

**MINUTES of MEETING of ARGYLL AND BUTE LOCAL REVIEW BODY held in the  
COMMITTEE ROOM 1, KILMORY, LOCHGILPHEAD  
on FRIDAY, 13 SEPTEMBER 2013**

**Present:** Councillor Sandy Taylor (Chair)  
Councillor Rory Colville Councillor Alex McNaughton

**Attending:** Charles Reppke, Head of Governance and Law (Adviser)  
Fiona McCallum, Committee Services Officer (Minute Taker)

**1. CONSIDER NOTICE OF REVIEW REQUEST: KNOCKDERRY HOTEL,  
SHORE ROAD, COVE, HELENSBURGH, G84 0NX (REF: 13/0012/LRB)**

The Chair welcomed everyone to the meeting and advised that no person present would be entitled to speak other than the Members of the Local Review Body (LRB) and Mr Reppke who would provide procedural advice if required.

Mr Reppke advised that he had received a written statement from the Applicant which had been submitted by his Agent and that it had been requested that this statement be presented to the LRB. Mr Reppke confirmed that it was not possible to present information to the LRB unless it had previously been issued to other interested parties for comment and in this case it had not. He advised that if the LRB were minded to accept this statement then it would first have to be issued to all interested parties for comment.

The Chair advised that his first task would be to establish if the Members of the LRB felt they had sufficient information before them to come to a decision on the Review.

Councillor Colville advised that having read the paperwork, including the site history, he could not find any information which provided a justification for a 4 bedroom house. He advised that it would be beneficial if a written submission could be requested from the Applicant which outlined the justification for the 4 bedroom house.

Councillor McNaughton advised that he was not concerned with the building as such but considered it would be beneficial to hold a site visit in order to view the area to see how a building of this size could be accommodated within it.

The Chair advised that he felt that the building proposed would be considerably larger than nearby properties and referred to planning comments about the massing and scale of the proposed property on this site. He also agreed that a site visit would be beneficial.

Councillor Colville referred to Historic Scotland's Managing Change in the

Historic Environmental Guidance Notes which stated that 'Development proposals should seek to avoid or mitigate detrimental impacts on the settings of historic assets'. He asked if the LRB were minded to approve this planning application could such a decision be called in by Historic Scotland. The LRB agreed with Mr Reppke's suggestion that clarification on this should be sought from Planning Officers.

The Chair advised that he had noted that the family were currently using rooms within the hotel as their own accommodation and asked that as part of the Applicant's written submission in respect of the justification for a 4 bedroom property information should also be provided as to how this proposed property would relate to the hotel business.

## **Decision**

The ABLRB agreed:-

1. To request a further written submission from the Applicant which detailed their justification for the need for a 4 bedroom house and provided information regarding how this proposed property would relate to the hotel business;
2. To request a further written submission from Planning which clarified whether or not the decision of this LRB could be called in by Historic Scotland if the LRB agreed to approve planning permission;
3. To hold an accompanied site inspection and to invite the Applicant, the Applicant's Agent and Planning to this site inspection in order that the LRB could have a better understanding of the location of the proposed development and its relative scale and massing compared to other properties nearby; and
4. To adjourn the meeting and reconvene at the conclusion of the site inspection.

The meeting of the Argyll and Bute Local Review Body reconvened at 3.00 pm in the Cove Burgh Hall.

Present: Councillor Sandy Taylor (Chair)  
Councillor Rory Colville  
Councillor Alex McNaughton

Attending: Iain Jackson, Governance and Risk Manager (Adviser)

The Chair welcomed everyone to the meeting and advised that parties to the Review were not permitted to address the Local Review Body (LRB). He advised that the only participants entitled to speak would be the Members of the LRB and Mr Jackson who would provide procedural advice if required.

The Chair referred to the earlier site inspection (note of site inspection attached as Appendix A to this Minute) and the further information received from the Applicant and Planning and asked the Panel if they now

had enough information before them to come to a decision on the Review.

The LRB confirmed this to be the case and went on to determine the merits of the case.

Cllr McNaughton stated that he was glad for the opportunity of having the site visit and advised that it confirmed his view that when taking into consideration all the aspects of the application that this was an appropriate site for the development and that he was minded to grant the appeal.

Cllr Colville stated that he also was glad for the opportunity of the site visit and stated that he agreed with the Planners that although the site was capable of development and there was the opportunity to put a properly designed and sized house on the site, he did not think the proposed house was of an appropriate design and that he was minded to refuse the appeal on the basis of the reasons given by the Planners in the statement of case and report of handling.

The Chair stated that he was of a similar view to Cllr Colville. He stated that he agreed with the Planners that the site was developable but the size and nature of the proposed house would affect the setting of the hotel and as such he was minded to refuse the appeal.

## **Decision**

The Argyll and Bute Local Review Body agreed by a majority to uphold the original decision to refuse this application for the following reasons:-

The proposed building is situated within the curtilage of, and some 65 metres from, Knockderry House Hotel. This is a 19<sup>th</sup> century L-plan Arts and Crafts Category B Listed Building with alterations by William Leiper. The proposed building will be located in a plot to the west of Knockderry House Hotel and will be bounded by the entrance road to the listed building and the main road. This area is important to the setting of the listed building since it provides open aspects to it when travelling in an easterly direction. The proposed building has a footprint of approximately 165 square metres, combines a mix of hipped and roof pitches and has a mix of window styles. Siting a building of this massing, scale and design at this location would reduce the open aspect when approaching Knockderry House in an easterly direction, as well as obscuring views of the listed building, consequently affecting its setting. It is also considered that the design and choice of materials of the building are inappropriate for a development within the grounds of a listed building. It would result in a development which, given its position, massing, scale and design, would be visually intrusive, visually discordant and would unacceptably detract from the setting of Knockderry House Hotel. The proposal is therefore contrary to Policies STRAT DC 1 and STRAT DC 9 of the Argyll and Bute Structure Plan, Policies LP ENV1, LP ENV 13a and LP ENV19 and Appendix A of the Argyll and Bute Local Plan Adopted August 2009 and the Council's Design Guide. These require, inter alia, that in relation to any works affecting listed buildings or their setting, special attention is paid to siting and design in order that the building's character and setting

is not eroded. Furthermore, the proposal would fail to accord with criteria contained within Scottish Planning Policy which confirms that the preservation of listed buildings and their setting is a material consideration in both the development planning and development management processes.

(Reference: Notice of Review and Supporting Documentation and Further Written Submissions, submitted)

**ARGYLL AND BUTE LOCAL REVIEW BODY**

**NOTE OF MEETING OF SITE INSPECTION RE CASE 13/0012/LRB  
KNOCKDERRY HOTEL, SHORE ROAD, COVE – THURSDAY 7  
NOVEMBER 2013**

In attendance: Councillor Sandy Taylor, Argyll & Bute LRB (Chair)  
Councillor Rory Colville, Argyll & Bute LRB  
Councillor Alex McNaughton, Argyll & Bute LRB  
Iain Jackson, Governance and Risk Manager  
(Adviser)  
Howard Young, Planning Authority  
Murdo MacLeod, Applicant

The Argyll and Bute LRB (ABLRB) agreed on 13 September 2013 to conduct a site inspection in order that the Members could have a better understanding of the location of the proposed development and its relative scale and massing compared to other properties nearby.

The ABLRB convened on 7 November 2013 at Knockderry Hotel, Shore Road, Cove at 2.30 pm.

All parties were welcomed to the site inspection and introductions were made.

Mr Jackson advised the participants on the procedure that would be followed.

From the inspection the ABLRB noted:-

1. the boundary of the Application site;
2. where the property would be sited within the Application site;
3. its height relative to the other properties nearby; and
4. the distance between the Application site and the hotel.