can be attached to the grant of planning permission which prevents the cement mixing operation on site. In addition, a condition will also be attached which restricts hours of operation. It is therefore considered that these conditions address the 'bad neighbour' elements of this development to safeguard established levels of amenity afforded to surrounding residential properties.

The site is less than 0.1 hectares in size and the existing building is just 144 square metres. This represents 'small scale' development as defined by Schedule B1 of policy LP BUS 1 from the emerging local plan. The development proposal represents acceptable 'small scale' development within an established industrial location in Rothesay. This application simply incorporates the change of use of the land and existing building and does not therefore introduce any new physical development that would visually change the character of the area. However, in terms of the potential bad neighbour issues detailed above, it is considered that the conditions attached to the grant of planning permission, which will crucially prohibit the cement mixing facility, will adequately address these concerns. For the same reason, the development is also considered to be consistent with policy POL COM 6 of the adopted Bute Local Plan and policy LP BAD 1 of the emerging Local Plan.

The proposal is considered to be consistent with policy STRAT DC 1 of the Structure Plan, policies LP BUS 1 and LP BAD 1 of the emerging Local Plan and policy POL COM 6 of the adopted Local Plan.

B. Location, Nature and Design of Proposed Development

The site is accessed from Union Street by a private access which leads to a small yard which boasts an existing large metal clad shed. The site is being used for the storage of building supply materials and as a cement mixing facility. The site is located on the fringe of a predominately industrial area and as such there are neighbouring residential properties.

This application seeks to regularise the current unauthorised use of this yard. There are no proposed physical developments or alterations within the site and as such this application only seeks to establish a new use of the site.

It is considered that restricting the site operating hours and preventing any further cement mixing operation will safeguard established levels of amenity afforded to the neighbouring residential properties

The proposal is considered to be consistent with policy LP ENV 19 the emerging Local Plan.

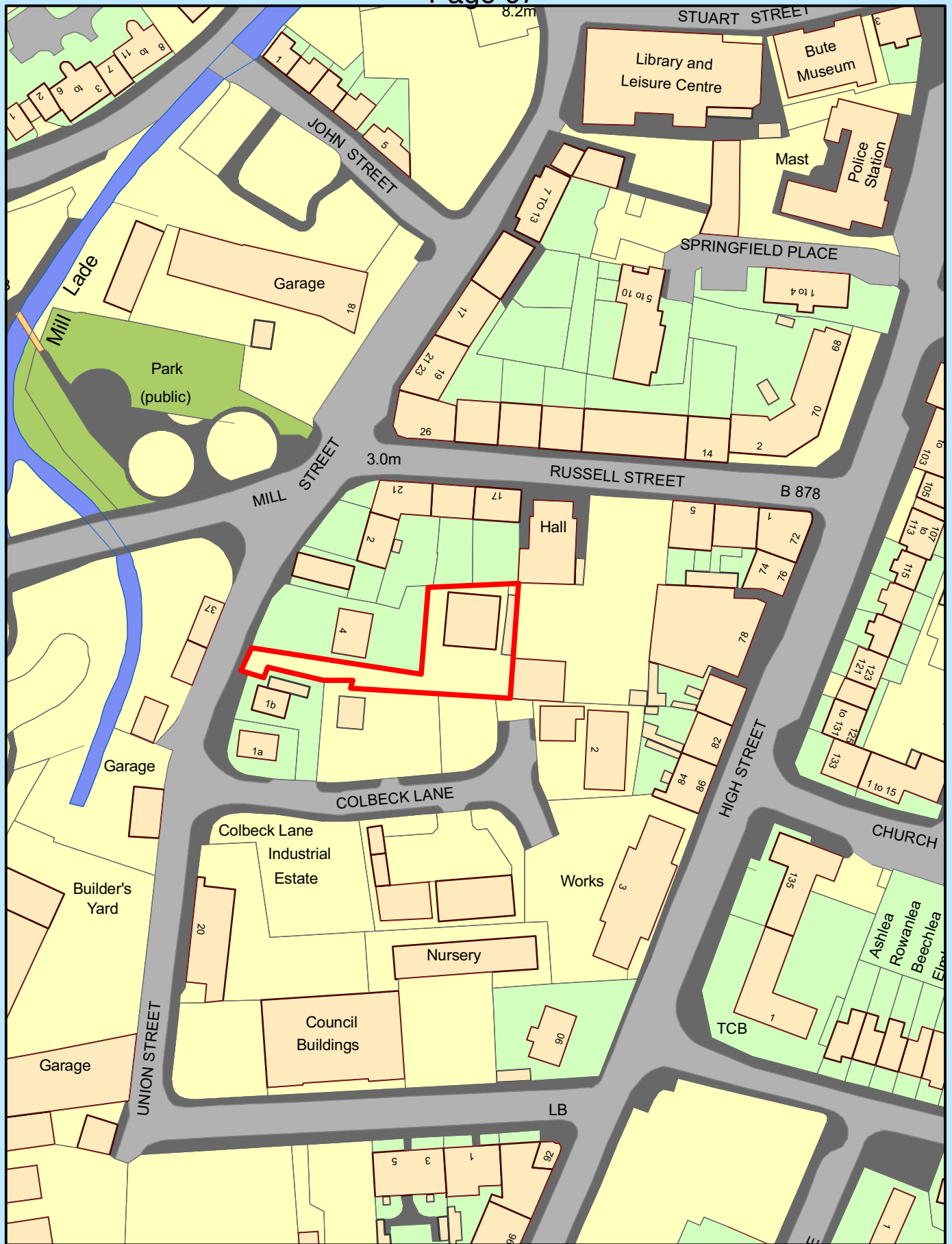
D. Road Network, Parking and Associated Transport Matters.

Representations have been received regarding lorries unloading and uploading on the public carriageway, at the entrance to the site, causing serious road safety issues. The Area Roads Manager has raised no objection to this application subject to a number of conditions and one which ensures the unloading and uploading of all building materials shall only be undertaken within the yard (i.e. the defined application site). On this basis, there is not considered to be any adverse road safety issues associated with this development.

The proposal is considered to be consistent with policy LP TRAN 4 of the emerging Local Plan.

CONCLUSION.

Given the previous industrial use of this site and its location within Rothesay, together with the associated conditions to be attached to the grant of planning permission, it is considered that the potential bad neighbour issues associated with this development can be resolved. Furthermore, the restrictive conditions imposed allow the Planning Authority to readily monitor and enforce any such unauthorised and unacceptable activities on site.



**COMMITTEE LOCATION PLAN
RELEVANT TO PLANNING
APPLICATION 08/01759/COU**

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Development Services, Argyll and Bute Council,
Kilmory, Lochgilphead, Argyll, PA31 8RT

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

Ward Number - 6, Cowal
Date of Validity - 12th November 2008
Committee Date- 3rd February 2009

Reference Number: 08/01995/NMA
Applicants Name: Heather Monteith
Application Type: Non-material amendment
Application Description: Erection of rear roof dormer with balcony, rear entrance porch and installation of roof lights and domestic wind generator on rear roof (amendment to Permission 04/02400/DET incorporating addition and omission of windows and rooflights and changes to dormer and porch design).
Location: Flat 4, Craighenure Flats, Shore Road, Innellan, PA23 7TL.

(A) THE APPLICATION

- (i) Proposed non-material changes to Planning Permission 04/02400/DET:
- Addition and omission of windows and rooflights
 - Changes to dormer extensions and entrance porch design
-

(B) RECOMMENDATION

It is recommended that the changes detailed above be treated as non-material amendments to Planning Permission 04/02400/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:

This application seeks minor design changes to planning permission 04/02400/DET which was approved consistent with Development Plan policy.

The proposed design changes are considered to be minor in nature and consistent with policy POL BE 9 of the Cowal Local Plan 1993 and policy LP ENV 19 of the Argyll & Bute Local Plan Post Inquiry Modifications.

(ii) Representations:

One objector has submitted two letters of representation.

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

Not applicable.

(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.

No.

(viii) Has a sustainability Checklist Been Submitted:

No.

Angus J Gilmour
Head of Planning
26th January 2009

Author: John Irving, Tel: 01369 708621 **Date:** 13th January 2009
Reviewing Officer: David Eaglesham, Tel 01369 708608 **Date:** 26th January 2009

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: 08/01995/DET

MATERIAL CONSIDERATIONS AND ADVICE

(i) POLICY OVERVIEW AND MATERIAL ADVICE

Cowal Local Plan 1993

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

Argyll & Bute Local Plan Post Inquiry Modifications (November 2008)

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

Policy HOU 5 'House Extensions' will be supported where they cause no significant detriment to the building, neighbours or the immediate vicinity.

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 03/02291/DET approved on 1st June 2004 for the conversion of roofspace as a studio incorporating dormer extension and external alterations.

Non-material amendment 04/02137/NMA approved on 25th November 2004 for erection of rear roof dormer with balcony and rear entrance porch (relative to permission 03/02291/DET).

Planning permission 04/02400/DET approved on 2nd February 2005 for the erection of rear roof dormer with balcony, rear entrance porch and installation of three rooflights and domestic wind generator on rear roof slope.

Non-material amendment 05/01918/NMA approved on 21st October 2005 for the modification to window sizes and installation of additional side window to porch (relevant to planning permission 04/02400/DET).

Enforcement Investigation 08/00261/ENFOTH1 commenced on 23rd July 2008 following complaint received regarding alleged unauthorised works on site.

(iii) **CONSULTATIONS**

Area Building Standards Manager/Area Officer (memo dated 27th November 2008 and e-mail dated 5th December 2008): I can confirm that a formal 'amendment to warrant' would be required for the changes and deviations from the approved plans.

- There should not be an unprotected area in a wall within 500mm from a boundary (porch door).
- The access balcony appears to provide the minimum 1200 x 1200mm as required for the common entrance to buildings containing flats.
- Assuming the lighting as existing was not emergency lighting supplied by a protected circuit, we would have no requirement for upgrading.
- The original warrant was supported by an SER certificate. As the applicant has deviated from the approved plans we would be looking for an amendment to warrant and written confirmation from the structural engineer that he is satisfied with the 'as-built' structure.

(iv) **PUBLICITY AND REPRESENTATIONS**

No formal advertisement or notification is required. Two letters of representation received from Steven McMillan (dated 19th & 25th November 2008), 5 Craigenure Flats, Innellan, Dunoon, A23 7TL. The points raised are copied below:

1. Mr Gavin Thomson's letter dated the 11th November 2008 fails to mention not only has the porch width increased by 110mm but the length has increased by 540mm. This is only shown on the plans and including the additional width is an increase in floor area of 1.046m² i.e. just under a quarter of the original permitted floor area. By increasing the size of the porch it completely dominates the rear elevation of the building and certainly is not sympathetic to or keeping with design and proportion of the original building as quoted in the " Council's Design Guide for Extensions and Alterations to Existing Buildings".

Comment: *This application seeks to regularise these changes which are considered to be entirely acceptable and non-material in nature.*

2. The main superstructure of the porch has already been constructed to the larger dimensions shown on the plans included in the non-material amendment application (ref:08/01995/NMA) and the use of respective planning permission is being utilised as a way to push the design amendments through without allowing proper consultation to have taken place before hand. All be it this practice is perfectly legal but it is generally more difficult to change something which has been wrongly constructed than not.

Comment: *This application has been assessed entirely on its own merits.*

3. The increased porch length now means the finished external face of the porch is within 250mm of the property boundary line and the eaves is on the boundary line. This also brings the porch directly next to the head of the stairwell which is the sole fire escape route from my property. As a result this increases the risk of spread of fire between properties and significantly reduces my means of escape should a fire occur in the porch. This problem is compounded by the fact the porch is constructed from low fire resistant material and is intended to be used partly as a coal storage area. Should a fire occur in this area at best I may have to

travel a distance of 18m from my front door to a place of safety at the north gable rather than the balcony, and at worst I could be trapped in my property.

Comment: *This is a matter for Building Standards who have confirmed that the changes undertaken can be approved as a formal 'amendment to warrant'.*

4. In Mrs Monteith's letter dated 04th December 2004 it was stated the main purpose of the porch was to overcome an access problem and provide a sheltered space to put things down prior to entering her flat. Mrs Monteith stated it was awkward to take in "coal, shopping, art / craft equipment and materials". Now that the porch has been extended to the head of the stairwell this may obstruct access to my property by persons standing in the shared access / fire escape route with the afore mentioned material at their feet while they open the porch door.

Comment: *This is a matter for Building Standards who have confirmed that the changes undertaken can be approved as a formal 'amendment to warrant'.*

5. The proximity of the porch entrance to my toilet window may cause my rights of privacy to be diminished from what previously existed. Previously people would have moved to the left hand side of the stairwell head to approach the porch but may now congregate directly outside my toilet window before entering the porch. Every individual is entitled to their privacy particularly on such sensitive matters as this. Likewise should the occupants of flat 4 Craigenure require moving any large items of furniture to or from the flat they may now require to encroach onto my property to do so. Again invading my privacy.

Comment: *The bathroom window is fitted with opaque glass and therefore there can be no reduced level of privacy associated with this bathroom. Encroachment on to the objector's property is an entirely civil matter to be resolved between both parties and does not fall under the jurisdiction of the Planning Authority.*

6. Access to my property at night has now become a health and safety hazard as the foot of the rear stairwell is now in darkness as a result of the extended porch now blocking out the light from the 1st floor landing. Mr Thomson himself has made a haphazard attempt at moving the only light on the balcony closer to my property to accommodate his porch, but this is insufficient and although digressing should have been carried out by a certified electrical contractor. Suitable external lighting would require to be designed and installed by a competent contractor at the applicants cost.

Comment: *The repositioning or removal of this external light does not require planning permission. Building Standards Authority have advised that assuming the lighting, as existing, was not emergency lighting, supplied by a protected circuit, there is no requirement for upgrading.*

7. On inspection of applications 04/02400/DET and 08/01995/NMA I cannot find any structural engineer design calculations for permissible loading on the balcony floor. In the absence of these calculations I would question if the balcony is capable of carrying the combined load of the porch and the significant storage of coal over a period of time.

Comment: *This is a matter for Building Standards. The original building warrant was supported by an Structural Engineers Certificate, as the applicant has deviated from the approved plans Building Standards will require written confirmation from the structural engineer that he is satisfied with the 'as-built' structure.*

The applicant has submitted a letter of support dated 3rd January 2009. The points raised are summarised below:

1. The external walls of the porch are erected some 16mm back from the line shown on the plans approved by the Councils for building warrant and not all forward of the line as contended by the objector.
2. The length of the porch has only increased by some 61mm as a result of the external slate cladding. This small increase is taken up entirely within my property where the porch reaches to the far extremity of my balcony away from my neighbour.
3. In terms of the points above, there are no grounds whatsoever for the objectors false assertions that the porch length has increased by 540mm.
4. The keeping of coal in the porch does not represent a fire hazard. Coal is not subject to spontaneous combustion and the keeping of coal within this porch is a normal domestic occurrence.
5. There are no grounds for the objector's assertion that the planning process has been manipulated by me to achieve a 25% increase in floor space. This is wholly untrue.
6. There is no loss of privacy to the objector's bathroom. The window is fitted with opaque glass.
7. The project has been held up for several months now as a result of complaints to the Council. That is why its appearance in several respects remains ungainly where it has not been possible to proceed with the external wall finishes and trim to the porch, nor replace the temporary external door with the permanent one or install permanent lighting.

APPENDIX B – RELATIVE TO APPLICATION NUMBER: 08/01995/DET

PLANNING LAND USE AND POLICY ASSESSMENT

A. Settlement Strategy

The application site is within the Settlement Zone.

B. Location, Nature and Design of Proposed Development

This application seeks to regularise minor design changes to planning permission 04/02400/DET. These variations include the following:

- Minor increase to dimensions of rear entrance porch along with change to roof pitch angle.
- Additional rooflight window installed on front elevation of building.
- Circular window removed from front elevation dormer window.
- Square window installed onto rear elevation dormer window.

The proposed design changes are considered to be minor and crucially '*non-material*' in nature, consistent with policy POL BE 9 of the Cowal Local Plan 1993 and policy LP ENV 19 of the Argyll & Bute Local Plan Post Inquiry Modification (November 2008).

In addition, the changes included within this non-material amendment application do not present any adverse privacy or amenity issues with neighbouring properties.

Concerns raised regarding the structural soundness of the development fall under the jurisdiction of the Building Standards Service and a request for an amendment to the approved building warrant has been requested to regularise the changes.

The proposal is considered to be consistent with policy POL BE 9 of the Cowal Local Plan and policy LP ENV 19 & Appendix A of the emerging Local Plan.

C. Built Environment

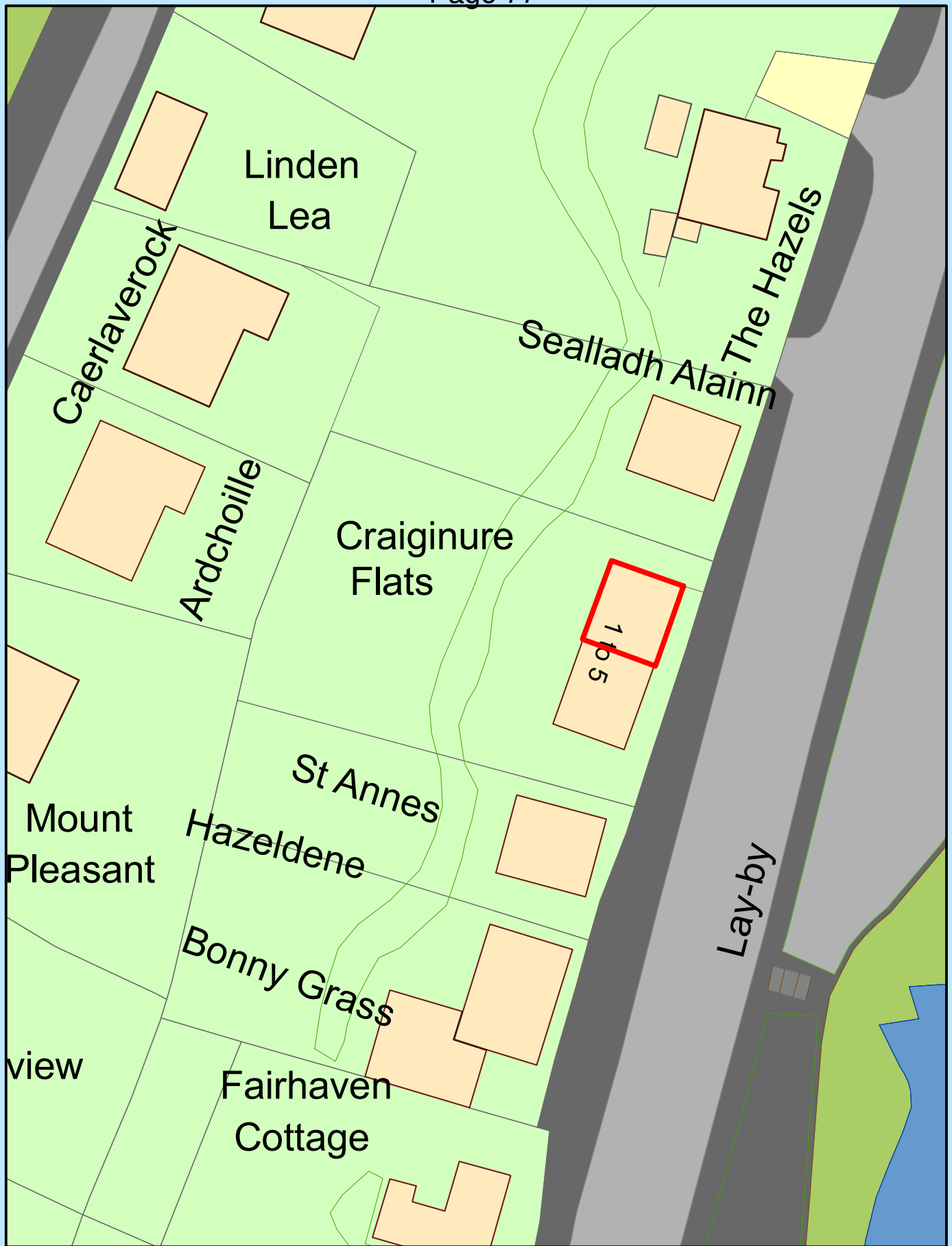
Policy LP HOU 5 of the emerging local plan seeks to permit housing extensions providing there is no significant detriment to the building, neighbouring buildings and surrounding vicinity. This application represents minor design changes to a planning permission which was approved on the basis that it did not detract from the overall character of the building or surrounding environment. The non-material changes included with this application do not unduly impact on the overall character and design of this building.

The proposal is considered to be consistent with policy LP HOU 5 of the emerging Local Plan.

CONCLUSION.

While an objection has been received against this development, this application represents very minor changes to the size and design of the rear entrance porch and dormer windows. These changes are entirely acceptable in design terms with little to no impact on neighbouring properties. As such, it is recommended that this application be approved.

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**COMMITTEE LOCATION PLAN
RELEVANT TO PLANNING
APPLICATION 08/01995/NMA**

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Development Services, Argyll and Bute Council,
Kilmory, Lochgilphead, Argyll, PA31 8RT

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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
08/02195/DET	Stewart And Bennett 82 Argyll Street, Dunoon, Argyll And Bute, PA23 7NE, Demolition and erection of rear extension, additional car parking and formation of patio area	17/12/2008	14/01/2009	PER
08/02178/DET	Mr D Alexander Rahoy, Toward, Dunoon, Argyll And Bute, PA23 7UG, Formation of vehicular access	18/12/2008	12/01/2009	PER
08/02162/ADV	Alexander Johnston The Pier View, 36 Argyle Street, Rothesay, Isle Of Bute, Argyll And Bute, PA20 0AX, Erection of illuminated signage	09/12/2008	12/01/2009	PER
08/02156/DET	Mr Tony Monnickendam 18 Eccles Road, Hunters Quay, Dunoon, Argyll And Bute, PA23 8LB, Erection of sun lounge and timber deck	01/12/2008	12/01/2009	PER
08/02126/DET	Cowal Wind Energy Corlarach Hill East Of Glen Fyne, Bullwood Road, Dunoon, Argyll And Bute, , Retention of 10 metre Anemometry mast (for a temporary period of 3 years)	24/11/2008	24/12/2008	PER
08/02124/DET	Kilfinan Community Association Kilfinan Hall, Kilfinan, Tighnabruaich, Argyll And Bute, PA21 2EP, Erection of rear extension	02/12/2008	12/01/2009	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
08/02116/ADV	Mrs Pamela Tibbs Kennels, Croft Kennels, Cairndow, Argyll And Bute, PA26 8BG, Retention of Advertisement Board	28/11/2008	22/12/2008	PER
08/02108/ADV	Moya Cove Glendale House, Strachur, Cairndow, Argyll And Bute, PA27 8BX, Erection of advertising sign board	08/12/2008	12/01/2009	PER
08/02107/DET	Cowal Wind Energy Ltd Corlarach Hill East Of Glen Fyne, Bullwood Road, Dunoon, Argyll And Bute, , Erection of 60 metre Anemometry mast (for a temporary period of 3 years)	04/12/2008	14/01/2009	PER
08/02041/DET	Angela H J Cowell 29 Ferry Brae, Dunoon, Argyll And Bute, PA23 7DJ, Retention of shopfront security grille	19/11/2008	22/12/2008	PER
08/02014/TPO	Mr Keith Campbell Hunters Quay Holiday Village, Hunters Quay, Dunoon, Argyll And Bute, PA23 8HP, Felling and replacing of two fagus sylvatica trees	26/11/2008	17/12/2008	PER
08/01933/DET	Mr And Mrs D Orr Rockhill, 4 Eccles Road, Hunters Quay, Dunoon, Argyll And Bute, PA23 8LA, Alterations to window opening and erection of timber deck	06/11/2008	12/01/2009	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
08/01915/DET	Kenneth Longworth 3 Glebe Avenue, Dunoon, Argyll And Bute, , Replacement roof covering and replacement windows (retrospective)	27/11/2008	12/01/2009	PER
08/01876/COU	Mr And Mrs Turton 10 Ferry Brae, Dunoon, Argyll And Bute, PA23 7DJ, Change of use of treatment room (class 2) / cafe (class 3) into cafe (class3)(retrospective).	26/11/2008	29/12/2008	PER
08/01642/COU	Scott Thomson Shop Basement, 150 Argyll Street, Dunoon, Argyll And Bute, PA23 7NA, Change of Use of shop basement (Class 1) to Tattoo Clinic (Class 2) (retrospective)	26/11/2008	22/12/2008	PER
08/01587/COU	Denice Purdie Crawford Cottage, Strathlachlan, Strachur, Argyll And Bute, PA27 8BU, Partial change of use of dwellinghouse as a soap manufacturing business and retention of timber storage unit and metal container in connection with soap manufacturing business (retrospective).	07/10/2008	13/01/2009	PER
08/01515/DET	Beornwood Ltd The Old Schoolhouse, Loch Striven , Dunoon, Argyll And Bute, Conversion and extension to provide restaurant lounge/bar, managers accommodation; erection of staff timber cabin; erection of jetty, formation of vehicular access, car park and installation of septic tank and soakaway.	23/09/2008	23/12/2008	PER
08/01394/OUT	D N Munro Ltd Post Office, St Catherines, Cairndow, Argyll And Bute, PA25 8AZ, Demolition of former post office, erection of dwellinghouse and installation of septic tank	29/07/2008	23/12/2008	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
08/00920/TPO	John Cameron Ellangowan, Cromlech Road, Sandbank, Dunoon, Argyll And Bute, PA23 8QH, Felling of 6 Scots Pine , lopping of 5 Scots pine/hazel trees and replanting of 10 Scots pine (retrospective).	12/05/2008	22/12/2008	PER

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

CASENO	APPLICANT NAME/PROPOSAL AND SITE ADDRESS	RECEIVED DATE	VETTED DATE	DECISION	DECISION
04/02282/ERD/B	Mr Alan Hamilton Plot 4, Former Tor Na Dee Bullwood Road Dunoon Argyll Amendment to Warrant, to cover removal of screen walls, ensuite layout, staircase and ramps.	16/12/2008	23/12/2008	30/12/2008	WARAPP
06/01255/CONV01/A	Mr Mieszkowskie And Mrs Martin Lizavale Terrace Salon 58B Shore Road Innellan Argyll And Bute PA23 7TP Amendment to warrant, to cover the omission of the en suite facility, and repositioning of partitions	05/12/2008	23/12/2008	09/01/2009	WARAPP
07/00138/ALTEXT/A	Mr And Mrs C Kelly 23 Hunter Street Kirm Argyll And Bute PA23 8DT Amendment to Warrant to cover - internal alterations and formation of upper floor bathroom	26/09/2008	08/10/2008	23/12/2008	WARAPP
08/00355/ALTER	Mr Stuart Dunn Upper Flat 37 Shore Road Port Bannatyne Isle Of Bute Argyll And Bute PA20 0LQ Alteration to upper flat, to form 2 bedrooms and a shower room	01/04/2008	12/05/2008	23/12/2008	WARAPP
08/00768/ALTER	Mr And Mrs MacLean Murthly Cottage Trinity Lane Innellan Dunoon Argyll And Bute PA23 7SP Extension to dwelling, to form kitchen	07/08/2008	01/09/2008	19/12/2008	WARAPP
08/00849/ALTER	Mrs Sandra Walkosz 52 Dixon Avenue Kirm Dunoon Argyll And Bute PA23 8NB Alterations to loft space to form and additional room.	08/09/2008	16/10/2008	30/12/2008	WARAPP
08/00854/INSTAL	Welch Homes Ltd Cowal Caravan Park Victoria Road Hunters Quay Argyll And Bute Installation of drainage system	05/09/2008	08/10/2008	12/01/2009	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**

08/00903/ALTER	Robert Hall Ascog Old Manse Ascog Isle Of Bute Argyll And Bute PA20 9EU Internal alterations to form en - suite shower and dressing room.	24/09/2008	04/11/2008	23/12/2008	WARAPP
08/00908/EXTEND/A	Mrs Ross Pinehurst Toward Dunoon Argyll And Bute PA23 7UB Amendment to Warrant, to cover alterations to drainage layout	12/12/2008		19/12/2008	WARAPP
08/00911/CONV	D G True Ascog Church Ascog Isle Of Bute Argyll And Bute PA20 9EU Conversion of former church to form a 4 bedroom dwelling incorporating a replacement septic tank to existing outfall system.	23/09/2008	11/11/2008	19/12/2008	WARAPP
08/01025/ALTEXT	Mr And Mrs M Grant 101 Edward Street Dunoon Argyll And Bute PA23 7AR Alterations and extension to dwelling to form french windows, and a first floor bedroom and shower room.	31/10/2008		23/12/2008	WARAPP
08/01079/ALTER	Connaught Partnerships Ltd Forest View Strachur Argyll And Bute Alteration to dwellings, to install insulated rendering system	17/11/2008	06/01/2009	09/01/2009	WARAPP
House numbers:	1,3,8,10,12,18,20,21,26,29,53,55,62,46,45,43 & 41				
08/01115/ALTER	Mr And Mrs A Sorbie Cnoc Na Cruime Kames Tighnabruaich Argyll And Bute PA21 2BE Extension to dwelling, to form a conservatory	26/11/2008	01/12/2008	09/01/2009	WARAPP
08/01136/ALTER	Mr Tony Monnickendam 18 Eccles Road Hunters Quay Dunoon Argyll And Bute PA23 8LB Alteration to dwelling, to change garage to an apartment and sunlounge	01/12/2008	17/12/2008	09/01/2009	WARAPP
09/00019/ALTER	ACHA 17 Eton Avenue Dunoon Argyll And Bute PA23 8DG Electrical rewiring of domestic property	08/01/2009	12/01/2009	12/01/2009	WARAPP

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EXEMPT=Exempt Building Warrant LOCWIT= Letter of Comfort withdrawn SUPERS=Superseded by new Building

09/00021/ALTER	ACHA	09/01/2009	12/01/2009	12/01/2009	WARAPP
	13 Eton Avenue Dunoon Argyll And Bute PA23 8DG				
	Electrical rewiring of a domestic property				
09/00022/ALTER	ACHA	09/01/2009	12/01/2009	12/01/2009	WARAPP
	10 Eton Avenue Dunoon Argyll And Bute PA23 8DG				
	Electrical rewiring of domestic premises				
09/00023/ALTER	ACHA	09/01/2009	12/01/2009	12/01/2009	WARAPP
	12 Eton Avenue Dunoon Argyll And Bute PA23 8DG				
	Electrical rewiring of domestic premises				
09/00025/ALTER	ACHA	08/01/2009	12/01/2009	12/01/2009	WARAPP
	9 Eton Avenue Dunoon Argyll And Bute PA23 8DG				
	Electrical rewiring of domestic premises				

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