

# Public Document Pack

**MINUTES of MEETING of BUTE AND COWAL AREA COMMITTEE held in the QUEEN'S HALL,  
DUNOON  
on TUESDAY, 23 JUNE 2009**

**Present:** Councillor Bruce Marshall (Chair)  
Councillor Alex McNaughton Councillor Ron Simon  
Councillor James McQueen Councillor Isobel Strong  
Councillor Len Scoullar (Vice-Chair)\_

**Also Present:** Shirley McLeod – Area Corporate Services Manager  
David Eaglesham- Area Team Leader, Development Control  
George Craig - Assistant Roads & Amenity Services Manager  
John Duncan – Area Children’s Manager  
Belinda Hamilton – Area Committee Officer

Jackie Fulton – Homestart

Group Commander Stuart McLean, Strathclyde Fire & Rescue  
Inspector Richmond, Strathclyde Police

## **1. APOLOGIES**

Apologies were intimated from Councillor Alister McAlister, Councillor Robert McIntyre and Councillor Dick Walsh.

The Chairman ruled, and the Committee agreed, in terms of Standing Order 3.1 that the report by the Head of Roads and Amenity in regard to Area Capital Receipts to be dealt with at item 8(b), be taken following item 5 due to the need for the Officer having to attend another meeting.

## **2. DECLARATIONS OF INTEREST**

Councillor Bruce Marshall declared a non-financial interest in relation to Item 8(b) 2.4, (Crossroads), of this minute, on the basis that he is a Member of the Board for this organisation. He left the meeting during discussion of this item and accordingly took no part in the decision making process.

## **3. MINUTES**

### **(a) MINUTE OF AREA COMMITTEE OF 5TH MAY 2009**

Agreed that the Minute of 5 May 2009 be approved as a correct record.

## **4. PRESENTATION TO DUNOON YOUTH FOOTBALL LEAGUE UNDER 13'S TEAM**

The Committee welcomed representatives from the Dunoon Youth Football League and congratulated them on their many achievements over the last year. On behalf of Members, Councillor Bruce Marshall, Chair of the Bute and Cowal Area Committee, presented a donation to assist them continue their success and

wished the Club the very best for the coming season.

## **5. AREA SPORTS VOLUNTEER AWARDS**

Dylan Kerr, Football Development Officer, informed members that the Sports Volunteer Awards, which took place on 5 June 2009, were a partnership between the Volunteer Centre and Argyll and Bute Council and recognises the valued work that volunteers contribute to community life in Argyll and Bute.

Mr Kerr, on behalf of Argyll and Bute Council, congratulated the winners of the Area Sports Volunteer Awards for Bute and Cowal who were:

Adult Sports Volunteer – Catriona Perlich, Tighnabruaich, for athletics, tennis and Active Schools.

Junior Sports Volunteer – Craig Murray, Bute, for football, primary schools and Active Schools.

Councillor Bruce Marshall also congratulated the winners on behalf of the Bute and Cowal Area Committee

## **6. OPERATIONAL SERVICES**

### **(a) REVENUE AND CAPITAL ROADS MAINTENANCE BUDGETS**

Members considered a report by Stewart Turner, Head of Roads and Amenity, which set out the 2009/2010 roads maintenance Revenue and Capital budgets for Bute & Cowal, highlighting the effect the limited budget would have on meeting the requirements of the 'Road Maintenance & Asset Management Plan for the Road Network.'

#### **Decision**

1. Agreed to note the contents of the report by the Head of Roads & Amenity.
2. Agreed to congratulate George Craig and his team for the commendable work undertaken in the past few months.

(Ref: Report by Head of Roads & Amenity, dated 23 June 2009, submitted)

## **7. HOMESTART PROJECT - PRESENTATION BY JACKIE FULTON**

Members heard an informative presentation from Jackie Fulton from Homestart. She outlined the remit of the Group and advised that the service was now due to expand to other areas of Argyll and Bute. She explained that the Group's biggest challenges were funding, sustainability and recruiting. A recent review was carried out to obtain feedback from all users of the service to ascertain how they use it and how it benefits them.

Councillor Marshall thanked Ms Fulton and brought member's attention to leaflets provided for their further information.

## 8. COMMUNITY SERVICES

### (a) SCHOOL HOLIDAYS AND IN SERVICE DAYS: 2010/2011

Members considered a report by the Director of Community Services regarding the framework of main holiday dates for schools in 2010/2011.

#### Decision

1. Agreed to endorse the final pattern of school holidays and in-service days for all schools in Bute and Cowal as outlined in Appendices 1 and 2 of the report.
2. Agreed that the details of school holidays and in-service days for 2010/2011 should now be circulated to schools and all relevant organisations.

(Ref: Report by Director of Community Services dated 2 June 2009, submitted)

### APPLICATIONS FROM VOLUNTARY ORGANISATIONS FOR FINANCIAL ASSISTANCE UNDER THE SOCIAL WELFARE GRANTS SCHEME 2009/2010

Ten Social Welfare Grants were presented for consideration

#### Decision

1. Noted the budget of £11269 for the financial year 2009/10.
2. The Social Welfare Grants were determined as follows:-

<b>Applicant</b>	<b>Amount Requested</b>	<b>Grant Awarded</b>
2.1 Argyll & Bute Rape Crisis	£3000	£1700
2.2 Bute Advice Centre	£7000	£4000
2.3 Cowal Community Care Programme	£1000	£750

Councillor Bruce Marshall, having previously Declared an Interest in the following item, left the meeting at this point.

<b>Applicant</b>	<b>Amount Requested</b>	<b>Grant Awarded</b>
2.4 Crossroads (Cowal and Bute)	£3508.50	£2000

Councillor Bruce Marshall, returned to the meeting.

<b>Applicant</b>	<b>Amount Requested</b>	<b>Grant Awarded</b>
2.5 Dunoon & Cowal Elderly Forum	£460	£300
2.6 Dunoon Senior Citizens	£1000	Nil
2.7 Homestart Majik Council	£1750	Nil
2.8 People & Agencies of Cowal Coming Together	£2054	£1000

2.9 Relationship Argyll (Argyll Couple Counselling)	£1581	£750
2.10 Sandbank Senior Citizens Club	£1665	£769

(Ref: Report by Director of Community Services dated June 2009, submitted)

## 9. CORPORATE SERVICES

### (a) VERBAL REPORT ON DUNOON - GOUROCK FERRY SERVICE

Members were updated by Shirley McLeod, Area Corporate Services Manager, on the progress that had been made since May. An update meeting had been held on 12 June and members were advised of the Invitation to Tender which would require a 50 day notice period. It is hoped that the tenders should be received by September 2009 and that once received a lengthy legal process would follow with a proposed date for the new operators to be in place by Spring 2011. Ms McLeod advised that a European Commission Enquiry on the previous tender was currently underway and that a report on this was forthcoming.

### (b) AREA CAPITAL RECEIPTS

Members considered a report by the Head of Strategic Finance advising them of an estimated level of capital receipts to allow forward planning on the use and allocation of this funding for 2009/2010.

#### **Decision**

Agreed to note the terms of the report.

(Ref: Report by Head of Strategic Finance, dated 8 May 2009, submitted)

### (c) AREA CAPITAL RECEIPTS APPLICATION

Members considered a report by the Area Corporate Services Manager regarding a request by the Streetscene Manager for assistance from the Capital Receipt Fund to improve the playing fields associated with Dunoon Stadium. Members were advised that a sum of money is available in the Capital Receipt Fund which can be allocated against projects which meet the capital criteria.

#### **Decision**

1. Agreed to consider allocation of the available sum in the Capital Receipt Fund.
2. Agreed that future allocations of Capital Receipt Funds for Cowal go first and foremost towards the Dunoon town centre Christmas Lights until such time as that sum is available

(Ref: Report by Area Corporate Services Manager, dated 15 June 2009, submitted)

(d) **REQUEST FOR PARTNERSHIP FROM DUNOON & COWAL BUSINESS ASSOCIATION**

Members considered a report by the Area Corporate Services Manager regarding a request from the Dunoon and Cowal Business Association to enter into a partnership agreement with the Council.

**Decision**

1. Agreed to note the contents of the report.
2. Agreed to continue discussion of this item to the August Business Day to allow discussions with the Dunoon and Cowal Business Association.

(Ref: Report by Area Corporate Services Manager, dated 27 May 2009, submitted)

The meeting adjourned at 11.40am in terms of the Scheme of Public Participation.

**10. PUBLIC AND COUNCILLOR QUESTION TIME**

Mrs Irene Platt expressed her concerns that, during a recent journey on the Calmac Ferry, a visitor to the area was not correctly advised of the ticket purchasing procedure resulting in her being left with non-transferable tickets at the end of her holiday. Mrs Platt asked if the Council were in a position to do anything to resolve the current situation.

Councillor Marshall responded by suggesting to Mrs Platt that she write to Calmac explaining that their policies are detrimental to tourists visiting this area.

Members suggested inviting a representative from Calmac to a future Area Committee Public Question Time when a response could be given. The Community Planning Partnership will also be notified in order that the Executive of the Council are made aware of the current situation.

Ann Gabriel, Chairperson Dunoon Community Council, enquired about the remedial work currently being undertaken on 'Highland Mary' and raised her concerns regarding the fencing surrounding the statue and asked when this would be removed.

Councillor Bruce Marshall assured her that the fencing would be removed in the near future once the maintenance work was complete.

Councillor Ron Simon asked Inspector Richmond, Strathclyde Police, about whether there had been any problems regarding motor vehicles in the town centre and also raised concerns that there had been evidence of boisterous behaviour in Kirn, with park benches and flower beds being destroyed.

The Inspector responded to this by advising the public to report any concerns they may have as, unless the police were aware of these issues, very little could

be done. He explained that there are no extra resources available during the summer months and that it is imperative that the public alert the police to any potential situations and that any complaints could be treated confidentially.

Group Commander Stuart McLean, Strathclyde Fire and Rescue, informed members that it is anticipated that the work on the fire station, although 3-4 weeks over schedule, should be completed by the end of July. An opening date will be confirmed nearer the time. He advised that there had been no significant increase in incidents.

Mr Moonan, raised his concerns that his local Councillor was not readily available after the move to multi member wards. Shirley McLeod, Area Corporate Services Manager, explained that all Councillors were available at all times either by telephone or internet and that there are benefits to the new system, with more than one Councillor being able to campaign for any potential causes on the person's behalf. She suggested that if Mr Moonan was still unhappy about the situation, he should write to the Electoral Commission and also to Scottish Government outlining his concerns.

The meeting re-convened at 11.55am.

## **11. DEVELOPMENT SERVICES**

### **(a) OUTLINE PLANNING APPLICATION 07/00952/OUT, SIR ROBERT MCALPINE ENTERPRISE LTD, ARDYNE TOWARD**

Members noted that this Application has been withdrawn.

### **(b) PLANNING APPLICATION 08/00489/DET, F & G DEVELOPMENTS LTD. FORMER ROYAL HOTEL AND SURROUNDING LAND, PIER ROAD, INNELLAN**

A report by the Head of Planning was considered regarding a Detailed Planning Application for the erection of 12 dwellinghouses, detached double garage, formation of new vehicular access, car parking, turning and landscaping at Former Royal Hotel and surrounding land, Pier Road, Innellan in which it was recommended that the application be refused

#### **Decision**

Agreed to continue consideration to a Discretionary Hearing on 30 July 2009 following prior Site Visit

(Ref: Report by Head of Planning dated 5 March 2008, submitted)

### **(c) OUTLINE PLANNING APPLICATION 08/01597/OUT, MR & MRS HUTCHINSON, LAND EAST OF BURNSIDE COTTAGE, MONTFORD, ROTHESAY**

Members considered a report by the Head of Planning regarding an Outline Planning Application for the erection of a dwellinghouse at Land East of Burnside Cottage, Montford, Rothesay in which it was recommended that

the application be refused.

#### **Decision**

Agreed to refuse planning permission for the reasons contained within the report by Head of Planning.

(Ref: Report by Head of Planning dated 8 September 2008, submitted)

(d) **OUTLINE PLANNING APPLICATION 08/02011/OUT, MR J STIRLING, LAND SOUTH EAST OF ALDERSYDE, TOWARD**

A report by the Head of Planning was considered regarding a Detailed Planning Application for the erection of 3 dwellinghouses and formation of vehicular accesses, at Land South east of Aldersyde, Toward, Argyll

#### **Decision**

Agreed to continue consideration to a Discretionary Hearing on 30 July 2009 following prior Site Visit.

(Ref: Report by Head of Planning dated 13 November 2008, submitted)

(e) **APPROVAL OF RESERVED MATTERS 08/02133/REM, MR & MRS HARRISON, BALMORY HALL, BALMORY ROAD, ASCOG, ISLE OF BUTE**

A report by the Head of Planning was considered regarding an Approval of Reserved Matters for the erection of dwellinghouse, detached garage and formation of vehicular access at Balmory Hall, Balmory Road, Ascog, Isle of Bute in which it was recommended that the application be refused.

#### **Decision**

Agreed to refuse planning permission for the reasons contained within the report by Head of Planning.

(Ref: Report by Head of Planning dated 9 December 2008, submitted)

(f) **CHANGE OF USE 09/00333/COU, GANTOCK ROCK LTD, 43 ARGYLL STREET, DUNOON**

A report by the Head of Planning was considered regarding a Change of Use Application for the Change of use of shop (Class1) to hot food takeaway (Sui Generis) and installation of external flue at 43 Argyll St, Dunoon, Argyll in which it was recommended that the application be approved.

#### **Decision**

To grant planning permission as a minor departure to the Development Plan and subject to the conditions contained within the report by the Head

of Planning for the following reasons:-

Policy POL COM 2 of the adopted Cowal Local Plan 1995 seeks to protect Dunoon's retail core by restricting non-retail changes of use from Class 1 in the part of *Argyll Street* that contains the subject premises (*43 Argyll Street*).

The Cowal Local Plan adopted fourteen years ago is aged and is being replaced by the *Argyll & Bute Local Plan Post Inquiry Modifications 2008*. The proposed change of use would not conflict with Policy LP RET 2 in so far as the premise is located outwith the defined core Shopping Area of Main Town Centres, as defined by the emerging local plan. Such a proposed new use does not conflict with any land use policies within this local plan.

(Ref: Report by Head of Planning dated 5 March 2008, submitted)

(g) **PLANNING APPLICATION 09/00461/DET, MR & MRS GEORGE BROWN, GROUND FLAT 5A COLUMSHILL PLACE, ROTHESAY, ISLE OF BUTE**

A report by the Head of Planning was considered regarding a Detailed Planning Application for the retention of replacement windows at Ground Flat 5a Columshill Place, Rothesay, Isle of Bute in which it was recommended that the application be refused.

**Decision**

Agreed to refuse planning permission for the reasons contained within the report by Head of Planning.

(Ref: Report by Head of Planning dated 1 April 2009, submitted)

(h) **LISTED BUILDING CONSENT 09/00462/LIB, MR & MRS GEORGE BROWN, GROUND FLAT 5A COLUMSHILL PLACE, ROTHESAY, ISLE OF BUTE**

A report by the Head of Planning was considered regarding a Listed Building Application for the retention of replacement windows at Ground Flat 5a Columshill Place, Rothesay, Isle of Bute in which it was recommended that the application be refused.

**Decision**

Agreed to refuse planning permission for the reasons contained within the report by Head of Planning.

(Ref: Report by Head of Planning dated 1 April 2009, submitted)



(i) **VARIATION OF CONDITION 09/00483/VARCON, MR & MRS HARRISON, BALMORY HALL, BALMORY ROAD, ASCOG, ISLE OF BUTE - REPORT TO FOLLOW**

A report by the Head of Planning was considered regarding a Variation of Condition Application for the erection of dwellinghouse (Removal of Condition 4 of Planning Permission 07/02143/OUT Relating to House Design) in which it was recommended that the application be approved.

**Decision**

Agreed to grant planning permission for the reasons contained within the report by Head of Planning.

(Ref: Report by Head of Planning dated 9 April 2009, submitted)

(j) **PLANNING APPLICATION 09/00528/DET, FYNE HOMES, 32 COLUMSHILL STREET AND 2 COLUMSHILL PLACE, ROTHESAY**

A report by the Head of Planning was considered regarding a Detailed Planning Application for the Installation of Replacement Windows at 32 Columshill Street and 2 Columshill Place, Rothesay in which it was recommended that the application be refused

**Decision**

Agreed to continue application to July Area Committee Meeting to allow discussions between Area Corporate Services Manager, Head of Democratic Services and Planning Officer regarding terms of a motion.

(Ref: Report by Head of Planning dated 17 April 2009, submitted)

(k) **LISTED BUILDING CONSENT 09/00532/LIB, FYNE HOMES, 32 COLUMSHILL STREET AND 2 COLUMSHILL PLACE, ROTHESAY**

A report by the Head of Planning was considered regarding a Listed Building Application for the Installation of Replacement Windows at 32 Columshill Street and 2 Columshill Place, Rothesay in which it was recommended that the application be refused

**Decision**

Agreed to continue application to July Area Committee Meeting to allow discussions between Area Corporate Services Manager, Head of Democratic Services and Planning Officer regarding terms of a motion.

(Ref: Report by Head of Planning dated 17 April 2009, submitted)

(l) **OUTLINE PLANNING APPLICATION 09/00595/OUT, DENIS DOHERTY, LAND EAST OF DAVIDSON PLACE, NORTH CAMPBELL ROAD, INNELLAN**

Members considered a report by the Head of Planning regarding an Outline Planning Application for the erection of three dwellinghouses and formation of vehicular access at Land East of Davidson Place, North Campbell Road, Innellan, in which it was recommended that the application be refused.

**Decision**

Agreed to refuse planning permission for the reasons contained within the report by Head of Planning.

(Ref: Report by Head of Planning dated 8 May 2009, submitted)

(m) **PLANNING APPLICATION 09/00616/DET, BARRYRANGE LTD, BUCKINGHAM TERRACE, CASTLE STREET, PORT BANNATYNE - REPORT TO FOLLOW**

Members considered a report by the Head of Planning regarding a Detailed Planning Application for alterations to tenement incorporating change to roof shape, installation of new rooflights and installation of replacement windows (amendment to planning permission 08/00658/DET incorporating the change of roof void development – formation of dormer windows on south elevation, balcony feature on north elevation and installation of UPVC windows throughout at Buckingham Terrace, 12/14/16 Castle Street, Port Bannatyne, Isle of Bute in which it was recommended that the application be refused.

**Decision**

Agreed to refuse planning permission for the reasons contained within the report by Head of Planning.

(Ref: Report by Head of Planning dated 5 May 2009, submitted)

(n) **REMOVAL OF CONDITION 09/00631/VARCON, WESTERN FERRIES (CLYDE) LTD, LAND NORTH OF FERRY TERMINAL, MARINE PARADE, HUNTERS QUAY, DUNOON**

A report by the Head of Planning was considered regarding a Variation of Condition Application for the erection of new linkspan: infilling works with rock armour sea wall to create extended Marshalling area: and associated infrastructure works (Removal of Condition 12 of Planning Permission 05/00200/DET relating to simultaneous use of both linkspans (Retrospective) at Land North of Ferry Terminal, Marine Parade, Hunter's Quay, Dunoon in which it was recommended that the application be approved.

**Decision**

Agreed that there has been no change to the operational requirements and that condition 12 of Planning Permission 05/00200/DET already contains a flexibility for using both linkspans in terms that written approval can be given by the Planning Authority to cover peak trading such as Cowal Games and maintenance. There is therefore no necessity to remove Condition 12 and that this application be refused.

(Ref: Report by Head of Planning dated 7 May 2009, submitted)

(o) **PLANNING APPLICATION 09/00314/DET, RONALD J HAIR, THE OLD BAKEHOUSE, EAST PRINCES STREET, ROTHESAY**

A report by the Head of Planning was considered regarding a Detailed Planning Application for the conversion of Redundant Bakery to form Four Flats at The Old Bakehouse, East Princes Street, Rothesay in which it was recommended that the application be refused.

**Decision**

Agreed that the application be approved as a minor departure from Policy LP TRAN 6 of the Argyll and Bute Local Plan since

- a) The proposal would enhance the Rothesay Conservation Area and
- b) The absence of car parking is consistent with the Objective of the Policy LP TRAN 6 which recognises that development can function effectively where public car parking and access to public transport are available, subject to:-
  - 1. The Standard Conditions and
  - 2. Notwithstanding the submitted details, any windows installed shall be timber framed, in accordance with details to be submitted to, and approved by, the Planning Authority

Reason

In the interests of the architectural character of Rothesay Conservation Area

(Ref: Report by Head of Planning dated 12 March 2009, submitted)

(p) **DELEGATED DEVELOPMENT CONTROL AND BUILDING CONTROL DECISIONS**

A monthly list of delegated decisions since the last Committee was submitted for information regarding Planning and Building Warrant Applications.

**Decision**

Agreed to note the contents of the submitted report.

(Ref: Reports by Head of Planning dated 4 June 2009, submitted)

## 12. EXEMPT ITEMS

The Committee resolved in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, to exclude the public from 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.

### 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.

### (a) ENFORCEMENT REPORTS

1. The Committee considered a report by the Head of Planning dated 2 June 2008 in regard to the Enforcement Report on Columshill Place, Rothesay

#### **Decision**

Agreed with the recommendation contained in the report

(Ref: Report by Head of Planning dated 2 June 2009, submitted)

2. The Committee considered a report by the Head of Planning dated 23 June 2009 in regard to the Enforcement Report on Colbeck Place, Rothesay

#### **Decision**

Agreed with the recommendation contained in the report

(Ref: Report by Head of Planning dated 23 June 2009, submitted)

3. The Committee considered a report by the Head of Planning dated 23 June 2009 in regard to the Enforcement Report on Buckingham Terrace, Port Bannatyne

#### **Decision**

Agreed with the recommendation contained in the report

(Ref: Report by Head of Planning dated 23 June 2009, submitted)

4. The Committee considered a report by the Head of Planning dated

23 June 2009 in regard to the Enforcement Report on Mountstuart Road, Rothesay

**Decision**

Agreed with the recommendation contained in the report

(Ref: Report by Head of Planning dated 23 June 2009, submitted)

5. The Committee considered a report by the Head of Planning dated 23 June 2009 in regard to the Enforcement Report on Marine Parade, Hunters Quay, Dunoon

**Decision**

Agreed with the recommendation contained in the report

(Ref: Report by Head of Planning dated 23 June 2009, submitted)

(b) **QUARTERLY ENFORCEMENT REPORT**

A report on the Enforcement of Planning Control for the first quarter of 2009 was submitted.

**Decision**

Agreed to note the contents of the submitted report by the Head of Planning.

(Ref: Report by Head of Planning dated 9 June 2009, submitted)

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

**Ward Number - 8 Isle of Bute  
Date of Validity - 9<sup>th</sup> April 2009  
Committee Date - 23<sup>rd</sup> June 2009**

Reference Number: 09/00483/VARCON  
Applicants Name: Mr and Mrs Harrison  
Application Type: Variation of Condition Application  
Application Description: Erection of Dwellinghouse (Removal of Condition 4 of Planning Permission 07/02143/OUT Relating to House Design)  
Location: Balmory Hall, Balmory Road, Ascog, Isle of Bute

**(A) THE APPLICATION**

**(i) Development Requiring Planning Permission**

- Erection of Dwellinghouse (Removal of Condition 4 of Planning Permission 07/02143/OUT relating to the design of the house)

**(B) RECOMMENDATION**

That Planning Permission be **approved** subject to the conditions and reasons on the following page.

**(C) SUMMARY OF DETERMINING ISSUES AND MATERIAL CONSIDERATIONS**

**(i) Development Plan Context:**

The site has the benefit of Outline Planning Permission (ref: 07/02143/OUT) granted on 7<sup>th</sup> April 2008. As the present application seeks 'planning permission for the development of land without complying with conditions subject to which a previous planning permission was granted', the principle of residential development on the site is not in question and, under s.42 (2) Town & Country Planning (Scotland) Act 1997, "the planning authority shall consider only the question of the conditions subject to which planning permission should be granted."

The application proposes the removal of the condition that stipulates the design of the proposed dwelling. Supporting information has been submitted which intimates that it is proposed to erect a dwellinghouse with a 'Huf Haus' design and, indeed, this type of dwelling is the subject of a separate application for approval of reserved matters (ref: 08/02133/REM) which is also currently under consideration.

The total removal of the condition is not considered to be acceptable as the design criteria stipulated in Condition 4 are considered to be essential to the success of a dwellinghouse on this site. Some relaxation may be allowed in the footprint of the proposed dwelling and this is reflected in the recommendation to grant permission subject to a variation in the wording of the condition.

**(ii) Representations:**

No representations have been submitted.

**(iii) Consideration of the Need for a PAN 41 Hearing:**

As no representations have been received, there is no requirement to hold a PAN 41 hearing before Members reach a decision.

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

The application is not being recommended as a departure from the Development Plan.

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

No.

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

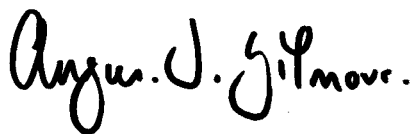
No.

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

There is no requirement to formally notify Scottish Ministers.

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

No.



**Angus J Gilmour**  
**Head of Planning**  
19 June 2009

**Author:** Steven Gove 01369 708603  
**Contact:** David Eaglesham 01369 708608

**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](http://www.argyll-bute.gov.uk)**



**CONDITIONS AND REASONS RELATIVE TO APPLICATION 09/00483/VARCON**

1. This permission is granted under the provision of Article 4 of the Town and Country Planning (General Development Procedure) (Scotland) Order 1992 on the basis of an outline application for planning permission and that the further approval of Argyll and Bute Council or of the Scottish Executive on appeal shall be required with respect to the undermentioned reserved matters before any development is commenced.
  - a. The siting, design and external appearance of the proposed development.
  - b. The landscaping of the site of the proposed development.
  - c. Details of the access arrangements.
  - d. Details of the proposed water supply and drainage arrangements.

2. In the case of the reserved matters specified in (1) above, an application for approval of the reserved matters in terms of Article 6 of the Town and Country Planning (General Development Procedure) (Scotland) Order 1992 must be made to Argyll and Bute Council no later than 7 April 2011.

3. That the development to which this permission relates must be begun not later than 7 April 2013 or within the expiration of 2 years from the final approval of all reserved matters, whichever is the later.

*Reasons: (1), (2) and (3) to comply with Section 59 of the Town and Country Planning (Scotland) Act 1997.*

4. Any details pursuant to Condition 1(a) above shall show a house of local traditional design and finish and shall incorporate the following elements:
  - (i) The dwellinghouse shall be single storey or one and a half storey in size.
  - (ii) The window openings shall have a strong vertical emphasis.
  - (iii) The walls shall be finished in a wet dash render/smooth coursed cement render/natural stone.
  - (iv) The roof shall be symmetrically pitched to at least 37 degrees and shall be finished in natural slate.
  - (v) The building shall be of a general rectangular shape and gable ended and its footprint shall not exceed 100 square metres.

*Reason: In the interest of visual amenity.*

5. The details submitted pursuant to Condition 1 above shall include a turning area and parking provision for 2 cars within the curtilage of the proposed dwellinghouse and the parking and turning facilities shall be provided prior to the occupation of the dwellinghouse.

*Reason: In the interests of road safety.*

6. The details submitted pursuant to Condition 1 above shall include details of new planting proposals, with details of ground preparation, species, nursery stock size in terms of British Standards and density of planting.

*Reason: The proposed development and its location require landscaping to fully integrate the proposal with its surroundings. Without such landscaping the proposal would be contrary to the provisions of Policy POL RUR 1 of the Bute Local Plan.*

7. The details submitted pursuant to Condition 1 above shall include details of trees shrubs and hedgerows to be removed and to be retained, tree protection measures, soil stripping, storage and re-spreading procedures.

*Reason: The proposed development and its location require landscaping to fully integrate the proposal with its surroundings. Without such landscaping the proposal would be contrary to the provisions of Policy POL RUR 1 of the Bute Local Plan.*

8. No trees within the application site shall be lopped, topped or felled or uprooted without the prior written consent of the Planning Authority.

*Reason: The landscape features to be protected are important to the appearance and character of the site and the surrounding area and are required to successfully integrate the proposal with its surroundings.*

**APPENDIX A – RELATIVE TO APPLICATION NUMBER: 09/00483/VARCON**

**MATERIAL CONSIDERATIONS AND ADVICE**

**(i) POLICY OVERVIEW AND MATERIAL ADVICE**

**Argyll and Bute Structure Plan 2002:**

STRAT DC 5 (Development in Sensitive Countryside) encourages only small scale infill, rounding-off, redevelopment and change of use developments or in situations where certain criteria can be met, including an Area Capacity Evaluation or a locational need.

**Bute Local Plan 1990:**

POL RUR 1 (Landscape Quality) seeks to maintain and where possible enhance the landscape quality of Bute and resists prominent or sporadic development which would have an adverse impact on the landscape and sets out criteria for assessing developments in the countryside including design, setting and scale of development, locational/ operational need, and economic benefit.

POL HO 3 (Countryside Safeguarding Zone) indicates that residential development will not generally be permitted in such areas.

**Argyll and Bute Local Plan (Post Inquiry Modifications) 2006**

Policy LP ENV 19 – sets out requirements in respect of development setting, layout and design.

Policy LP ENV 10 – development within Areas of Panoramic Quality should not have a significant adverse impact on the character of the landscape.

Policy LP HOU 1 – encourages only small scale infill, rounding-off, redevelopment and change of use developments within Sensitive Countryside or in situations where certain criteria can be met, including an Area Capacity Evaluation or an operational need.

**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](http://www.argyll-bute.gov.uk)**

**(ii) SITE HISTORY**

Outline Planning Permission (ref: 07/02143/OUT) granted on 7<sup>th</sup> April 2008 for the erection of a dwellinghouse on the subject site.

Application (ref: 08/02133/REM) for approval of reserved matters for the erection of a dwellinghouse on the site is currently being processed. A report on this application is also before Members for consideration at this committee.

(iii) **CONSULTATIONS**

Not applicable.

(iv) **PUBLICITY AND REPRESENTATIONS**

The application has been advertised as a Potential Departure from the Development Plan (closing date 15<sup>th</sup> May 2009). No letters of representation have been received.

(v) **APPLICANT'S SUPPORTING INFORMATION**

A supporting statement (letter dated 8<sup>th</sup> April 2009) has been submitted by the agent, Seamus Lalor Associates.

The information can be summarised as follows:

- It is understood that the Council may wish to advertise the application as a Departure to the Development Plan. The reason for the imposition of Condition 4 on the original permission was "*in the interests of amenity*". The Development Plan is not mentioned as a reason for its imposition. It is, therefore, requested that the application is not treated as a variation to the original permission but as the deletion of a planning condition, which has no factual connection with Development Plan policy and the application should not be advertised for this reason;

***N.B.** Notwithstanding the agent's comments, the application was advertised as a Potential Departure to the Development Plan.*

- As part of the Outline application, supporting detailed information was submitted in plan form showing the indicative design of the proposed dwellinghouse. At the meeting of the Planning Committee, the Members considered both the principle of the development and the style of house that was being proposed. They specifically endorsed the innovative, contemporary and sustainable nature of the indicative design, the principle of which has received numerous national awards (including from the Royal Town Planning Institute) – including within historic settings;
- It is contended that the supporting detailed information in the form of an indicative design was clearly part of the legally submitted application for Outline Planning Permission and, as such, Condition 4 should be removed as Circular 4/1998 *The Use of Conditions In Planning Permissions* does not support it;
- It is contended that the large parcel of land which is the subject of the application is clearly outwith the policies of Balmory Hall, where there is already a traditional lodge building at the entrance to the policies. The site can easily accommodate a contemporary dwellinghouse of the nature proposed and its location reflects the existing pattern of low density development, will be sympathetic to the character of existing development in the area and will fit in with the landscape character of the area. The dwelling will not be visible to the general public and will not be inter-visible with the nearby Balmory Hall (a Listed Building) due to the topographical and landscape character of the area. Indeed, its location is not dissimilar to that of the contemporary visitor centre at Mount Stuart House.

**APPENDIX B – RELATIVE TO APPLICATION NUMBER: 09/00483/VARCON**

**PLANNING LAND USE AND POLICY ASSESSMENT**

**A. Procedural Matters**

One of the issues raised by this application is the nature of the development that was approved at the time of the Outline Planning Permission (ref: 07/02143/OUT) being issued in April 2008 and it is considered necessary to address this issue first.

As stated in Section (v) of the previous part of this report, it is contended on behalf of the applicants that they have Outline Planning Permission for a 'Huf Haus'-style dwelling on the basis that this information was put forward at the time of the Outline application being submitted and Members considered this information at their deliberations on the application.

From this Department's perspective, the agent specified in his letter accompanying the Outline application that the plans were submitted "*to indicate the indicative design of the proposed house*". These plans included a location plan and site plan (not showing the position of any dwelling); an aerial photograph of the site; photographs of an existing 'Huf Haus' dwelling in an unspecified location; and floor plan/sectional plans of a 'Huf Haus' for a property in Surrey.

The application was discussed at the April 2008 Bute and Cowal Area Committee where Members considered the Head of Planning's report together with a powerpoint presentation that included the photographs of a typical 'Huf Haus' submitted by the applicant. Of significant importance in Point B of Appendix B contained within the Head of Planning's report, which acknowledges that indicative design proposals were submitted but which clearly advises:

*"as an Outline application, the details of the siting and design are reserved for subsequent approval and the acceptability of the eventual siting and design proposals and landscaping proposals will be interdependent"*

This section goes on to further state that "*to accord with this character, it is considered that any development of the application site should take the form of a traditional lodge building*".

The outcome of the above comments was the recommendation by the Department that the design of the dwellinghouse should accord with certain parameters (as contained in Condition 4) and all of the conditions recommended by the Head of Planning were endorsed by Members at the Area Committee.

In light of the above, the Department is satisfied that the information submitted with the application was duly acknowledged in the report, the indicative type of dwelling was rejected and Condition 4 was attached requiring a specific type of dwellinghouse.

**B. Justification for Condition 4**

The Outline Planning Permission (ref: 07/02143/OUT) contained eight conditions, the first three of which are standard in nature – a description of the reserved matters, the timescale of the reserved matters to be submitted and the date by which the development should be commenced.

Condition 4 related to the design of the building and stated the following:

*Any details pursuant to Condition 1(a) above shall show a house of local traditional design and finish and shall incorporate the following elements:*

- (ii) *The dwellinghouse shall be single storey or one and a half storey in size.*
- (ii) *The window openings shall have a strong vertical emphasis.*

- (iii) *The walls shall be finished in a wet dash render/smooth coursed cement render/natural stone.*
- (iv) *The roof shall be symmetrically pitched to at least 37 degrees and shall be finished in natural slate.*
- (v) *The building shall be of a general rectangular shape and gable ended and its footprint shall not exceed 80 square metres.*

**Reason:** *In the interest of visual amenity.*

This condition was considered necessary, having regard to the character of other residential dwellings that are subservient to larger buildings in this particular part of Ascog. As can be seen, Part (v) of the above condition specified a building footprint of 80 square metres but it is considered that there may be scope to relax this particular element. Discussions have taken place with the agent as to whether he and his client would be willing to agree to a modest increase in the building footprint. The agent spoke to his client and whilst he was appreciative of the offer, he considered that he wished to pursue the building footprint of 158 square metres that is shown as part of the application for Reserved Matters (ref: 08/02133/REM)

Notwithstanding the response of the agent, the Department would recommend that the new figure of 100 square metres be stipulated, having regard to the general footprint of other similar buildings in the vicinity.

## **CONCLUSION**

The site has the benefit of Outline Planning Permission (ref: 07/02143/OUT) granted on 7<sup>th</sup> April 2008. As the present application only seeks approval to remove one of the conditions, the principle of residential development on the site is not in question.

The application proposes the removal of the condition that stipulates the design of the proposed dwelling. Supporting information has been submitted which intimates that it is proposed to erect a dwellinghouse with a 'Huf Haus' design and, indeed, this type of dwelling is the subject of a separate application for approval of reserved matters (ref: 08/02133/REM) which is also currently under consideration.

The total removal of the condition is not considered to be acceptable as the design criteria stipulated in Condition 4 are considered essential to achieving a successful design of a dwellinghouse on this site. Some relaxation may be allowed in the footprint of the proposed dwelling and this is reflected in the recommendation to grant permission subject to a variation in the wording of the condition.

DEVELOPMENT SERVICES  
PLANNING APPLICATION REPORT  
BUTE & COWAL AREA COMMITTEE

Ward Number - 8 Isle of Bute  
Date of Validity - 5<sup>th</sup> May 2009  
Committee Date - 23<sup>rd</sup> June 2009

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Reference Number: 09/00616/DET  
Applicants Name: Barryrange Ltd  
Application Type: Detailed  
Application Description: Alterations to tenement incorporating change to roof shape, installation of new rooflights and installation of replacement windows (amendment to planning permission 08/00658/DET incorporating change of roof void development - formation of dormer windows on south elevation, balcony feature on north elevation and installation of UPVC windows throughout).  
Location: Buckingham Terrace, 12/14/16 Castle Street, Port Bannatyne, Isle of Bute

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#### (A) THE APPLICATION

##### (i) Development Requiring Express Planning Permission

- Alterations to tenement incorporating change to roof shape, installation of new rooflights and installation of replacement windows (amendment to planning permission 08/00658/DET incorporating change of roof void development - formation of dormer windows on south elevation, balcony feature on north elevation and installation of UPVC windows throughout).

##### (ii) Other specified operations

- None.
- 

#### (B) RECOMMENDATION

Having due regard to development plan policy and other material considerations, it is recommended that planning permission **be refused** for the reasons detailed overleaf.

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#### (C) SUMMARY OF DETERMINING ISSUES AND MATERIAL CONSIDERATIONS

##### (i) Development Plan Context:

The inappropriate design of the roof development upon the rear elevation, by virtue of the roof extension's flat roofed construction, represents a development proposal that fails to enhance the character and appearance of the building and that of the wider conservation area. The proposed window replacements by virtue of their finish, colour and glazing pattern fail to complement the building's original character and its setting within the wider streetscape block.

**(ii) Representations:**

7 individual objections have been received, along with two petitions of objection containing a total of 16 names.

In addition, 2 letters of support have been received, along with a petition of support containing 55 names.

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

Given the volume of representations received, it is open to members to consider holding a discretionary hearing in this instance.

**(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.**

No.

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

No.

**Angus J Gilmour**  
**Head of Planning**  
15<sup>th</sup> June 2009

**Author:** John Irving, Tel: 01369708621 **Date:** 19<sup>th</sup> June 2009  
**Reviewing Officer:** David Eaglesham, Tel: 01369708608 **Date:** 19<sup>th</sup> June 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](http://www.argyll-bute.gov.uk)**



**REASONS FOR REFUSAL RELATIVE TO APPLICATION: 09/00616/DET**

1. The retention of the replacement windows on the subject property, by virtue of their inappropriate uPVC plastic material finish, astragal design and proportion and brown colour, has an unacceptable impact upon the architectural and historic interest of this building and wider streetscape, located within Rothesay Conservation Area. As a consequence, the development is contrary to policy STRAT DC 9 '*Built Heritage & Development Control*' of the adopted Argyll & Bute Structure Plan 2001, policies POL BE 6 '*Rothesay Conservation Area*' and POL BE 15 '*General Layout & Design*' of the adopted Bute Local Plan 1990 and policies LP ENV 14 '*Development in Conservation Area & Special Built Environment Area*' and LP ENV 19 '*Development Setting, Layout & Design and Design*' of the Argyll & Bute Local Plan Post Inquiry Modifications 2008 along with the Councils non-statutory '*Rothesay Window Policy Statement*' 1997.
2. The proposed roof extension upon the rear, south facing roof slope, represents the introduction of flat roofed dormer extensions which are alien to and incongruous with the original character of the building and the design of the surrounding built form. As a consequence, the development is considered to be contrary to policy STRAT DC 9 '*Built Heritage & Development Control*' of the adopted Argyll & Bute Structure Plan 2001, policies POL BE 6 '*Rothesay Conservation Area*' and POL BE 15 '*General Layout & Design*' of the adopted Bute Local Plan 1990 and policies LP ENV 14 '*Development in Conservation Area & Special Built Environment Area*' and LP ENV 19 '*Development Setting, Layout & Design and Design*' of the Argyll & Bute Local Plan Post Inquiry Modifications 2008.

APPENDIX A – RELATIVE TO APPLICATION NUMBER: 09/00616/DET

MATERIAL CONSIDERATIONS AND ADVICE

(i) POLICY OVERVIEW AND MATERIAL ADVICE

**Argyll & Bute Structure Plan 2002**

STRAT DC 9 – *‘Built Heritage & Development Control’* states that development which damages or undermines the historic, architectural or cultural qualities of the historic environment including development in Conservation Areas will be resisted.

**Bute Local Plan 1990**

Policy POL BE 6 – *‘Rothesay Conservation Area’* seeks to prevent any deterioration in the character and setting of the conservation area through unsympathetic new developments.

Policy POL BE 15 – *‘General Layout & Design’* seeks to achieve a high standard of design and layout where new developments are proposed.

**Argyll & Bute Local Plan Post Inquiry Modifications 2008**

Policy LP ENV 14 - *‘Development in Conservation Areas’* seeks a presumption against development that does not preserve or enhance the character or appearance of the conservation area.

Policy LP ENV 18 *‘Protection & Enhancement of Buildings’* seeks to ensure opportunities for enhancement and re-use maintain the fabric of the building and that extensions respect the scale and character of the building.

Policy LP ENV 19 - *‘Development Setting, Layout & Design’* requires developers to execute a high standard of appropriate design.

Policy LP HOU 5 - *‘House Extensions’* where such extensions cause no significant detriment to the building, the neighbours or the immediate vicinity they will generally be acceptable. This policy states that *‘flat roofed extensions, and multiple dormer extensions, which give the appearance of a flat roof will not be permitted where they do not complement the existing house style and design’*,

**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](http://www.argyll-bute.gov.uk)

(ii) SITE HISTORY

Planning permission for alterations and upgrading of tenement flats (03/00254/DET) at 16 Castle Street was granted on 21 March 2003. The scheme included proposals

for rooflights and two large rear dormers at one end of Buckingham Terrace. Now expired.

Planning permission for the installation of timber double swing replacement windows (04/02128/DET) at 12 to 16 Castle Street was granted 22 December 2004.

Planning permission 08/00658/DET granted on 7<sup>th</sup> July 2008 for alterations to tenement incorporating change to roof shape, installation of new rooflights and installation of replacement windows.

Enforcement investigation 09/00167/ENOTH2 commenced on 9<sup>th</sup> April 2009 following receipt of a representation that construction works on site were not in accordance with planning permission 08/00658/DET.

**(iii) CONSULTATIONS**

Bute Community Council (letter dated 29<sup>th</sup> May 2009): Objection.

*'The revised height of the roof and proposed windows from velux (formerly approved) are not in keeping with the requirements of the conservation area the buildings are within. Nor are they acceptable in relation to the potential violation of privacy that might ensure to neighbours.'*

*'While the local community and the Bute Community Council are pleased with the improvements to the building overall there are objections to the proposed alterations as stated above.'*

**(iv) PUBLICITY AND REPRESENTATIONS**

Under Article 9 neighbour notification procedures, 'Potential Departure' and 'Development in Conservation Area' advertisements (published 15<sup>th</sup> May 2009, expired 5<sup>th</sup> June 2009), 7 individual letters of objection have been received, along with two petitions containing a total of 16 names. In addition, 2 letters of support have been received along with a petition of support boasting 55 names.

Seven individual objections:

- J Malcolm McMillan (letter dated 6<sup>th</sup> May 2009), 32 Marine Road, Port Bannatyne, Isle of Bute, PA20 0LL.
- Mrs Senga Loudon (letter dated 15<sup>th</sup> May 2009), 28 Marine Road, Port Bannatyne, Isle of Bute, PA20 0LL.
- Harry Ellis (letter dated 12<sup>th</sup> May 2009 and email dated 5<sup>th</sup> June 2009), Flat 1/2, 28 Marine Road, Port Bannatyne, Isle of Bute, PA20 0LL.
- Annie MacMillan (letter dated 15<sup>th</sup> May 2009), Sandringham Terrace, Top Right, 28 Marine Road, Port Bannatyne, Isle of Bute, PA20 0LL.
- Ian Murray (letter dated 14<sup>th</sup> May 2009), 12 Gordon Crescent, Newton Mearns, Glasgow, G77 6HZ.
- John Rannie & Hazel Rannie (letter dated 22<sup>nd</sup> May 2009) 6, Bannatyne Mains Road, Port Bannatyne, Isle of Bute, PA20 0LL.
- Mr J A Miller (letter dated 21<sup>st</sup> May 2009), 8 Bannatyne Mains Road, Port Bannatyne, Isle of Bute, PA20 0PH.

The key points of concern are summarised below:

- i. Any increase in height of Buckingham Terrace should not be permitted since this very high property already blocks a certain amount of daylight from our rear windows (32 Marine Road).

Comment: See assessment below.

- ii. I am concerned about the large roof extension, I understood the building was to remain the same within the conservation area and I object to the large roof construction.

Comment: See assessment below.

- iii. The roof development is totally out of keeping with the character on top of a Victorian/Edwardian sandstone building in the conservation area.

Comment: See assessment below.

- iv. The developer has shown blatant contempt for the planning process by proceeding with the construction, what has been built is far from the original approval.

Comment: The developer has submitted a retrospective planning application in an attempt to retain the unauthorised works undertaken.

- v. Concern regarding health and safety standards on site.

Comment: Such concerns do not fall under the jurisdiction of the Planning Authority.

- vi. The roof development which looks like a garden hut on the roof top can be seen from the conservation sea front.

Comment: Amended plans submitted by the developer propose to alter the design of the roof extension located on northern roof slop. The proposal includes a reduction to the overall massing and scale of the roof development. See assessment below.

- vii. The rooflights should run flush with the roof and not protrude beyond the roofline.

Comment: Amended plans submitted by the developer propose to alter the design of the roof extension located on northern roof slop. The proposal includes a reduction to the overall massing and scale of the roof development. See assessment below.

- viii. The new windows are level with all the windows at the back of our premises and if this continues along the building the new windows will be nearer as the two properties run at converging angles (6, Bannatyne Mains Road).

Comment: See assessment below.

- ix. Not only is the shape of the roof changing, the roof height has already been raised for the first set of dormers and it appears that the increase on building height will extend all along the building.

Comment: See assessment below.

- x. If planning permission is granted these large dormer windows will directly look into the kitchen, bathroom and bedroom of my property, I feel this is an invasion of my privacy (8 Bannatyne Mains Road).

Comment: See assessment below.

- xi. I believe the developer intends to include balustrade balconies, this feature is not shown on any drawings, a doorway to a balcony area and single window was quite clearly visible during the construction.

Comment: The developer has submitted amended plans which details a door opening to provide access to the balcony area.

From the petition letter dated 13<sup>th</sup> May 2009, boasting six names, the key points of concern are summarised below:

- i. The proposed alterations are totally out of keeping and intent of conservation area governance.

Comment: See assessment below.

- ii. The new dormer windows already installed to the front of the building both interfere with natural daylight and views of residents in Gladston Buildings. Continuation of such at No. 12 and 14 will only serve to exacerbate this deprivation to the residents and contravene conservation area governance.

Comment: See assessment below.

- iii. The new dormer windows are infringing the privacy of the residents of Marine Road.

Comment: See assessment below.

- iv. The balcony to the rear is an intrusion on the privacy of the residents of Marine road.

Comment: See assessment below.

- v. The roof extension windows to the front are out of keeping with the original building. i.e. a standard Victorian tenement.

Comment: See assessment below.

- vi. The roof extension and balconies to the rear are out of keeping with the original building. i.e. a standard Victorian tenement.

Comment: See assessment below.

- vii. The replacement brown plastic windows are out of keeping with the original building. They are not wood, sash and case, clear glass as originally applied for.

Comment: See assessment below.

- viii. The entire roof height has been increased by approximately 6-8 ft and as a result constitutes an additional storey on the original building.

Comment: See assessment below.

- ix. The building has effectively turned into a six storey development with basement and roof void development.

Comment: See assessment below.

- x. There has been no provision for parking for residents of this development.

Comment: See assessment below.

- xi. Consideration of increased demand on services such as water, gas electricity etc.

Comment: See assessment below.

From the objection petition letter received on 27<sup>th</sup> May 2009, boasting ten names, the key point of concern is summarised below:

- i. The addition of the rooftop “penthouse” type maisonettes on an existing building will look totally out of place in what is a conservation area.

Comment: See assessment below.

Two individual letters of support from:

- Tony Feeney (letter received 18<sup>th</sup> June 2009), 31 Castle Street, Port Bannatyne.
- David Schofield (letter dated 17<sup>th</sup> June 2009), Castle Street 63B, Port Bannatyne, Isle of Bute.

The key points are summarised below:

- i. I am fully in support and would urge that planning be granted as we would like this eyesore of a building to be upgraded as it is having an adverse affect on the area in general and Castle Street in particular.

Comment: See assessment below.

- ii. As a resident of Port Bannatyne I feel we have tolerated the derelict state of the building long enough.

Comment: See assessment below.

From the petition of support received on 18<sup>th</sup> June 2009, boasting 55 names, the key point of concern are summarised below:

- i. These premises have lain derelict and dangerous over a long period of time and welcome the developers who are prepared to invest in our community.

Comment: See assessment below.

- ii. We are fed up living next to dereliction but are aware that there are other similar buildings not only in our immediate vicinity but also on our beautiful island, which would benefit from similar investment. We do not want to discourage such investment.

Comment: See assessment below.

**APPENDIX B – RELATIVE TO APPLICATION NUMBER: 09/00616/DET**

**PLANNING LAND USE AND POLICY ASSESSMENT**

**A. Location, Nature and Design of Proposed Development**

This application seeks retrospective approval for unauthorised works undertaken to Buckingham Terrace. This building comprises of three attached tenements, No. 12, 14 and 16 Castle Street, Port Bannatyne. The terrace is located within the Rothesay Conservation Area.

Design of roof void development

Buckingham Terrace has been unoccupied and in a dilapidated condition for several years. Planning permission (ref: 08/00658/DET) was previously granted for alterations to the building incorporating change to roof shape, installation of new rooflights and installation of replacement windows.

Buckingham Terrace is a four storey building and the approval of planning application 08/00658/DET permitted the creation of additional living space within the roof void of the building. The approved plans detailed an increase in roof height by 0.6m and the creation of what was to be in effect a large sloping dormer roof. The dormer roof was to be contained between the gable end chimneys and it was to rise beyond the level of the sloping stone roof verges such that the slated cheeks of the dormer roof would be partly visible in end-on views of the building. These visible portions were to be slated strips increasing in width from 0.9m to 1.2m towards the eaves. The approved plans also boasted the installation of white, double hung, top swing replacements for the existing windows throughout the terrace.

Development works commenced at No. 16 Castle Street, the westernmost close of Buckingham Terrace. It became apparent that the development works being undertaken were not in accordance with the approved plans. While increasing the height of the roof, the developer also erected two unauthorised large peaked dormer windows upon the south facing (Castle Street) elevation, the north facing roof slope has also been raised and an unauthorised shallow pitched roof extension has been formed and the headwall of the building increased to accommodate this alteration and internal staircase.

This application seeks the retention of two unauthorised dormer window extensions and their continuation along the north facing roof slope of Buckingham Terrace. In design terms, the retention of these traditionally design peaked dormer windows is considered to be acceptable. When viewed from the front elevation of the building they are in proportion with, and a vertical extension to, the existing projecting bay window features. Furthermore, while this is the front elevation of the building, facing onto Castle Street, given the height of the building and the enclosed nature of the streetscape the dormer windows on this front elevation has little impact upon the streetscape or wider character of the conservation area.

**The retention of the peaked dormer window extensions is considered to be consistent with both the adopted and emerging local plan.**

The original drawings submitted with this application also sought the retention of the unauthorised roof development on the rear, south facing roof slope of Buckingham Terrace. The developer has created a roof extension and balcony with a shallow pitched overhanging roof feature. The excessive massing and bulk of this roof



extension is completely out of keeping with original character of the building and indeed any other nearby building. The emerging local plan, which is the Council's most recent expression of planning policy, stresses the importance of any proposed building alteration or extension to respect the appearance, scale and character of the original building and the surrounding area. It is fundamental that such extensions should not adversely affect the appearance of the building or the amenity of the surrounding area. Following discussions with the developer, revised drawings have now been submitted which propose to change the design of the rear roof extension. The shallow pitched projecting roof has been reduced so that it no longer extends over the balcony area, while the walls enclosing the internal staircase have also been reduced in height. The rear roof slope is visually prominent within Port Bannatyne and the conservation area; these proposed changes will significantly reduced the roof extension's overall massing, bulk and prominence. However, the revised drawings detail a flat roof dormer extension and, while the impact of the extension has been significantly reduced, policy LP HOU 6 of the emerging local plan clearly resists flat roofed extensions and multiple dormer window extensions, which give the appearance of a flat roof. The six flat roof dormer extensions along the rear, but prominent roof slope, are contrary to this policy.

**The rear roof slope proposal is considered to be contrary to policy POL BE 15 of the adopted local plan and policies LP ENV 18, LP ENV 19 and HOU 6 of the emerging local plan.**

#### Overlooking and privacy

It is the Planning Authority's duty to protect established levels of privacy and amenity afforded to neighbouring properties from inappropriate development. It is acknowledged that existing windows located on the third and fourth floors of Buckingham Terrace allow for overlooking of flatted properties on the opposite side of Castle Street and those fronting onto Marine Road. However, the roof void development could create greater ability to overlook into the windows of these properties, than the originally approved scheme. Particularly the balcony features on the rear elevation of Buckingham Terrace.

The distance from the rear elevation of Buckingham Terrace to the rear elevation of the flatted properties which front onto Marine Road is 15 metres, while the distance from the front elevation of the building to the properties on the adjacent side of Castle Street is 14.5 metres. Appendix A of the emerging local plan stipulates the minimum window to window distance of 18 metres. However, it also clearly states that these standards may be relaxed where the angle of view of the windows allow privacy to be maintained. Given the height of Buckingham Terrace, the windows of the roof development are in excess of 8 metres higher than the windows located to the rear of the Marine Road properties, while they are approximately 3 metres higher than the dormer windows located upon the building on the adjacent side of Castle Street. These differences in height help to significantly reduce the angle of view and overlooking into adjacent windows. To this end, it is considered that the reduced angle of outlook, coupled with the distance between these properties, is sufficient to demonstrate that the roof void development will not unduly impede upon established levels of privacy and amenity afforded to adjacent neighbouring properties.

**With regards to issues of privacy and overlooking, the proposal is considered to be consistent with policy LP ENV 19 and Appendix A of the emerging local plan.**

### Replacement windows

The original planning permission approved the installation of timber double hung, top swing replacement windows throughout Buckingham Terrace. These replacement windows were considered the same type as those already approved under planning permission 04/02128/DET and were considered acceptable subject to having a white finish.

The developer has installed unauthorised brown uPVC windows. These windows are double hung and top swing but deviate from the approved plans with the upper sash boasting a nine pane window and the windows frames being brown plastic.

The Council's '*Rothesay Window Policy Statement*' (1997) places the subject property within its own townscape block. It contains the description "Three and four storey tenement in need of some upgrading. Original timber windows almost intact". In recognition of these circumstances, the policy for this townscape block is as follows:

Finish	- Timber
Glazing Pattern	- two-pane equal division.
Colour	- White
Method of Opening	- Sliding sash and case

The retention of the unauthorised plastic windows is considered contrary to the above, given their colour, finish and glazing pattern. The key purpose of the defined townscape blocks is to ensure common characteristics and uniformity, with particular reference to fenestrations between neighbouring building, is duly safeguarded. The retention of these unauthorised windows represents the first window replacement compromise within the defined townscape block which includes Buckingham Terrace and 18 Castle Street.

The loss of traditional timber sash and case windows and the introduction of brown plastic windows with the upper sash boasting nine pane glazing pattern render **this application contrary to POL BE 15 of the adopted local plan, policy LP ENV 19 of the emerging local plan and non-statutory Council policy.**

## **B. Built Environment**

Buckingham Terrace is prominently located within Port Bannatyne and Rothesay Conservation Area. The building is one of the highest in the surrounding streetscape and its upper reaches are clearly visible from Port Bannatyne's Marine Road and when entering Port Bannatyne from Ettrickdale, particularly its rear, north facing elevation. It is within this area of Port Bannatyne where the rear flat roof extension will be clearly visible and prominent.

The retention of the plastic windows would erode the historic character and fabric of this building by introducing an alien and uncharacteristic form of development. The installation of plastic windows which do not match the original or neighbouring windows in terms of material finish, colour or glazing pattern does not enhance but only diminishes the character of this building and the wider Rothesay Conservation Area.

The development plan boasts specific policies regarding development within conservation areas. There is a presumption against any form of development that does not preserve or enhance the character or appearance of such a designated

area. Not only do the roof development and replacement windows detract from the original character of Buckingham Terrace but it is out of keeping with the design of any other building within the surrounding streetscape or wider conservation area.

**This application is considered contrary to policy STRAT DC 9 of the adopted Structure Plan, policy POL BE 6 of the adopted local plan and policy LP ENV 14 of the emerging local plan.**

**C. Road Network, Parking and Associated Transport Matters**

No change.

**D. Infrastructure**

No change.

**E. Conclusion**

Notwithstanding the introduction of traditional dormers on the north elevation, the design of the rear elevation roof extension coupled with the building's visual prominence within the conservation area and unacceptable replacement windows, results in a development that significantly diminishes the character of Buckingham Terrace and its setting within the wider streetscape and conservation area.

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**DEVELOPMENT SERVICES  
PLANNING APPLICATION REPORT  
Bute and Cowal Area Committee**

**Ward Number - 8 Isle of Bute  
Date of Validity - 12<sup>th</sup> March 2009  
Committee Date - 23<sup>rd</sup> June 2009**

Reference Number: 09/00314/DET  
Applicants Name: Ronald J Hair  
Application Type: Detailed  
Application Description: Conversion of Redundant Bakery to form Four Flats  
Location: The Old Bakehouse, East Princes Street, Rothesay, Isle of Bute

**(A) THE APPLICATION**

**(i) Development Requiring Express Planning Permission**

- Refurbishment of redundant bakery to form four flats

**(ii) Other specified operations.**

- Connection to public water supply and waste water network.

**(B) RECOMMENDATION**

It is recommended that planning permission be **refused** for the reason set out overleaf.

**(C) SUMMARY OF DETERMINING ISSUES AND MATERIAL CONSIDERATIONS**

**(i) Development Plan Context:**

The application proposes the conversion of a former bakery into four flats. There is no objection in principle to the residential use of the building as it is located within the settlement of Rothesay in both the Bute Local Plan 1990 and the Argyll and Bute Local Plan (Post Inquiry Modifications) 2008.

The physical alterations are considered to be generally acceptable and any minor deficiencies could be addressed through suitably-worded conditions. The main issue in respect of the proposal is the lack of any land associated with the building and, in particular, the total absence of any dedicated parking spaces. For a development of this type, outwith the main town centre of Rothesay, there is a requirement for 8 parking spaces and the significant shortfall in spaces renders the proposal unacceptable and contrary to policies contained within the Argyll and Bute Local Plan (Post Inquiry Modifications) 2008.

**For the above reason, the proposal is considered to be contrary to Policies LP HOU 1 and LP TRAN 6 of the Argyll and Bute Local Plan (Post Inquiry Modifications) 2008.**

**(ii) Representations:**

No representations have been received.

**(iii) Consideration of the Need for Discretionary or PAN 41 Hearing:**

There is no requirement for an informal hearing in this instance.

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

Not applicable.

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

No

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

No.

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

Not applicable.

(viii) Has a sustainability Checklist Been Submitted:

No.

Angus J Gilmour  
Head of Planning  
19<sup>th</sup> June 2009

Author: Steven Gove  
Reviewing Officer: David Eaglesham

Date: 19<sup>th</sup> June 2009  
Date: 19<sup>th</sup> June 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](http://www.argyll-bute.gov.uk)**

**REASON FOR REFUSAL RELATIVE TO APPLICATION 09/00314/DET**

1. There are no dedicated parking spaces included within the application site and, for a development of this scale, located outwith the main town centre of Rothesay, there is a requirement for 8 parking spaces. In the interests of road safety, having regard to the intensification in use of this redundant bakery building that has been vacant for more than forty years, the proposal is considered to be contrary to Policies LP HOU 1 and LP TRAN 6 and Appendix C of the Argyll and Bute Local Plan (Post Inquiry Modifications) 2008.

**APPENDIX A – RELATIVE TO APPLICATION NUMBER: 09/00314/DET**

**MATERIAL CONSIDERATIONS AND ADVICE**

**(i) POLICY OVERVIEW AND MATERIAL ADVICE**

**Argyll and Bute Structure Plan 2002**

STRAT DC 1 encourages up to large scale development on appropriate infill, rounding-off and redevelopment sites within Main Towns (such as Rothesay).

STRAT DC 9 seeks to resist development that would damage or undermine the historic environment, including Conservation Areas.

STRAT HO 1 encourages appropriate forms and scales of housing infill, rounding-off, redevelopment and change of use to housing within the settlements where it is consistent with STRAT DC 1-10.

**Bute Local Plan 1990**

POL HO 1 encourages the development of infill and redevelopment sites including rounding-off for private housing in the settlements such as Rothesay.

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

POL BE 15 seeks to achieve a high standard of layout and design where new urban developments are proposed.

**Argyll & Bute Local Plan Post Inquiry Modifications 2008**

LP ENV 10 seeks to resist development within Areas of Panoramic Quality where its scale, location or design will have a significant adverse effect on the character of the landscape.

LP ENV 14 presumes against development that does not preserve or enhance the character or appearance of an existing Conservation Area.

Policy LP ENV 17 '*Development Impact on Sites of Archaeological Importance*' seeks to preserve, protect and retain such sites with a requirement to undertake preliminary investigative work in consultation with WoSAS.

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

LP BAD 2 presumes against proposals that would introduce new incompatible development and associated land uses into areas already containing '*bad neighbour developments*'.

LP HOU 1 promotes housing development within Main Town unless there is an unacceptable environmental, servicing or access impact.

LP TRAN 6 and Appendix C specify the level of parking provision associated with different types of development.

**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](http://www.argyll-bute.gov.uk)**

**(ii) SITE HISTORY**

Not applicable.



## (iii) CONSULTATIONS

**West of Scotland Archaeology Service** (letter dated 14<sup>th</sup> April 2009)

No objections subject to the implementation of an archaeological standing building survey of the extant structures.

**Area Roads Manager** (report dated 28<sup>th</sup> April 2009)

Recommends refusal on the basis that there is no dedicated parking for the development.

**Environmental Health Officer** (memo dated 28<sup>th</sup> April 2009)

No objections.

**Scottish Water** (letter dated 22<sup>nd</sup> May 2009)

No objections.

## (iv) PUBLICITY AND REPRESENTATIONS

The application has been advertised under Section 65 and as a Potential Departure from the Development Plan (closing date 17<sup>th</sup> April 2009). No representations have been received.

## (v) APPLICANTS' SUPPORTING INFORMATION

The applicant has submitted a statement in support of the application, which can be summarised as follows:

- a) The building was built by the Co-operative Wholesale Society after the land was purchased in 1919. The bakery provided vital employment and supplied the staple of bread and other baked goods to not only Bute's residents but to the islands of Arran, Cumbrae and parts of the Cowal and Kintyre peninsula. With the subsequent decline in population, the bakery was closed in 1967 and to date is understood to have had no other official use;
- b) Although classed as a '*Building at Risk*', the building is structurally sound and the majority of the roof remains intact. This is substantiated by a full structural engineer's survey conducted by ATK Civil and Structural Engineers of Greenock;
- c) The outcome of public consultation has donated considerable opinion, with the general consensus being in support of a residential project. Although some views from the building are obscured by its neighbours and the current Co-op, the location affords the building with a protected position against the embankment to the rear, with limited views of the harbour and the potential for an increased southern exposure with the implementation of south-facing windows;
- d) Careful consideration has been made to preserve as much of the building's original character as possible and for this reason, only 2 further windows would be introduced to the existing original 16 windows on the front façade. The proposed windows on the south gable would mirror the positions of the windows on the north gable, with an additional two on each gable. This would act to enhance the building's original design and character, again with as little change to its appearance as possible. Five additional windows and a glass folding/sliding door are proposed for the rear elevation, facing the embankment;
- e) Discussions with the Planning Department have isolated an objection to the proposal, without the satisfaction of a parking provision. This factor is understood to be a challenge for any proposed regeneration in Rothesay's town centre. However, a small residential development of only four flats would seem to propose less of a burden on the community by minimising the potential parking requirements. The proposal aims to attract environmentally friendly families and it is also hoped that the building's unique architecture, structural integrity and valued community history will be considered in terms of relaxing the parking requirement.

**APPENDIX B – RELATIVE TO APPLICATION NUMBER: 09/00314/DET**

**PLANNING LAND USE AND POLICY ASSESSMENT**

**A. Settlement Strategy**

The application site is located within the settlement of Rothesay for the purposes of both the Bute Local Plan 1990 and the Argyll and Bute Local Plan (Post Inquiry Modifications) 2008. There is a presumption in favour of redeveloping sites for residential uses within Rothesay unless there is an unacceptable environmental, servicing or access impact. As will be discussed below, there are significant servicing (parking) issues associated with this proposal.

**The proposal is therefore contrary to the provisions of Policy LP HOU 1 of the 2008 Plan.**

**B. Location, Nature and Design of Proposed Development**

The former bakery building is unique within Rothesay's built environment as it is unlike any other property in the main core of the town. It is a red brick structure and the main building is four storeys in height. There are two flat-roofed towers on the front elevation of five and four storeys respectively.

It is proposed to undertake alterations to the building to provide four flats. New multi-paned brown-stained upvc windows are to be installed; the number of window openings is to be increased; a *Rubberfix* roofing membrane is to be installed; and connections are to be made to public water supply and foul drainage systems.

The building is in significant need of repair with some window openings having no glass and others with broken glazing. Based upon information submitted by the applicant, however, the building would appear to be in a reasonable structural condition. The alterations proposed are considered to be generally acceptable with the possible exception of the use of stained upvc windows but, if permission were ultimately to be granted, the use of timber fenestration could be specified as a condition.

There is no land associated with the property – pedestrian access is taken via a lane that runs adjacent to the property to the west of the building, 4-7 East Princes Street. There is an electrical substation to the front of the building, which is also the land to the rear of the Co-operative store. To the south of the building is the site of a former workshop which is within the larger grounds of a car repair business. To the north of the site are the rear curtilages of 14 East Princes Street whilst there is an embankment to the rear (east) of the building.

In terms of residential amenity, the position of the building (somewhat obscured behind existing properties) and the lack of any meaningful curtilage would not be to everyone's taste. Indeed, Appendix A of the Argyll and Bute Local Plan (Post Inquiry Modifications) 2008 recommends that all development should have some private open space (ideally a minimum of 100 square metres). In this context, the subject application is significantly deficient in amenity space.

Notwithstanding the above, the accommodation proposed may be attractive to certain occupiers and it should be borne in mind that there are many tenement properties in Rothesay that are not blessed with a significant level of curtilage.

In considering whether the building is suitable for residential conversion in an amenity sense, the development as proposed is far from ideal but a factor to be balanced against this would be the desirability of retaining and upgrading this building.

As noted above, the building is architecturally unique and an example of a certain type of industry but one could not argue that it was a typical example of the architecture for which Rothesay is generally renowned nor does it contribute significantly to the townscape. In this sense, it is not necessarily a building that should be retained at all costs.

In taking all of these factors into account, it is considered that the absence of any ground with the building is a significant factor, less perhaps to do with areas of garden and more to do with the lack of dedicated parking as set out in Section C below.

**C. Road Network, Parking and Associated Transport Matters.**

As stated above, there is no land associated with the building with the consequence that the applicants cannot provide parking spaces dedicated specifically to the four flats.

LP TRAN 6 and Appendix C of the Post Inquiry Modifications 2008 specify the level of parking provision associated with different types of development. Zero parking provision is only permitted in certain circumstances and, in terms of housing, this is generally where there are small-scale (i.e. up to 5) single bedroom flats proposed in town centre locations.

The former bakery is not located within the main town centre of Rothesay as defined in the settlement maps of the Argyll and Bute Local Plan (Post Inquiry Modifications) 2008 with the consequence that there could be no dispensation for zero parking.

In taking advice from the Area Roads Manager, the parking requirements for this development are 8 spaces. It is understood that the applicant may have approached adjacent landowners with a view to exploring whether adjoining land could be set aside for dedicated parking spaces but this has not been submitted as part of the application and is, therefore, presumed to be unavailable.

**In view of the foregoing, the proposal is considered to be contrary to LP TRAN 6 and Appendix C of the Argyll and Bute Local Plan (Post Inquiry Modifications) 2008.**

**D. Archaeological Matters**

WoSAS has stated that industrial archaeological recording has a considerable role to play in delivering an understanding of a relatively recent period in the nation's history before all evidence is lost. In the particular circumstances of this case, they are recommending that a condition be attached ensuring an archaeological standing building survey is implemented.

**The proposal therefore accords with the provisions of Policy LP ENV 17 of the 2008 Plan.**

**E. Infrastructure**

Connection is to be made to the existing public foul drainage system and the public water supply. Scottish Water has raised no objections to the proposal.

**F. Bad Neighbour In Reverse**

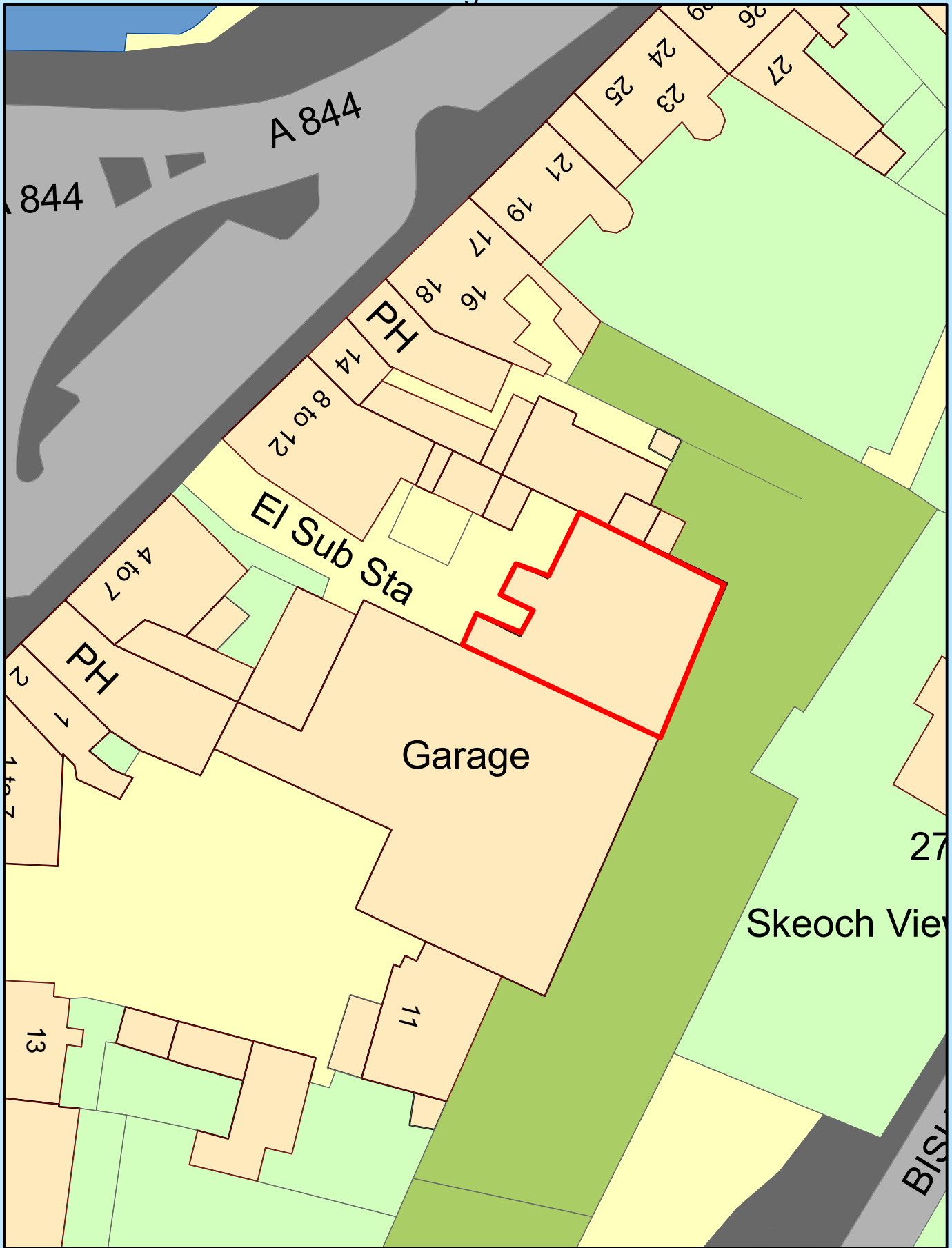
The proposal involves the introduction of a residential use in relatively close proximity to a car repair business. Consultation has taken place with the Public Protection Service as to whether they considered that this might prove a bad neighbour development in reverse. In response, they carried out a site visit and noted the opening times of the garage together with the absence of any operations that might cause excessive noise or nuisance gases/fumes. In view of this information, and the absence of any history of noise complaints being received from existing nearby residents living in Bishop Street and East Princes Street, they have concluded that the proposed development would not be incompatible with the existing use of the garage and yard.

**In view of the above, it is considered that the proposal is consistent with the provisions of Policies LP BAD 2 of the 2008 Plan.**

**CONCLUSION**

The application proposes the conversion of a former bakery into four flats. The physical alterations are considered to be generally acceptable and any minor deficiencies could be addressed through suitably-worded conditions. The main issue in respect of the proposal is the lack of any land associated with the building and, in particular, the total absence of any dedicated parking spaces. For a development of this type, outwith the main town centre of Rothesay, there is a requirement for 8 parking spaces and the significant shortfall in spaces renders the proposal unacceptable and contrary to policies contained within the Argyll and Bute Local Plan (Post Inquiry Modifications) 2008.

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**COMMITTEE LOCATION PLAN  
RELEVANT TO PLANNING  
APPLICATION 09/00314/DET**

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**AERIAL VIEW  
RELEVANT TO PLANNING  
APPLICATION 09/00314/DET**

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