

Argyll and Bute Council
Comhairle Earra Ghaidheal agus Bhoid

Customer Services
Executive Director: Douglas Hendry



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14 August 2013

NOTICE OF MEETING

A meeting of the **ARGYLL AND BUTE LOCAL REVIEW BODY** will be held in the **COUNCIL CHAMBERS, KILMORY, LOCHGILPHEAD** on **WEDNESDAY, 21 AUGUST 2013** at **2:30 PM**, or at the conclusion of the Planning, Protective Services and Licensing Committee at 11.00 am, whichever is the later, which you are requested to attend.

Douglas Hendry
Executive Director - Customer Services

BUSINESS

1. **APOLOGIES FOR ABSENCE**
2. **DECLARATIONS OF INTEREST (IF ANY)**
3. **CONSIDER NOTICE OF REVIEW REQUEST: 2 ARGYLL TERRACE, TOBERMORY, ISLE OF MULL (REF: 13/0011/LRB)**
 - (a) Notice of Review and Supporting Documentation (Pages 1 - 30)
 - (b) Comments from Interested Parties (Pages 31 - 42)

ARGYLL AND BUTE LOCAL REVIEW BODY

Councillor Robin Currie
Councillor Sandy Taylor (Chair)

Councillor George Freeman

Contact: Fiona McCallum Tel: 01546 604392

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Ref:
AB1

ARGYLL AND BUTE COUNCIL
WWW.ARGYLL-BUTE.GOV.UK/**

OFFICIAL USE

12 July 2013

FMcCallum

Date Received

NOTICE OF REVIEW

Notice of Request for Review under Section 43(a)8
of the Town and Country Planning (Scotland) Act 1997 and the Town and
Country Planning (Schemes of Delegation and Local Review Procedures
(Scotland) Regulations 2008

Important – Please read the notes on how to complete this form and use
Block Capitals. Further information is available on the Council's Website.
You should, if you wish, seek advice from a Professional Advisor on how to
complete this form.

(1) APPLICANT FOR REVIEW

Name **TONY AND ALISON
SPLLILLANE**

Address **2 ARGYLL TERRACE**
TOBERMORY
ISLE OF MULL

Postcode **PA75 6PB**

Tel. No.

Email

(2) AGENT (if any)

Name **BARI REID**

Address **AMBLESIDE**
TOBERMORY
ISLE OF MULL

Postcode **PA75 6QA**

Tel. No. **01688 302132**

Email **bari@barireid.com**

(3) Do you wish correspondence to be sent to you or your agent

(4) (a) Reference Number of Planning Application **13/00678/PP**

(b) Date of Submission **02 APR 2013**

(c) Date of Decision Notice (if applicable) **06 JUN 2013**

(5) Address of Appeal Property

**2 ARGYLL TERRACE
TOBERMORY
ISLE OF MULL
ARGYLL AND BUTE
PA75 6PB**

(6) Description of Proposal

**DEMOLITION OF EXTENSION AND
ERECTION OF REPLACEMENT
EXTENSION**

(7)

Please set out the detailed reasons for requesting the review:-

PLEASE SEE ATTACHED STATEMENT

If insufficient space please continue on a separate page. Is this is attached? (Please tick to confirm)

(8) If the Local Review Body determines that it requires further information on “specified matters” please indicate which of the following procedure you would prefer to provide such information :-

- (a) Dealt with by written submission
- (b) Dealt with by Local Hearing
- (c) Dealt with by written submission and site inspection
- (d) Dealt with by local hearing and site inspection

NB It is a matter solely for the Local Review Body to determine if further information is required and, if so, how it should be obtained.

(9) Please list in the schedule all documentation submitted as part of the application for review ensuring that each document corresponds to the numbering in the sections below:-

Schedule of documents submitted with Notice of Review (**Note: 3 paper copies of each of the documents referred to in the schedule below must be attached**):

No.	Detail
1	WRITTEN STATEMENT
2	DESIGN STATEMENT
3	TS/83/001 – LOCATION PLAN
4	TS/83/002 – SITE PLAN
5	TS/83/003 – GROUND FLOOR (EXISTING)
6	TS/83/004– FIRST FLOOR (EXISTING)
7	TS/83/005 – FIRST FLOOR (PROPOSED)
8	TS/83/006A – ELEVATIONS (EXISTING)
9	TS/83/007A – ELEVATIONS (PROPOSED)
10	TS/83/008A – ELEVATION (PROPOSED)

If insufficient space please continue on a separate page. Is this is attached? (Please tick to confirm)

Submitted by
(Please Sign)

PAI REID

Dated

05/07/2013

Important Notes for Guidance

1. All matters which the applicant intends to raise in the review must be set out in or accompany this Notice of Review
2. All documents, materials and evidence which the applicant intends to rely on in the Review must accompany the Notice of Review UNLESS further information is required under Regulation 15 or by authority of the Hearing Session Rules.
3. Guidance on the procedures can be found on the Council's website – www.argyll-bute.gov.uk/
4. If in doubt how to proceed please contact 01546 604406 or email localreviewprocess@argyll-bute.gov.uk
5. Once completed this form can be either emailed to localreviewprocess@argyll-bute.gov.uk or returned by post to *Committee Services (Local Review Board), Kilmory, Lochgilphead, Argyll, PA31 8RT*
6. You will receive an acknowledgement of this form, usually by electronic mail (if applicable), within 14 days of the receipt of your form and supporting documentation.

If you have any queries relating to the completion of this form please contact Committee Services on 01546 604406 or email localreviewprocess@argyll-bute.gov.uk

For official use only

Date form issued

Issued by (please sign)

Extension to 2 Argyll Terrace, Tobermory

13/00678/PP

Supporting Information

20/05/2013

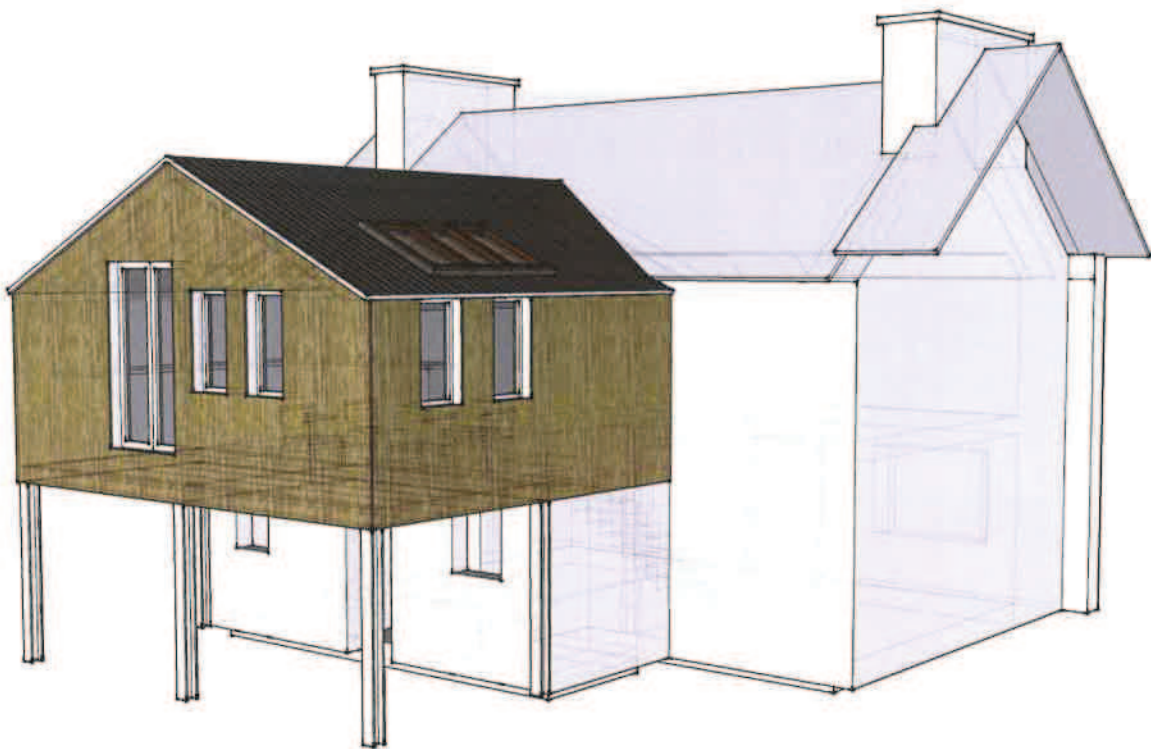
bari reid

The following design statement is submitted in support of our application for Planning Permission to remove an existing kitchen extension and replace with a slightly larger kitchen/dining room extension.



Description of Proposed Development

The proposal is for a single room extension to the rear of a dwelling house, currently there is a small two storey extension in place, it is proposed to demolish the top storey of this extension and extend outward at the upper storey, leaving the original lower storey in place. The proposed extension is to have the same eaves level and ridge line of the existing extension.



Planning/Design considerations

As the site lies within the designated conservation area, the intention of the proposed extension is to be visually separated from the traditional fisherman's cottage by its use of materials. The Local Planning policy LP ENV 14 advises:

"New development within these areas and on sites forming part of their settings must be of the highest quality, respect and enhance the architectural and other special qualities that give rise to their actual or proposed designation"

With this proposal there is a deliberate use of materials which intend to enhance the architectural qualities of the original building by clearly illustrating what the massing, materials and design of the original part of the house is in contrast to the new.

This approach to design is common where extensions are made to historic/listed buildings as it allows the original building to stand apart from later additions - there are some (more prominent) examples within the Tobermory conservation area where large scale extensions have been built with finishes to match the historic building, this makes it very unclear as to what is original and what is a later addition; undermining the significance and character of the original dwellings.

The Argyll and Bute sustainable design guide (Working with Argyll and Bute's built heritage) also encourages this approach to design especially for small extensions - for this type of extensions, the guidance encourages the use of roof and wall materials/details which are clearly different from the original building and discourages "look alike" materials.

Furthermore, the site is well hidden behind a newly constructed extension to 1 Argyll Terrace and the extension will only offer a glimpse of the materials, which, once weathered will be a subtle addition to the house.

The proposed pallet of materials has an emphasis on sustainability. The materials used will be of superior quality using corrugated profiled metal roofing materials (slate grey), traditional timber windows with a vertical emphasis, coupled with traditional larch detailing to the external walls, all of which reflect the true West Highland vernacular.

Examples of Buildings within (and on sites forming part of the setting of) the conservation area.

Prominent Buildings (on street edges)



Figure 1 : Macgochans Pub, Tobermory - Original fishermans cottage extended (significantly) with a large profiled sheet roof and timber cladding to the rear of the building



Figure 2: Profiled sheet roof and painted Timber cladding on main street



Figure 3: Metal Sheet roof and wall materials on extension to Listed Building on Main Street



Figure 4 : Profiled Metal sheet roof on Listed Building (the Gallery) on Main Street



Figure 5 : Timber Clad, Profiled metal roofed extension to rear of building on Main Street, visible from main road

Other buildings/extensions



Figure 6 : Just off Main Street, metal/corrugated roof materials and Painted timber house.



Figure 7 : Corrugated Roof and wall materials on edge of conservation area



Figure 8 : New Primary School Building on periphery of Conservation Area



Figure 9 : Corrugated roofing and Timber Cladding on building just off Viewmount Drive



Figure 10 : Corrugated metal roof and wall materials (breadalbane st)



Figure 11 : Small Timber clad extension with metal roof finish (Victoria St)



Figure 12 : Profiled metal roof (Victoria St)



Figure 13 : Timber Clad, Metal Roofed extension (Victoria St)



Figure 14 : Corrugated Metal Extension (Albert St)



Figure 15 : Timber Clad, Felt Roof Extension (Victoria St)



Figure 16 : Timber Clad, Plastic Roof (Albert St)



Figure 17 : Corrugated Metal Extension (Staffa Cottages)



Figure 18 : Various materials used (breadalbane St)



Figure 19 : Timber Garage with corrugated roof (beside, until recently, metal roofed building) on main street scene



Figure 20 : The old Jail house - Corrugated Metal and timber clad extension to rear



Figure 21 : The Old Jail House



Figure 22 : The Lane setting of Argyll Terrace - Timber Cladding and Corrugated materials used on buildings in back lane



Figure 23 : Corrugated Materials used for extension (Argyll Terrace)



Figure 24 : Timber Clad Extension (breadalbane St)



Figure 25 : Corrugated Materials on Extension (argyll terrace)



Figure 26 : Timber Porch, felt roofs (Breadalbane St)



Figure 27 : Timber Sunroom (felt roof) and Timber side extension (Breadalbane St)

Conclusions

The above examples clearly illustrate that the materials chosen for the proposal are very common within the designated conservation area, especially on rear extensions; this application does not propose any changes to the prominent street elevation of the house, only alterations to the (mostly) concealed rear. It is proposed to use materials prominent within the conservation area, and wider settlement area, which contrast the historic fabric of the original building.

In addition to the above examples, it is noted that application 11/01336/PP features an extension with timber cladding at first floor level and was approved 21 Sept 2011.

Whilst preparing this application it brought to my attention the myriad of external wall and roof material choices that are evident throughout the conservation village of Tobermory. The roofing materials range from Spanish, Welsh, Scottish and Cumbrian slates, a myriad of concrete tiles, asbestos tiles and sheeting, onduline sheeting, corrugated sheeting sinusoidal and box profiles. This variation is also evident in the external wall finishes, ranging from block, stone, render, wet dash, larch, timber v'd lining, glass and also corrugated sheet materials.

I therefore took cognisance of all these material choices and thought it best to comply with Argyll and Bute guidance. This is ultimately why the building materials choices were made to concur with what you are trying to achieve for a better, built environment.

I trust that Argyll and Bute Council will recognise all of what has been articulated above and have no hesitation in recommending this application for approval.



location plan
1:1250

title: location plan

Barireid
ARCHITECTURAL SERVICES

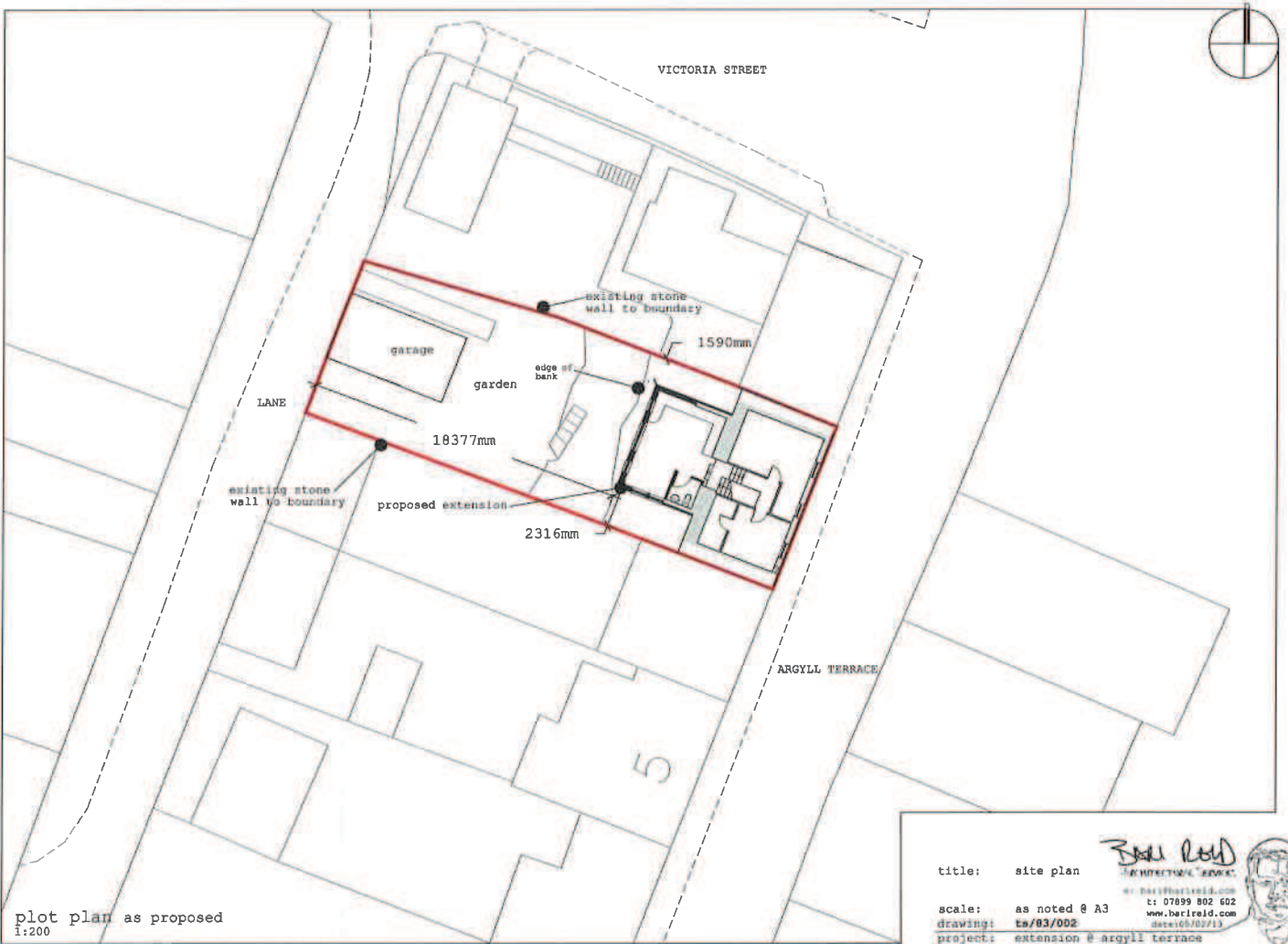
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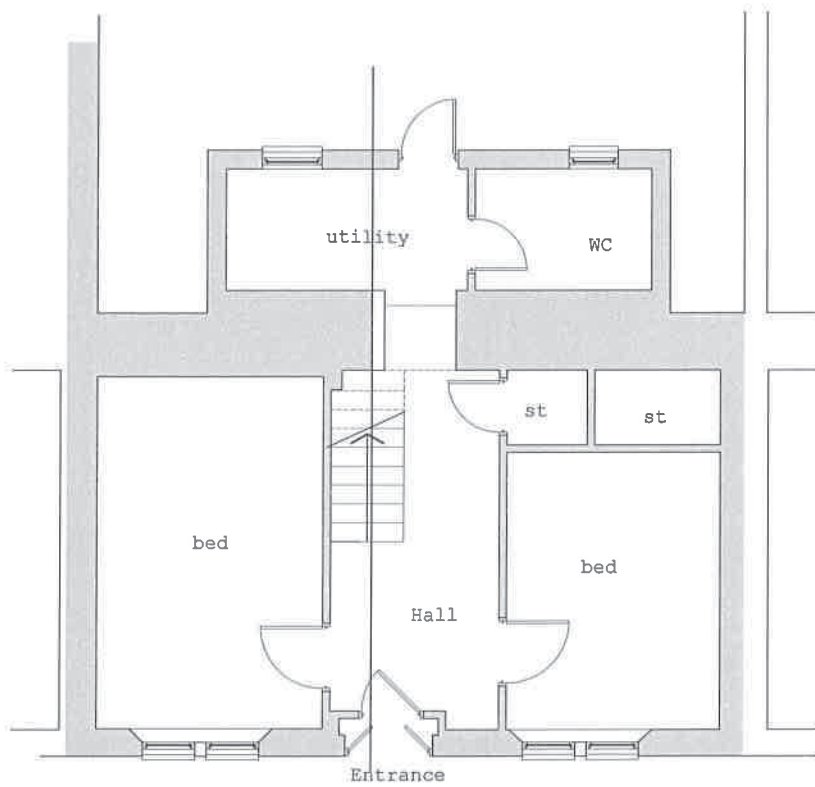
drawing: **ts/83/001**

project: extension @ argyll terrace

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date:18/10/12



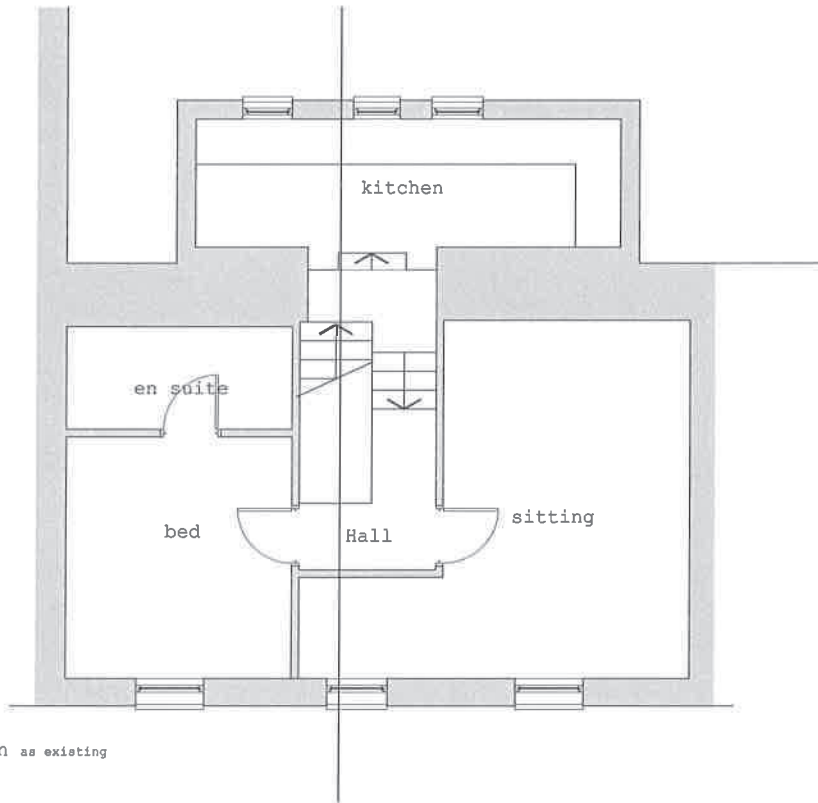




plan as existing
1:50

title: existing ground floor
scale: as noted @ A3
drawing: tm/83/003
project: extension @ argyll terrace


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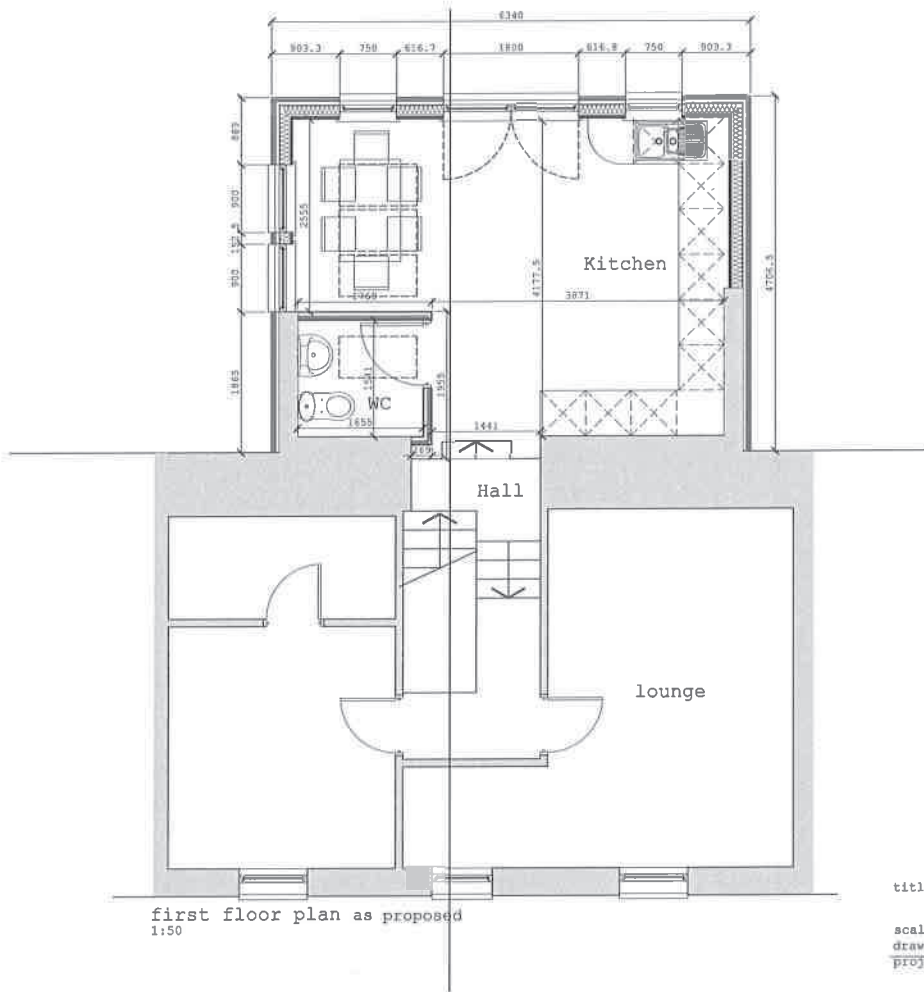


plan as existing
1:50

title: existing first floor
scale: as noted @ A3
drawing: ts/83/004
project: extension @ argyll terrace

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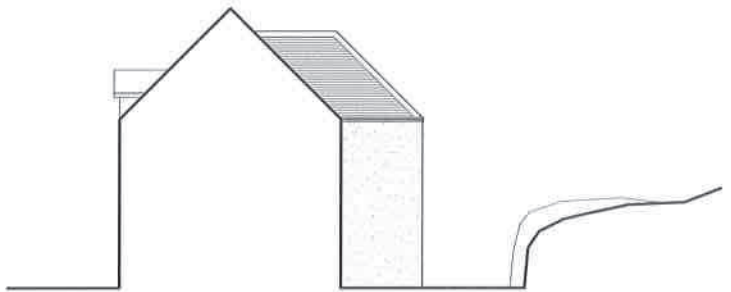
first floor plan as proposed
1:50

title: proposed first floor
scale: as noted @ A3
drawing: tw/03/005
project: extension 8 argyll terrace

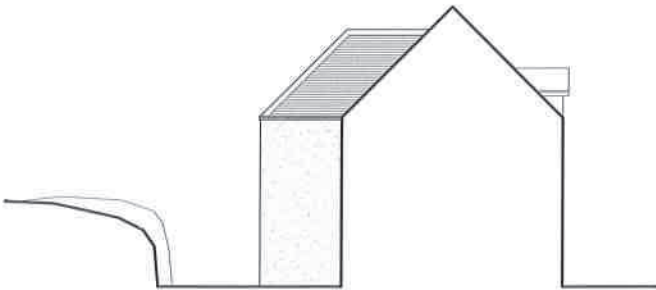
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front (se) elevation as existing
1:100



side (ne) elevation as existing
1:100



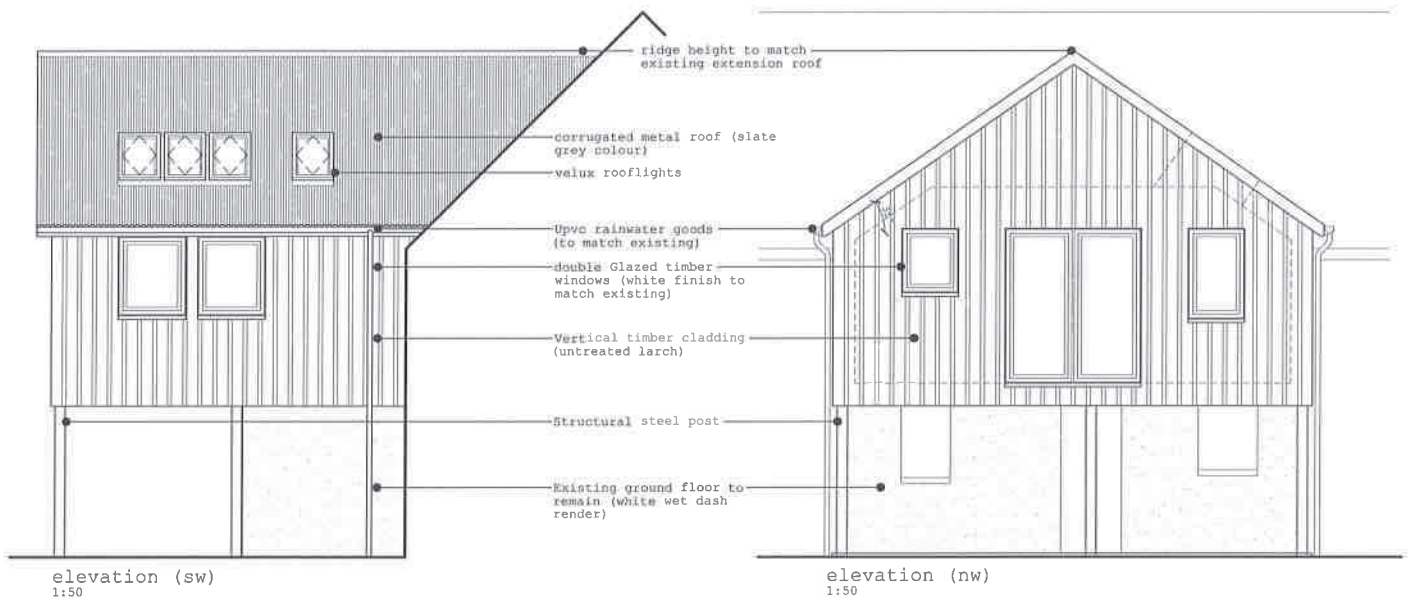
side (sw) elevation as existing
1:100



rear (nw) elevation as existing
1:100

title: elevations
existing
scale: as noted @ A3
drawing: ts/B3/006a
project: extension @ argyll terrace






title: elevations

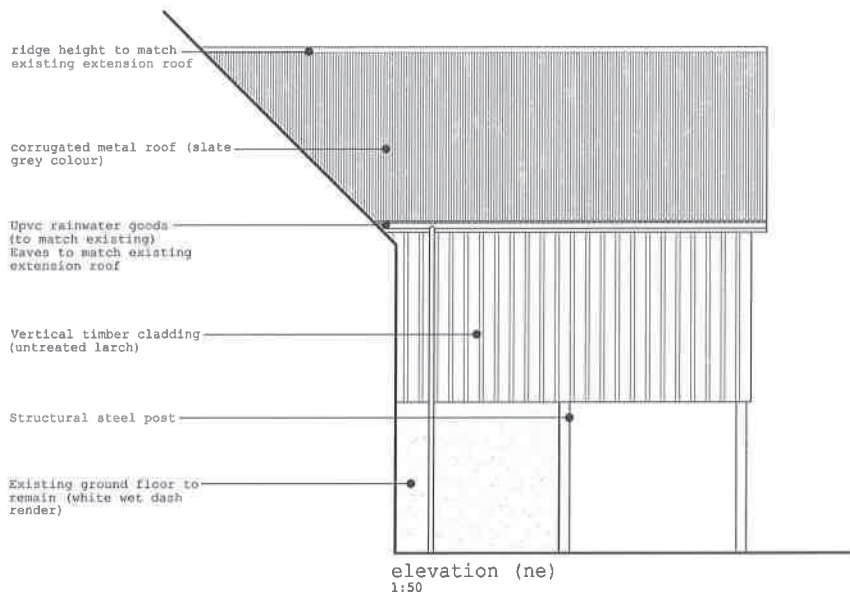
scale: as noted @ a3

drawing: ts/83/007a

project: extension @ argyll terrace

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title: elevations

scale: as noted @ a3

drawing: ts/B3/008a

project: extension @ argyll terrace

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STATEMENT OF CASE

FOR

**ARGYLL AND BUTE COUNCIL
LOCAL REVIEW BODY**

13/0011/LRB

**REMOVAL OF CONDITIONS 1 AND 2 RELATING TO
PLANNING PERMISSION FOR THE DEMOLITION OF
AN EXTENSION AND ERECTION OF A
REPLACEMENT EXTENSION**

**NO 2 ARGYLL TERRACE, TOBERMORY, ISLE OF
MULL**

**PLANNING PERMISSION REFERENCE NUMBER
13/00678/PP**

25th July 2013

STATEMENT OF CASE

The Planning Authority is Argyll and Bute Council ("the Council"). The appellant is Tony and Alison Spillane ("the appellant").

Planning application 13/00678/PP which proposed the demolition of an extension and erection of a replacement extension at No 2 Argyll Terrace, Tobermory, Isle of Mull ("the appeal site") was approved under delegated powers on 7th June 2013. This appeal relates to the removal of conditions 1 and 2 of the permission.

The planning decision has been challenged and is subject of review by the Local Review Body.

DESCRIPTION OF SITE

The property is situated within Tobermory Conservation Area and forms part of a terrace adjacent to Tobermory Parish Church which is a Category C(s) Listed Building. The property lies in the upper part of the Conservation Area where there is a classic grid pattern commanding spectacular views over the sheltered bay. Each building within the terrace has a long narrow area of garden ground to the rear which sits at a higher level. The terrace buildings have originally been set down into the land resulting in the rear gardens being at a higher level to the buildings. Many of the buildings are served by small outbuildings/bothys to the very rear of the rear gardens, which is then bounded by a lane. The existing development within this area is characterised by a mixture of houses, b&b's, guesthouses and self catering units

SITE HISTORY

No history relevant to this appeal.

STATUTORY BASIS ON WHICH THE APPEAL SHOULD BE DECIDED

Section 25 of the Town & Country Planning (Scotland) Act 1997 provides that where, in making any determination under the planning Acts, regard is to be had to the development plan and determination shall be made in accordance with the development plan unless material considerations indicate otherwise. This is the test for this planning application.

STATEMENT OF CASE

Argyll and Bute Council considers the determining issues in relation to the case are as follows:-

- Whether the material considerations asserted by the appellant are sufficient to warrant the removal of conditions 1 and 2 of planning permission ref 13/00678/PP which were attached in the interests of preserving the character of a building within a designated Conservation Area.

The Report of Handling (Appendix 1) sets out Planning Services assessment of the planning application in terms of policy within the current adopted development plan and other material considerations.

REQUIREMENT FOR ADDITIONAL INFORMATION AND A HEARING

It is not considered that any additional information is required in light of the appellant's submission. The issues raised were covered in the Report of Handling which is contained within Appendix 1. As such it is considered that the Council has all the information required to determine this particular planning application. Given the above and that the proposal is small scale in nature, constitutes a Local Development, has no complex or challenging issues and has not been the subject of any public representation, it is not considered that a Hearing is required.

COMMENT ON APPELLANT'S SUBMISSION

1. The appellant has submitted a Design Statement in support of their request for a Local Review Body. This Design Statement is dated 20th May 2013 and was submitted in support of the planning application ref 13/00678/PP. This Design Statement was taken into consideration in the determination of this planning application. The Design Statement highlights a number of examples of various developments within, and on the periphery of, the Tobermory Conservation Area in similar finishes to that of the proposed development. It was considered that given that the extension is contained at the rear of the terrace in a very well hidden spot, the proposed timber finish could be accepted on balance. The proposed materials however should complement the existing property and the wider Conservation Area environment. It should also be noted that there is an existing listed building adjacent the terrace that should be considered in the assessment of this appeal.

It was considered that the appliance of vertical timber cladding would only be acceptable if it were to be finished in white stain in order to visually connect the proposed extension with the existing building and thus complimenting the building and wider terrace. Without this appropriate finish the extension may appear incongruous and out of scale with the existing building and wider environment. Further to this it was also considered that the roof of the proposed extension should be finished in blue grey natural slate in order to blend into the Conservation Area and again complement the existing terrace. The roof is the most visible part of the extension from outwith the site boundary and all rear projections at the rear of the terrace comprise a slate roof finish. For this reason it was considered that a profiled sheet roof would not be consistent with its surroundings. Although the use of modern materials is generally supported by planning policy it should be noted that this is only in places where it is considered to complement the existing built environment. Although there are examples of similar materials being used elsewhere each tends to complement the existing building. Further to this each proposal is assessed against its own merits with due regard to the adopted development plan and all other material considerations. It was considered that the appliance of untreated vertical timber cladding and profiled sheeting would neither preserve nor enhance the character or appearance of the designated Conservation Area as is required by STRAT DC

9 of the Structure Plan, policies LP ENV 13(a) and LP ENV 14 of the Local Plan and Scottish Historical Environmental Policy.

The existing extension that is to be demolished compliments the existing building and the terrace and its replacement with an extension finished in materials of a poorer quality would be insensitive and would make the proposed replacement extension stand out. The preferred finishing materials, i.e. untreated vertical timber larch and metal profiled sheeting, pay no regard to the buildings original fabric and would in no way provide the building with any enhancement.

Conservations Areas form an important physical record of the architectural development and historical growth of an area. They are an irreplaceable cultural and economic resource that contributes to the distinctive character and unique quality of Argyll and Bute and are afforded protection at a national level through Scottish Historical Environmental Policy.

Where intervention is necessary to preserve buildings, either by way of internal alterations, partial demolition, or by the addition of new work, it is important it should be carried out in a contemporary manner that does not distort history. The solution should not challenge the authenticity and integrity of the original building, or its neighbours within the wider setting of streets and open spaces. The emphasis should be on managing change rather than prevention of development to allow conservation areas to remain alive and prosperous whilst ensuring that any new development accords with the areas' special architectural and visual qualities. New development which is well designed, not as an individual entity, but as part of the established character of an area and contributes positively to its enhancement should be encouraged.

CONCLUSION

Section 25 of the Town and Country Planning (Scotland) Act 1997 requires that all decisions be made in accordance with the development plan unless material considerations indicate otherwise.

In conclusion the proposal to erect an extension clad in untreated vertical timber larch with a metal profile sheet roof would neither preserve nor enhance the character or appearance of the designated Conservation Area. This would result in a mismatch of materials when viewing the building from the rear. The extension to be demolished adds to the buildings character and it is considered that a replacement extension should be of similar quality and appearance. The applicant has not provided any new information to justify the removal of conditions 1 and 2 of planning permission ref 13/00678/PP. The proposal is contrary to the existing adopted development plan and there are no material considerations of such weight that have been identified to justify the proposal. It is respectfully requested that the review be dismissed and the original grant of permission be upheld with all conditions previously imposed.

**Argyll and Bute Council
Development and Infrastructure**

Delegated or Committee Planning Application Report and Report of handling as required by Schedule 2 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008 relative to applications for Planning Permission or Planning Permission in Principle

Reference No: 13/00678/PP

Planning Hierarchy: Local Development

Applicant: Mr Tony and Alison Spillane

Proposal: Demolition of existing extension and erection of replacement extension

Site Address: No 2 Argyll Terrace, Tobermory, Isle of Mull

DECISION ROUTE

Section 43 (A) of the Town and Country Planning (Scotland) Act 1997 (as amended)

(A) THE APPLICATION

(i) Development Requiring Express Planning Permission

- Demolition of existing extension
 - Erection of replacement extension
-

(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 appended to this report.

(C) HISTORY:

12/02570/PREAPP

Demolition of extension and erection of replacement extension, Advice issued 08.01.2013

(D) CONSULTATIONS:

Environmental Health

Memo dated 08.05.2013, No objections (consulted in error)

(E) PUBLICITY:

The proposal has been advertised in terms of Conservation Procedures, closing date 16.05.2013.

A Conservation Advert was displayed at the site on 02.05.2013 which expired on 23.05.2013.

(F) REPRESENTATIONS:

No representations have been received regarding the proposed development.

(G) SUPPORTING INFORMATION

Has the application been the subject of:

- | | | |
|-------|---|----|
| (i) | Environmental Statement: | No |
| (ii) | An appropriate assessment under the Conservation (Natural Habitats) Regulations 1994: | No |
| (iii) | A design or design/access statement:
Yes | |
| (iv) | A report on the impact of the proposed development e.g. retail impact, transport impact, noise impact, flood risk, drainage impact etc: | No |
-

(H) PLANNING OBLIGATIONS

- | | | |
|-----|-------------------------------------|----|
| (i) | Is a Section 75 agreement required: | No |
|-----|-------------------------------------|----|
-

- | | | |
|-----|--|----|
| (I) | Has a Direction been issued by Scottish Ministers in terms of Regulation 30, 31 or 32: | No |
|-----|--|----|
-

(J) Section 25 of the Act; Development Plan and any other material considerations over and above those listed above which have been taken into account in the assessment of the application

- (i) List of all Development Plan Policy considerations taken into account in assessment of the application.

Argyll and Bute Structure Plan 2002

STRAT DC 1 – Development within the Settlements

STRAT DC 9 – Historic Environment and Development Control

Argyll and Bute Local Plan 2009

LP ENV 1 – Impact on the General Environment

LP ENV 14 - Development in Conservation Areas and Special Built Environment Area

LP ENV 19 – Development Setting, Layout and Design

LP HOU 5 – House Extensions

Appendix A – Sustainable Siting and Design Principles

- (ii) **List of all other material planning considerations taken into account in the assessment of the application, having due regard to Annex A of Circular 4/2009.**

Argyll & Bute Sustainable Design Guidance (2006)

SPP, Scottish Planning Policy, 2010

Scottish Historic Environmental Policy (SHEP) 2011

Historic Scotland (Managing Change in the Historic Environment – Extensions)

(K) Is the proposal a Schedule 2 Development not requiring an Environmental Impact Assessment: No

(L) Has the application been the subject of statutory pre-application consultation (PAC): No

(M) Has a sustainability check list been submitted: No

(N) Does the Council have an interest in the site: No

(O) Requirement for a hearing: No

(P) Assessment and summary of determining issues and material considerations

This is a proposal for the demolition of an existing extension and erection of a replacement extension at No 2 Argyll Terrace, Tobermory, Isle of Mull

The property is situated within Tobermory Conservation Area and forms part of a terrace adjacent to Tobermory Parish Church which is a Category C(s) Listed Building. The property lies in the upper part of the Conservation Area where there is a classic grid pattern commanding spectacular views over the sheltered bay. Each building within the terrace has a long narrow area of garden ground to the rear which

sits at a higher level. The terrace buildings have originally been set down into the land resulting in the rear gardens being at a higher level to the buildings. Many of the buildings are served by small outbuildings/bothy's to the very rear of the rear gardens, which is then bounded by a lane. The existing development within this area is characterised by a mixture of houses, b&b's, guesthouses and self catering units.

Argyll and Bute Structure Plan policy STRAT DC 9, Historic Environment and Development Control, requires that the protection, conservation, enhancement and positive management of the historic environment are promoted. Development that damages or undermines the historic, architectural or cultural qualities of the historic environment will be resisted particularly if it would affect a listed building or its setting. Local Plan policy LP ENV 14, Development in Conservation Areas and Special Built Environment Areas, sets out a presumption against development that does not preserve or enhance the character or appearance of a Conservation Area or its setting.

Scottish Historic Environmental Policy (SHEP) 2011 requires that the planning authority and any other authority concerned, including Scottish Ministers, to pay special attention to the desirability of preserving or enhancing the character and appearance of the area when exercising their powers under the planning legislation and under Part 1 of the Historic Buildings and Ancient Monuments Act 1953.

No 2 Argyll Terrace is 1¾ storey with a traditional pitched roof and wallhead dormers. There is an existing rear extension that will be demolished. This extension has a hipped roof set below the ridge of the main house with the eaves level consistent between house and extension. The existing extension is set down into the land with the rear garden and lane sitting at a higher level, giving very good containment to this part of the site. The first floor will be entirely demolished.

The proposed replacement extension will extend 4.7 metres in length compared to the existing 2.2 metres in length. The proposed extension will have a pitched roof to the same height as the existing extension roof. The new first floor overspans the existing ground floor extension and creates a covered external area supported on steel posts. It is proposed to finish the exterior walls of the extension in untreated vertical timber cladding. The roof will be clad in slate grey coloured corrugated metal roofing. It is considered that the proposed extension is suitable in terms of overall size and scale in that it would play a subordinate role on the original building. The proposed extension is reflective of the size and scale of the existing extension of which it is proposed to replace. The proposed extension will maintain balance on the rear facing elevation. The proposed finishing materials to be applied are not in keeping with the original building, but the Design Statement aims to justify the chosen design and finish. It highlights a number of examples of various developments within and on the periphery of the Tobermory Conservation Area in similar finishes. Given that the extension is contained at the rear of the house in a very well hidden spot, the proposed finishes can be accepted on balance. However it is considered that the appliance of vertical timber cladding will only be acceptable if it were to be finished in white stain in order to visually connect the proposed extension with the existing building. White stained or painted vertical timber cladding would be considered acceptable. Further, all rear projections in the row adjacent to the site comprise a slated roof finish. As such, it is considered that the roof (which is the most visible part of the extension from outwith the site boundary, must also have a natural slate roof finish to fit into the Conservation Area. With conditions, the proposed development will accord with the provisions of STRAT DC 9 of the Structure Plan and policies LP ENV 13(a) and LP ENV 14 of the Local Plan. The proposed development also accords with the Scottish Historical Environmental Policy (SHEP) 2011.

The proposal accords with Policies LP ENV 1, ENV19, HOU 5 and Appendix A of the adopted Argyll and Bute Local Plan 2009. There are no other material considerations, including issues raised by third parties, which are considered to have decisive weight that would warrant anything other than the application being determined positively in accordance with the provisions of the development plan.

(Q) Is the proposal consistent with the Development Plan:
Yes

(R) Reasons why planning permission should be granted

Subject to conditions, the proposed development is considered acceptable at this location without causing any unacceptable impact on the wider area and there are no infrastructural constraints which would preclude the proposed development at the site.

The proposal accords with Policy STRAT DC 1 and STRAT DC 9 of the adopted Argyll and Bute Structure Plan 2002, Policies LP ENV 1, ENV14, ENV 19 and HOU 5 of the adopted Argyll and Bute Local Plan 2009. There are no other material considerations, including issues raised by third parties, which are considered to have decisive weight that would warrant anything other than the application being determined positively in accordance with the provisions of the development plan.

(S) Reasoned justification for a departure to the provisions of the Development Plan

N/A

(T) Need for notification to Scottish Ministers or Historic Scotland: No

Author of Report: Lesley Cuthbertson Date: 04.06.2013

Reviewing Officer: Stephen Fair Date: 06/06/13

**Angus Gilmour
Head of Planning**

CONDITIONS AND REASONS RELATIVE TO APPLICATION REFERENCE 13/00678/PP

1. Notwithstanding the details illustrated on the approved plans, the roof of the extension hereby approved shall be finished in blue grey natural slate to the satisfaction of the Planning Authority. No work shall commence or is hereby authorised until a sample of the roof slate has been submitted for the written approval of the Planning Authority. The development shall thereafter be completed in strict accordance with such details as are approved.

Reason: In the interests of preserving the character of a building within a designated Conservation Area, given that the roof of the extension is the most visible part of the project from outwith the site, and all other rear projections in the row of properties adjacent to this site and intervisible with it, have a natural slate roof.

2. The vertical timber cladding hereby approved to the walls shall be finished in white stain or paint to match the colour of the existing house to the satisfaction of the Planning Authority.

Reason: In the interests of preserving the character of a building within a designated Conservation Area.

3. The development shall be implemented in accordance with the details specified on the application form dated 28.03.2013 and the approved drawing reference numbers:

Plan 1 of 8 (Location Plan, Drawing No ta/83/001)
Plan 2 of 8 (Site Plan, Drawing No ta/83/002)
Plan 3 of 8 (Existing Ground Floor Plan, Drawing No ta/83/003)
Plan 4 of 8 (Existing First Floor Plan, Drawing No ta/83/004)
Plan 5 of 8 (Proposed First Floor Plan, Drawing No ta/83/005)
Plan 6 of 8 (Elevations Existing, Drawing No ta/83/006a)
Plan 7 of 9 (Elevations, Drawing No ta/83/007a)
Plan 8 of 9 (Elevations, Drawing No ta/83/008a)

unless the prior written approval of the planning authority is obtained for other materials/finishes/for an amendment to the approved details under Section 64 of the Town and Country Planning (Scotland) Act 1997 (as amended).

Reason: *For the purpose of clarity, to ensure that the development is implemented in accordance with the approved details.*

NOTE TO APPLICANT

- **Length of this planning permission:** This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period. [See section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended)].
- In order to comply with Section 27A(1) of the Town and Country Planning (Scotland) Act 1997 (as amended), prior to works commencing on site it is the responsibility of the developer to complete and submit the attached 'Notice of Initiation of Development' to the Planning Authority specifying the date on which the development will start.
- In order to comply with Section 27B(1) of the Town and Country Planning (Scotland) Act 1997 (as amended) it is the responsibility of the developer to submit the attached 'Notice of Completion' to the Planning Authority specifying the date upon which the development was completed.

APPENDIX TO DECISION APPROVAL NOTICE

Appendix relative to application 13/00678/PP

- (A)** Has the application required an obligation under Section 75 of the Town and Country Planning (Scotland) Act 1997 (as amended).

Yes, the original plans have been superseded with new elevations showing the corrected heights of the existing and proposed extensions.

- (B)** Has the application been the subject of any non-material amendment in terms of Section 32A of the Town and Country Planning (Scotland) Act 1997 (as amended) to the initial submitted plans during its processing.

No

- (C)** The reason why planning permission has been approved.

The proposed development is considered acceptable at this location without causing any unacceptable impact on the wider area and there are no infrastructural constraints which would preclude the proposed development at the site.

The proposal accords with Policy STRAT DC 1 and STRAT DC 9 of the adopted Argyll and Bute Structure Plan 2002, Policies LP ENV 1, ENV14, ENV 19 and HOU 5 of the adopted Argyll and Bute Local Plan 2009. There are no other material considerations, including issues raised by third parties, which are considered to have decisive weight that would warrant anything other than the application being determined positively in accordance with the provisions of the development plan.