

**22/00221/PP**  
**Erection of dwellinghouse**  
**AT:**  
**Andrews Garage Tighnabruaich Argyll and Bute PA21 2DS**

**(7) Please set out the detailed reasons for requesting the review:-**

**Pages 1 – 13**

**AND**

**Schedule of Documents**

**Nos 1 – 17**

**22/00221/PP**  
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**(7) Please set out the detailed reasons for requesting the review:-**

**Pages 1 – 13**

**22/00221/PP**  
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**(7) Please set out the detailed reasons for requesting the review:-**

We received a **Pre Application Advice Report** dated 17 August 2021 from Steven Gove which gave us comfort to progress to submitting a planning application.

In the **Pre Application Advice Report** Local Development Plan Policies were detailed as having been taking into consideration. The proposal was considered as “consistent with the Settlement Strategy”, “given the nature of the fire station building on the land immediately to the south east, it is considered that there is scope for a building of contemporary design such as is proposed at this location” and “it is acknowledged that the long-standing previous use of the site has been as a vehicle repair garage”.

However, there are actually two elements to the entire site –

1. the actual “vehicle repair garage”, a large, curved corrugated metal shed to the south east of the proposed house site with **forecourt access onto Village Brae – see Schedule of documents 1.**

and

2. the “vehicle parking and storage” facility forming the proposed house site to the north west of the site with **two accesses onto Village Brae – see Schedule of documents 2.** That use, in existence since 1983, is confirmed by **stamped, approved plans “Argyll and Bute District Council, As relative to Warrant No. 19/83, Date 13/4/83” – see Schedule of documents No 3.** In 1983 we understand the previous owner had purchased and built the larger garage which exists on site to be used as the “vehicle repair garage”.

There are multiple, simply untrue statements in the Decision Notice dated 5 February 2024 which are easily open to challenge.

Having paid almost £ 5 000 to the Council two years ago to submit planning applications for our two sites in the village this we feel is hugely insulting and represents a waste of our time for two years.

These untrue statements are extracted, detailed and rebuffed on the following pages.

Supporting evidence in that regard is attached in the Schedule of Documents, in triplicate.

## “REASONS FOR REFUSAL RELATIVE TO APPLICATION NUMBER 22/00221/PP

### 1 The proposal, by reason of its size...”

We disagree that the proposal “*would have an adverse visual impact on the immediate and wider surroundings and would be detrimental to the character and appearance of the village centre of Tighnabruaich and the wider Area*” for the following reasons -

See Schedule of documents No. **1** and No. **4** showing different styles of neighbouring buildings. Tighnabruaich village centre buildings are very varied in design and roof styles.

The proposed house site is bounded by -

to the south east downhill on Village Brae-

- i) a **large, curved corrugated shed** the former vehicle repair garage
- ii) then a **mono-pitched, white cement rendered house, with a large wrap round balcony**, a residential conversion of the old fire station
- iii) then a **concrete panelled shed**, at an oblique angle onto the Brae once the original inshore lifeboat shed
- iv) and directly across the village Main Street the **irregular curved roof of the roughcast Lifeboat Station**

to the south by -

- i) the grounds and building of the **Tighnabruaich Hotel** with roof ridge height higher than the proposed house

to the north west at an elevated level, above our proposed house site on the opposite side of Village Brae by -

- i) three **Victorian 1 ½ storey houses**

and to the north east by

- i) a **single storey stone and slate outbuilding** used as a garage currently with access directly onto and across the pavement on Village Brae

We agree that the site is “*in an elevated position on Village Brae*”.

We disagree that “*It will be highly visible and intrusive in the skyline when viewed from the village shops ...*” for the following reasons –

The proposed house will be behind the large, curved roofed former vehicle repair garage and will not be highly visible from the village shops nor will it break the skyline.

See Schedule of documents No. 5 streetviews of the proposed house site from the village shops and street.

On the front balcony elevation the proposed house will have approximately only the upper half of the ground floor bedroom level and the upper living accommodation visible above the neighbouring curved roofed garage. The basement garage and most of the bedroom level is completely below the roof height of the adjacent curved roofed garage.

The northeast gable with basement garage entrance is the only elevation where three storeys will be visible and then only immediately on Village Brae. The Brae falls almost 3m around the corner from the front door of the proposed house to the basement garage entrance.

The southwest gable facing the Tighnabraich Hotel will certainly have the basement level hidden by existing vegetation/small trees so the three storeys will not be seen, certainly not from the village Main Street.

The proposed house roofline height is below the ground floor window sills of the three Victorian 1 ½ storey houses immediately across and above Village Brae on their elevated site.

We had those sill heights detailed on our topographic survey submitted with our application.

This was a deliberate decision to preserve their ground floor views out to sea. Plus, the proposed house roofline height is less than the roofline height of the adjacent Tighnabraich Hotel.

We disagree that the “*design is inappropriate because of ...white render to the eaves, to the height of 3 storey...the mass of the building which is not broken up...sited on an already elevated site....does not integrate with surrounding townscape and adversely affects the sense of place and character of this attractive village centre. There are no other Art Deco...no design cues taken from buildings around it including neighbouring garage, fire station and the stone/slate traditional buildings*” due to the following reasons i) – v) –

- i) as explained above the full 3 storeys will not be seen all round the proposed house, only the northeast elevation giving access to the basement garage seen directly from Village Brae will reveal three storeys
- ii) the mass of the building is mostly hidden by the curved garage in front, vegetation/small trees on the south west and the fact that only two storeys are visible on the NW elevation, the basement being largely built into the topography of the site on that elevation. We produced a full topographic survey to planning giving site heights and heights of roofs/window sills in the immediately surrounding buildings

- iii) it is on an elevated site but that is mitigated by all of the above and the change of level as you travel up Village Brae, around 3m from our proposed garage basement door to the proposed front entrance of the house up and round the corner
- iv) to integrate with the immediate surrounding townscape we have a choice of styles to draw on, there appears no hard and fast rule to the design of buildings in the immediate vicinity
- v) cues have been taken from surrounding buildings contrary to what is stated –
  - a) the three round windows on the northeast gable of the proposed house are similar to the three on the rear elevation of the Lifeboat Station – see Schedule of documents **No. 4** middle photo
  - b) the wrap round balcony of the converted Old Fire Station – see Schedule of documents **No. 5** page 2, top streetview
  - c) the full length glazing onto the balcony of the Old Fire Station – see Schedule of documents **No. 5** page 2, top streetview
  - d) the almost flat roof of the Old Fire Station – although actually mono-pitched it looks almost flat from the village Main Street, see Schedule of documents **No. 5** page 2, top streetview
  - e) the garage door in the slated single-storey outbuilding across Village Brae – see Schedule of documents **No. 6**

Also, we took cues to build a three storey modern house on an elevated position from the permission granted by the Council for one of most prominent sites in the West Kyle on the site of the old Chalet Hotel.

Planning application ref **19/02633/PP** was approved for the site of the old Chalet Hotel to build a **circular/elliptical, three storey, stone/metal clad house with a room on the fourth storey at one end of the flat roof, with wrap round balconies and a roof terrace.**

This house will be further along from Main Street, past the pier in a part of the village where the majority of immediate neighbours are Victorian or have conventional sloping slated or tiled roofs.

There are no anomalous building examples in that part of the village unlike Village Brae or on the village Main Street with the Lifeboat Station.

The proposed house on the site of the old Chalet Hotel takes absolutely no cues from its surrounding, or indeed any, properties in Tighnabruaich being circular/elliptical.

From seaward, sailing from Rhubaan buoy the Chalet Hotel was always the most prominent building in that part of Tighnabruaich.

This new building would appear to be a little bit of the Hollywood hills dropped in. See Schedule of documents **No.7** pages 1 – 7

There are seven design cues, immediately apparent, that our proposed house, also in Tighnabruaich, can take from the approval at the old Chalet Hotel 19/02633/PP –

- i) Advantage taken of change of levels around house to form Lower Ground Floor space – No. 7 page 7. On our plans labelled as “Basement”
- ii) Flat roof – No. 7 pages 6 and 7
- iii) Full height glazing and openings onto balcony – No. 7 page 6
- iv) Wrap round balcony extending out from first floor with partial over-sheltering from flat roof – No. 7 page 7
- v) Minimal windows on east elevation – No. 7 page 7
- vi) Main living space – kitchen, dining, sitting – on first floor – No. 7 page 3
- vii) Bedrooms on ground floor – No. 7 page 2

## “REASONS FOR REFUSAL RELATIVE TO APPLICATION NUMBER 22/00221/PP

### 2 The development would not provide...”

We do not agree that our proposed house “*would not provide an adequate standard of residential amenity for the occupiers*” or that “*the terrace [balcony] is limited*” or that the “*rear space proposed will provide poor quality amenity by reason of lack of daylight and proximity to traffic using the adjacent road*” for the reasons –

- i) We, and many similar to us, look for simpler homes as we approach old age and with a smaller garden to tend. This house is future proof for us.
- ii) We have designed a far from limited balcony of 29 sq.m. in total. In “old feet & inches”, 312 sq.ft giving an equivalent space of 17 feet X 17 feet much larger than most sitting rooms or garden patios; partially sheltered, directly accessible from our living accommodation, large enough to place comfortable outdoor dining and lounging furniture and facing mainly south and west to take advantage of available sun, or at least light, all year round.
- iii) The “*rear space*” proposed will definitely not have “*poor quality amenity by lack of daylight*” it faces south and west which means maximum light year round. Anyone who has sat out on the neighbouring Tighnabruaich Hotel’s terrace will confirm this - see Schedule of documents **No. 8** – our proposed house faces the same way and if anything our “*rear space*” is slightly more protected from the easterly wind and does not have an overshadowing building to the west like on the Hotel terrace when the evening sun begins to sink.
- iv) The proximity to the road – the quiet Village Brae – we do not see as an issue when practically every house in Tighnabruaich and Kames has garden area beside a road. Most houses along the front just beyond the Lifeboat Station use their front gardens beside the road to take advantage of sunshine when their back gardens are in shadow. Even some of the back gardens enjoyed by residents at newly developed Kyles Court are within 10 – 15m of the main road out of the village which is the through road for buses, timber lorries and traffic from the Tarbert – Portavadie ferry.



## “REASONS FOR REFUSAL RELATIVE TO APPLICATION NUMBER 22/00221/PP

### 3 The proposal is considered contrary to ...”

It is suggested that the proposal “*has unsuitable visibility onto Village Brae*” where we are proposing one access for residential use.

Yet by contrast what the Council appear to be agreeing with is that the two existing accesses on this part of the site alone can continue to be used for a higher intensity use.

We understand that within the Class Use as existing we can use the site for storage or distribution as alternatives to the overall use as a vehicle recovery service and repair garage with a total of 3 accesses directly onto Village Brae, one being an open forecourt access for several vehicles at once. See Schedule of documents **No. 1** and **No. 2**.

Obviously if our proposed house site is not granted permission we will have to consider alternative uses for the site under its existing Use Class.

Research tells us there are local contractors and tradesmen who lack secure storage for materials and machinery and we would have space to offer this facility to several individual companies or tradesmen, even those not local but carrying out temporary jobs in the area.

We would not expect the Council to refuse permission to reinstate a new and improved building the size of the original on our proposed house site where “Use” is unchanged, under Permitted Development as has already been confirmed by our planning officer.

The overall site would then take advantage of parking/access using the three existing accesses – one forecourt access for larger vehicles at the larger shed and two to the reinstated building with parking area behind.

Sense does tell us that our proposed residential use on the upper part of the site and our intended storage and personal use of the larger shed for our boats, as is the case presently, would see a de-intensification of traffic movements to and from the site as a whole.

Our proposal has suggested a 1.8m fence but we recognise that this is not a sensible solution to the boundary of our site. The Council could impose boundary conditions.

It should be noted that at the corner of the proposed house site Village Brae changes from two lane to single track. The bin lorry and fuel tankers have to reverse up that upper part of the Brae. There are no “fast” traffic movements on Village Brae dictated by its very nature.

We simply cannot demonstrate visibility from our proposed house site of 20m, set back 2m in either direction. However, we can continue the commercial, higher intensity use, using the three existing accesses which does not seem to make any sense to us from the Council’s perspective or indeed from a road safety perspective.

It is also noted that the Council has recently developed facilities, to provide EV charging points, at its Council owned Coach and Car Park.

This Council owned facility neighbours the other commercial site we own in the village at Susy's Tearoom further along the village towards the pier.

The Coach and Car Park already has a long-standing large bottle bank facility of several bottle bins placed by the Council adding to the intensification of use there.

The Council when carrying out the most recent development of providing EV charging points, intensifying the use of its Coach and Car Park, very obviously did not assess the visibility splays there. Nor did the Council assess and provide pavements to provide pedestrian safety when exiting and accessing its facility on foot; there are none.

We assessed the visibility there ourselves and sitting in our car took photographs from the drivers' line of sight position, on this much busier and faster stretch of road than Village Brae, with the front of the car at the edge of the junction from the car park.

See Schedule of documents **No 9**. pages 1 & 2 scale on googlemaps and photos of visibility.

We could not see on-coming traffic when trying to turn right across that on-coming traffic onto the opposite lane to return to the Village Main Street and to exit Tighnabraich. The only solution was to nudge the car out slowly onto the main road to try to see any on-coming traffic.

In contrast, we have received a "Recommendation for Refusal" from the Council's Roads Department at our proposed house site on Village Brae due to lack of visibility splays.

The Council has ignored roads legislation and regulations for visibility splays to develop its own site, yet imposes that legislation on the general public and, more pertinently, on us as an objection to our obtaining consent for our proposed house. At best this appears hypocritical and at worst, illegal.

We think we are justified to request an explanation in that regard.

In our Pre Application Advice Report dated 17<sup>th</sup> August 2021 Steven Gove commented in relation to Village Brae "The point of access onto Village Brae is not ideal as it is in close proximity to the bend in the road. Having said that, vehicles will have been manoeuvring in this location for many years in association with the garage and one would assume that, given the obvious bend in the road, cars coming down the brae from the west would be exercising suitable care and attention."

We are not aware of any RTA's on Village Brae over the many years we have been around the village.

## “REASONS FOR REFUSAL RELATIVE TO APPLICATION NUMBER 22/00221/PP

**4 The proposal is considered contrary to ...as it has not been demonstrated, to the satisfaction of the council, that the site is and can be made safe and suitable for the proposed house. There are [sic] a list of outstanding requirements in relation to the Contaminated Land Assessment that have not been adequately responded to.”**

Kirsty Sweeney, Area Team Leader (Bute, Cowal, Helensburgh and Lomond), our planning officer Steven Gove’s line manager, took over our two cases just before Christmas 2023.

On 20<sup>th</sup> December she emailed us with regard to our sites in Tighnabruaich and the live planning applications – Andrew’s Garage and Susy’s Tearoom.

See Schedule of documents **No 10** that email of 20 December 2023.

As you can read in her email Kirsty Sweeney referred to the issue -

“Contaminated land – I do not know the detail of this but from the looks of the emails below this looks like something that is resolvable and is being resolved separately with Environmental Health. **It is not a reason for refusal.”**

Yet we see a contradictory approach since this very issue is cited in our Decision Notice as No. 4 in Reasons for refusal. The Decision Notice is available on the public planning portal.

The Area Team Leader (Bute, Cowal, Helensburgh and Lomond) Development Management tell us one thing, that this particular issue is “not a reason for refusal”

The Decision Notice for refusal of our proposed development reference 22/00221/PP tells us another, citing the issue as Reason 4 for refusal.

All in all, the process with Environmental Health has been difficult and glacially slow.

Environmental Health Officer, Anthony Carson firstly made contact in an email dated 5 Nov 2021 to an architect we had first approached to explore timber buildings for our proposed house site, passed to us by the architect.

Mr Carson reminds the architect that they “spoke in early September regarding the **redevelopment of the filling station** in Tighnabruaich.” See Schedule of documents **No 11**

We have no idea how Mr Carson could have been talking with anyone regarding our site in the context of it being a “**filling station**”. The proposed site has never been a filling station.

We responded directly to Mr Carson - See Schedule of documents **No 12** – correcting him.

We also informed Mr Carson that we were fully aware of our obligations. And that we had employed a licensed waste contractor at our other site in the village, Susy's Tearoom, to dispose of asbestos roofing panels when we began to demolish the building there – Chris Wright & Sons Ltd in Greenock who collected all asbestos bearing material from that site. We received advice from Gareth Garrett who we had contacted in Building Control at that time. We had a Warrant to Demolish and satisfied all Council conditions.

We gave a detailed description of the construction of the building on our proposed house site. There was no material present which indicated the presence of asbestos.

We bought the site with two curved roof sheds – one larger downhill used as a vehicle repair garage and the other smaller, uphill, on our proposed house site, now demolished.

The smaller shed was first labelled as a vehicle repair workshop or garage in 1979 but the previous owner bought the larger shed when the rig-building activity ceased at Port a'Mhadaidh and installed it on site during 1983.

This is confirmed in Warrant drawing stamped by Argyll and Bute District Council 13/4/83 - See Schedule of documents **No 3** – “vehicle parking and storage”, the smaller shed being reassigned to the vehicle recovery part of the previous owner's business when he operated agencies with AA, RAC, etc while the new larger shed became the garage workshop.

Therefore, the smaller shed on the proposed house site had been a vehicle repair workshop for only 4 years between 1979 and 1983.

The use of the smaller shed when we bought the property was clearly as vehicle parking and storage. The recovery vehicles were being offered for sale, two 4 X 4's and two low loader recovery trucks, but we had no use for these and the previous owner who was a member of SVRA – Scottish Vehicle Recovery Association - sold them privately.

We had test pits dug for foundations and the site conditions investigated by The Structural Partnership and soil testing carried out by Crossfield Consulting. These are on the public portal for 22/00221/PP via the Documents tab –

General Supporting Documentation – Public - \*\*Site Investigation and Environmental Report 24.06.2022 Published 15 July 2022

Environmental Report – Environmental Assessment Report Crossfield Consulting Ltd January 2023 Published 23 January 2023

Further Documentation – Response from Crossfield Consulting to Env Protection Officer Comments 10.07.2023 Published 11 July 2023

However, Mr Carson EHO has challenged the competency of all of the people who wrote these reports on our proposed house site.

The Structural Partnership's Ian Gass is BSc, CEng, MICE, MIStructE, MaPS and Iain Donnachie is BSc, IStructE.

Crossfield Consulting's John Whittle BSc MSc FGS MICE CEng SiLC, is a gentleman of almost 4 decades experience in his field, and has "acted as an expert witness at planning enquiries for residential developments, contaminated land remediation and mineral extraction proposals and has published a number of papers in the promotion of best practice, value engineering and the use of novel approaches in the consideration of 'difficult' sites".

In response to John Whittle's 81 page, Phase 1 & 2 Environmental Assessment Report January 2023, Mr Carson came up with 40 Concerns & Considerations on 25 May 2023. His first "Concern" is that "The description of the automotive repair garage doesn't provide a full indication of site operations which may be relevant to consideration of the relative intensity of vehicle repair activity".

All the EHO comments and answers from John Whittle are contained in –

Further Documentation – Response from Crossfield Consulting to Env Protection Officer Comments 10.07.2023  
Published 11 July 2023

We cannot possibly comment on that "activity" since for over 4 decades "vehicle repair activity" has not taken place on the proposed house site.

John Whittle in his response to that Concern pointed out the only "sensitive element of the proposed development" is the "very small size of the private garden proposed".

Further John Whittle emailed Steven Gove, cc to Anthony Carson, etc on 10 July 23 having received 40 comments from Anthony Carson labelled as "Concerns" with associated "Considerations". See Schedule of documents [No. 13](#)

In that email John Whittle comments amongst others that "the site is not located in an environmentally sensitive location, (i.e. does not adjoin a watercourse and is not underlain by a significant aquifer)." He also makes reference to that in his 81 page, Phase 1 & 2 Environmental Assessment Report January 2023 at 7.2 - In addition, the site is located over 70 m from the nearest surface waters and is underlain by relatively low permeability strata. On this basis, it is evident that the site is not associated with a significant potential source of contaminants and a valid migration pathway is not indicated such that a significant risk to the water environment is considered to be absent. On the planning portal -

Environmental Report – Environmental Assessment Report Crossfield Consulting Ltd January 2023 Published 23 January 2023

Yet Mr Carson in his list of 40 “Concerns” at number 22 stated that “Consideration of the potential impacts to water environment not aligned with SEPA guidance” going on to state under the heading “Consideration” that “The pollutant linkages to the water environment require to be considered and assessed in line with the SEPA approach”. On the planning portal –

Further Documentation – Response from Crossfield Consulting to Env Protection Officer Comments 10.07.2023 Published 11 July 2023

John Whittle’s response to that is “This is included in Section 7.2 of the report” as highlighted above in the directly copied extract from his response to that at 7.2.

Mr Whittle made several appeals to Mr Carson to get in touch for a discussion about his misunderstanding and “to clarify and resolve any misunderstanding”.

We are not aware that any contact was made by Mr Carson to attempt resolution.

Instead he followed up by not responding to John Whittle’s clarification of the 40 points he had raised in May 2023 and then in September 2023, 4 months later, raised different issues questioning Crossfield Consulting on their adherence to procedural legislation.

John Whittle <[jhw@crossfield-consulting.co.uk](mailto:jhw@crossfield-consulting.co.uk)>  
To:karen raeburn  
Tue, 31 Oct at 14:27  
Our Ref. JHW/jw/CCL03617.016

Dear Karen,

**Proposed Single Dwelling at former Andrews Garage, Tighnabruaich PA21 2DS**  
**Planning Ref: 22/00221/PP**

Thank you for your email. We are sorry to hear that approvals are still not forthcoming. Unfortunately, the *Comments prepared by Anthony Carson 11 September 2023*, as provided, do not appear to consider the specific items we raised in our last correspondence (July 2023) and now relates to other issues associated with the general implementation of standards/guidelines etc.

It appears that these two professionals are going round in circles, largely caused by the lack of communication from Anthony Carson and his clear misunderstanding of the issues here.

He is insisting that the proposed site was a vehicle repair facility which we cannot comment on since that was not the use when we took over and as far as we know had been a vehicle parking and storage facility as confirmed by the Stamped plans from Argyll & Bute District Council dated 13/04/83 – See Schedule of documents **No.3** – indicating that the proposed house site had been a vehicle repair workshop for only around 4 years.

Comments in addition -

Having spent almost £ 5 000 to lodge our two applications almost exactly two years ago, plus c. £ 2 500 in consultancy fees, we feel the service is far from what we expected. We have been subject to what can only be described as a “slap dash” approach to citing reasons for refusal that can be so easily challenged.

The Local Review Body should be aware that there are some malign forces at work although how far their influence extends we do not know.

One of the objectors on the public planning portal is - **Contributor: Objection - Colin Slinger - 26/07/2022** – Schedule of documents **No. 14** This objector is a liar, and his “Objection” is malicious lies.

When we became aware of this, we were not in Tighnabruaich at the time or checking the planning portal every 5 minutes, we immediately alerted Ross MacArthur Ltd of Mr Slinger’s false allegations.

Their secretary wrote to the Council right away – see Schedule of documents **No. 15**. Ironically, the digger had been working on Village Brae for the Council. The decision had been made to safely store the machine overnight on our unused, empty site. Received by the Council on 3 August 2023 this was not published on the portal until 7 October 2022 for some reason. We corresponded with Steven Gove about this since the rebuttal by Ross MacArthur Ltd was therefore disassociated on the portal from Mr Slinger’s lies.

Paul Paterson another “objector”, as far as we know unemployed, who with very expensive camera equipment claims to be a “Press Photographer”, journalist friends have never heard of him. There is no applicable legislation to govern people masquerading as such. His latest fantasy is just that and we believe he is well known to the Council. See Schedule of documents **No.16 - Contributor: Objection - Paul Paterson 31 January 2024**

He made similar allegations regarding our other site at Susy’s Tearoom, we responded - see Schedule of documents **No.17**. The small shed at Andrew’s Garage was simple to take apart - corrugated sheeting screwed onto a rotten wood frame with portions of single skin brick at the gables. There was no asbestos present in or around that building.

Susy’s Tearoom, was a much more complicated and potentially dangerous building to dismantle where there was asbestos material. We were in full consultation with the Council at outset, obtained a Warrant to Demolish **19/01608/NDOM6**, and in full consultation with the Council employed a Licensed Waste Contractor to dispose of asbestos material. The Council noted in their Report of Handling for our application at Susy’s Tearoom “the applicant has demonstrated that the previous building was demolished and any waste, including asbestos, was disposed of appropriately. There are no concerns in relation to any other contaminants on site and the proposal is considered to be compliant with policy.”

There has been no “illegal dumping or burning of asbestos” as Mr Paterson would have everyone believe. These are not the only examples of his behaviour towards us. He is obviously fixated on us for some reason which we find a bit disturbing.

At Andrew’s Garage, for the record, from the Council public planning portal under 22/00221/PP from the Report of Handling at **History** we submitted an application – “**21/02096/PNDEM Prior Notification for Demolition of buildings**. – This application was returned and refund provided. Notification of demolition is not required for buildings that are not residential.”

So, before setting out to be malicious, objectors should ensure they are better informed before making wild, libellous allegations.

**22/00221/PP**  
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**AT:**  
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**Schedule of documents submitted with Notice of Review**

<b>1</b>	<b>Streetviews of Andrew's Garage large shed (&amp; Old Fire Station) forecourt access</b>	
<b>2</b>	Streetviews of proposed house site with shed still present – existing two accesses	
<b>3</b>	<b>Stamped Plans 13/4/1983 Proposed house site – Vehicle Parking and Storage</b>	
<b>4</b>	Village Brae and Village Centre streetviews	
<b>5</b>	<b>Shops on Main Street streetviews towards Andrew's Garage</b>	2 PAGES
<b>6</b>	Garage door directly across Village Brae streetview	
<b>7</b>	<b>Plans approved by Argyll &amp; Bute Council for circular/elliptical, stone/metal clad, 3 storey house with flat roof and wrap round balconies in most prominent position in village on site of old Chalet Hotel</b>	7 PAGES
<b>8</b>	View of Tighnabruaich Hotel terrace	
<b>9</b>	<b>Council owned facility – intensification of use. Comparative visibility splays at recently developed Council owned facility</b>	2 PAGES
<b>10</b>	Contaminated Land – not a reason for refusal	
<b>11</b>	<b>Error by EHO redevelopment of “filling station”</b>	
<b>12</b>	Response to EHO	2 PAGES
<b>13</b>	<b>Crossfield Consulting to Council</b>	
<b>14</b>	Colin Slinger malicious lies in Objection 26 July 2022	
<b>15</b>	<b>Ross MacArthur Ltd refuting Colin Slinger's Objection 3 August 2022</b>	
<b>16</b>	Paul Paterson false allegations in Objection 31 January 2024	2 PAGES
<b>17</b>	<b>Refuting of Paul Paterson's false allegations in past</b>	



# Schedule of documents submitted with Notice of Review

**No. 1**

**22/00221/PP**  
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**AT:**  
**Andrews Garage Tighnabruaich Argyll and Bute PA21 2DS**

**FULL FORECOURT ACCESS AT VEHICLE REPAIR WORKSHOP ONTO VILLAGE BRAE**



**Entire site outline (roughly)**



**Proposed house site (roughly)**



# Schedule of documents submitted with Notice of Review

**No. 2**

22/00221/PP  
Erection of dwellinghouse  
AT:  
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TWO EXISTING ACCESSES TO VEHICLE PARKING AND STORAGE FACILITY FROM PROPOSED HOUSE SITE



Entire site outline (roughly)



Proposed house site (roughly)



Schedule of documents submitted with Notice of Review

No. 3

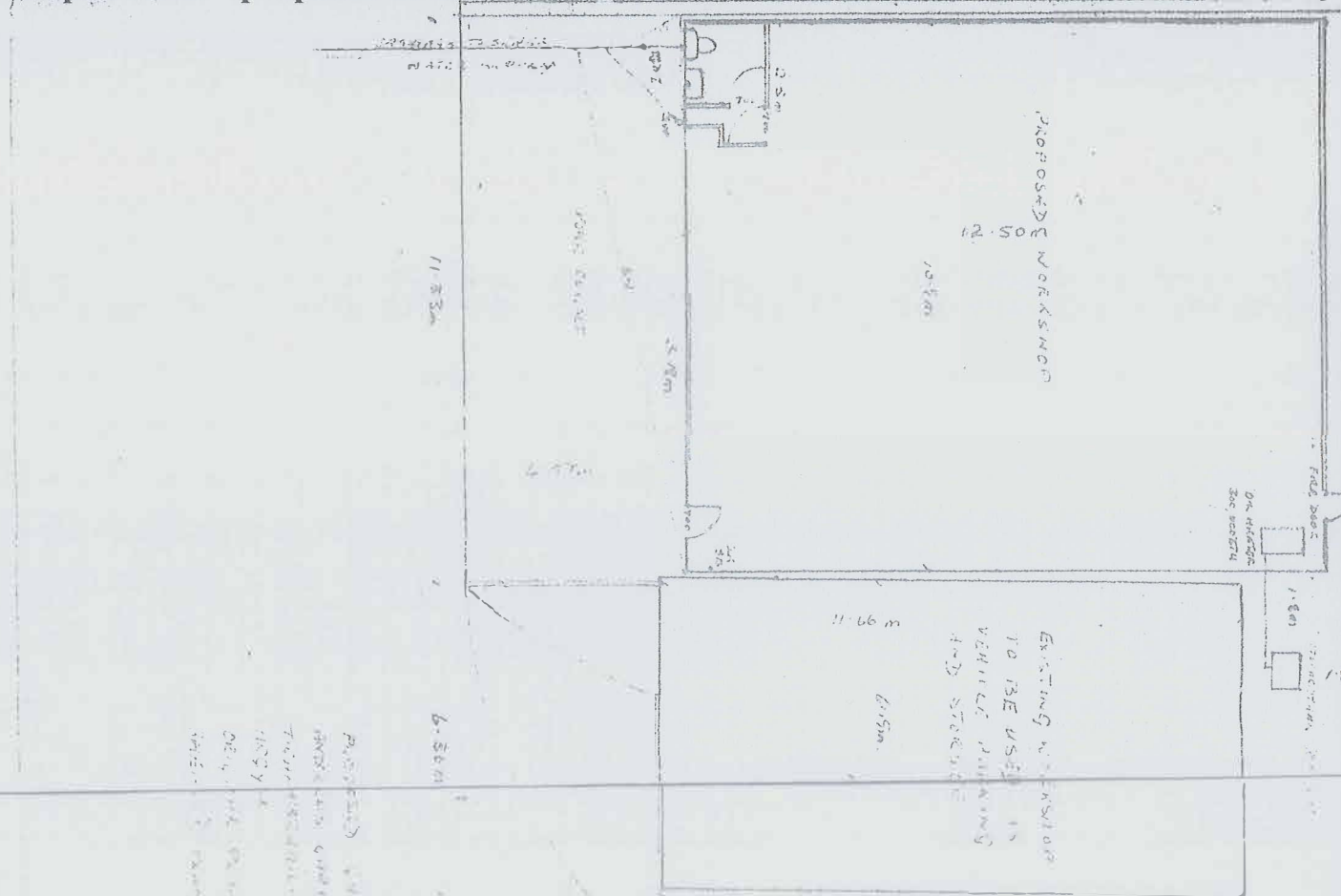
22/00221/PP

Erection of dwellinghouse

AT:

Andrews Garage Tighnabraich Argyll and Bute PA21 2DS

1983 Stamped Plans <sup>1</sup> proposed house site use "VEHICLE PARKING & STORAGE"



AMENDED PERMIT  
ATTACHED TO MAIN PLAN

ARGYLL AND BUTE DISTRICT COUNCIL

Approved

As relative to Warrant No. 19/83

Director of Administration

Date 13/4/85

# Schedule of documents submitted with Notice of Review

**No. 4**

22/00221/PP

Erection of dwellinghouse

AT:

**Andrews Garage Tighnabruaich Argyll and Bute PA21 2DS**

The village centre view downhill from proposed house site



View along the village Main Street from adjacent to the bottom of Village Brae



View taking in village centre and Village Brae showing blue end of curved roofed garage.



## Schedule of documents submitted with Notice of Review

**No. 5** page 1 & 2

22/00221/PP

Erection of dwellinghouse

AT:

Andrews Garage Tighnabruaich Argyll and Bute PA21 2DS

View from southern extremity of Main Street shops Tighnabruaich showing top of blue end of curved roof garage to the left of the Tighnabruaich Hotel building. Proposed house could not possibly break skyline from this vantage point – only a high rise block of flats would.



View from roughly midpoint of Main Street shops Tighnabruaich showing top of blue end of curved roof garage to the left of the Tighnabruaich Hotel building behind a cherry tree. Proposed house could not possibly break skyline from this vantage point -



5 pg 2

View from three shops from northernmost end of Main Street Tighnabruaich showing top of blue end of curved roof garage behind the mono-pitched roof of the converted old Fire Station. Proposed house could not possibly break skyline from this vantage point -



View from outside last shop in the village at bottom of main entrance to Tighnabruaich Hotel. Front of mono-pitched roofed Old Fire Station visible just breaking skyline - proposed house is approximately 30m to the NW of that frontage. And roofline of proposed house is lower than the Tighnabruaich Hotel.



Schedule of documents submitted with Notice of Review

No. 6

22/00221/PP

Erection of dwellinghouse

AT:

Andrews Garage Tighnabruaich Argyll and Bute PA21 2DS

Garage door directly across from proposed house basement garage



# Schedule of documents submitted with Notice of Review

22/00221/PP

Erection of dwellinghouse

AT:

Andrews Garage Tighnabraich Argyll and Bute PA21 2DS

19/02633/PP Demolition of existing hotel, erection of dwellinghouse and detached garage and associated works **Extract of approved plans, pages 1 - 7**

- LEGEND**
- 01. Existing stone wall and track to north edge of site
  - 02. Outline of house on ground floor
  - 03. Storage room
  - 04. Garden room
  - 05. Stair up to ground floor
  - 06. Paved terrace
  - 07. Stair up to ground floor terrace

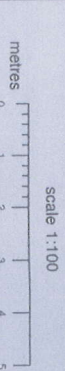
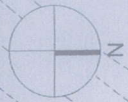
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Do not scale off drawings. Work from figured dimensions only

Notes:

Argyll and Bute Council  
 This plan has been APPROVED by the PLANNING AUTHORITY and MUST be read in conjunction with the Planning Conditions of Consent No. 19/02633/PP

*Fergus Murray*  
 Head of Development and Economic Growth  
 12 June 2020



PLANNING

LOWER GROUND FLOOR

1 & 7

cameonwebsterarchitects  
 The Firmworks  
 100 St. Columba's, Glasgow, G12 2JH. T: 0141 350 9898 F: 0141 354 9941

Replacement House, The Chalet  
**Lower Ground Floor Plan**  
 Date: Dec 2019 Scale: 1:100 Job No: 1827



7/19/2

LEGEND

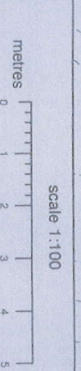
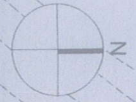
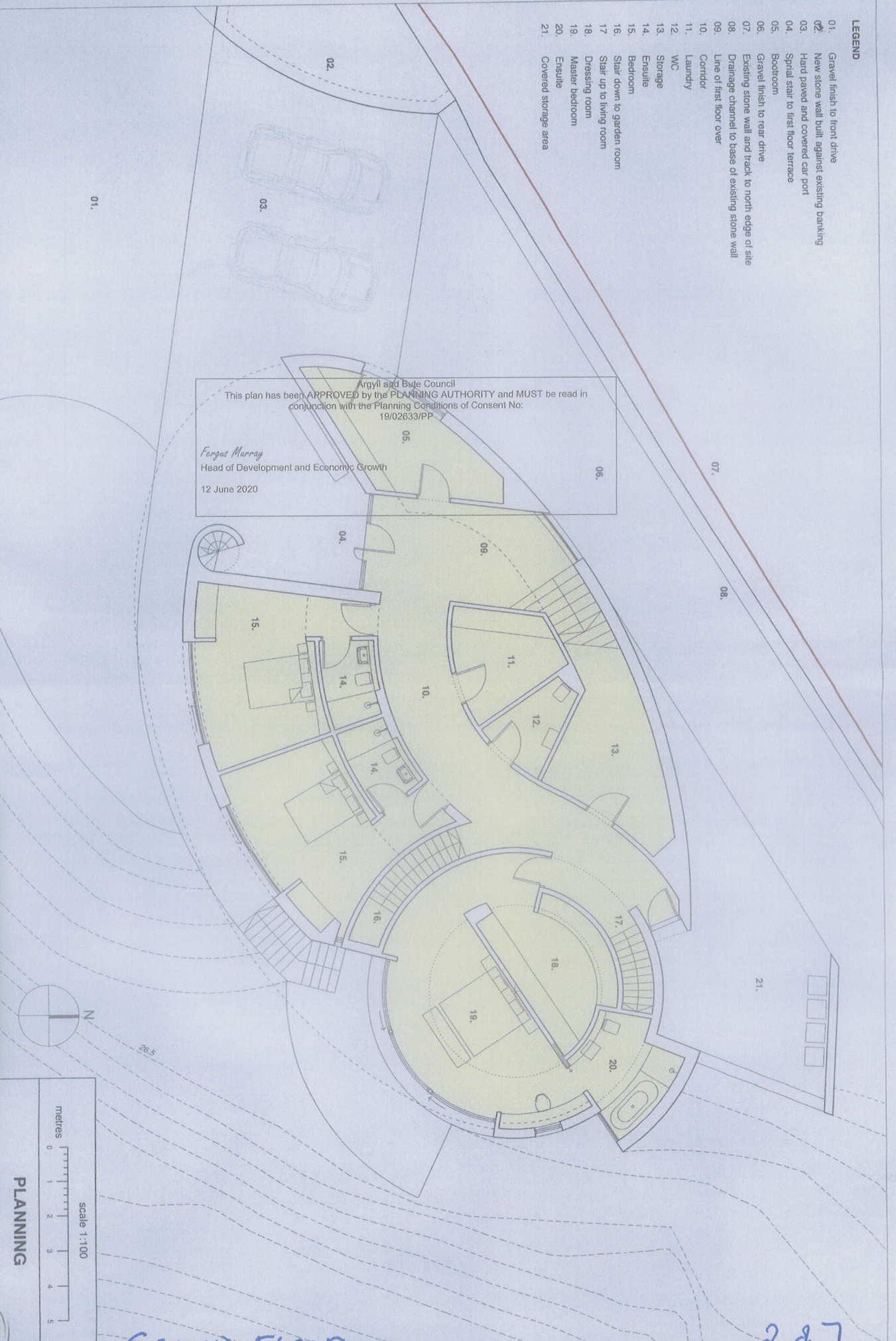
- 01. Gravel finish to front drive
- 02. New stone wall built against existing banking
- 03. Hard paved and covered car port
- 04. Spiral stair to first floor terrace
- 05. Bootroom
- 06. Gravel finish to rear drive
- 07. Existing stone wall and track to north edge of site
- 08. Drainage channel to base of existing stone wall
- 09. Line of first floor over
- 10. Corridor
- 11. Laundry
- 12. WC
- 13. Storage
- 14. Ensuite
- 15. Bedroom
- 16. Stair down to garden room
- 17. Stair up to living room
- 18. Dressing room
- 19. Master bedroom
- 20. Ensuite
- 21. Covered storage area

Argyll and Bute Council  
 This plan has been APPROVED by the PLANNING AUTHORITY and MUST be read in conjunction with the Planning Conditions of Consent No. 19/02633/PP

*Fergus Murray*  
 Head of Development and Economic Growth  
 12 June 2020

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Notes:



PLANNING

GROUND FLOOR

2 of 7

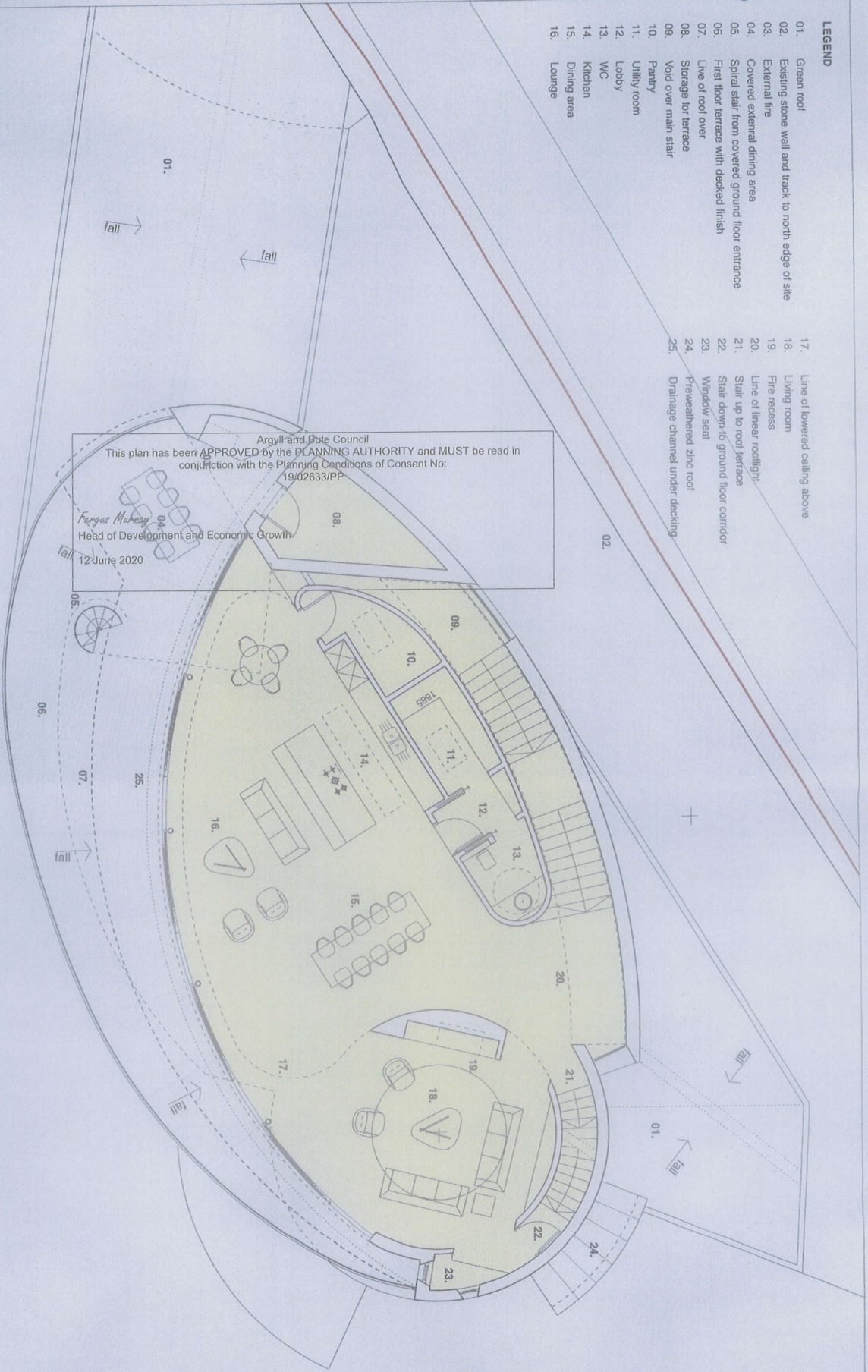
game  
 nwebsterarchitects

The Firmments  
 100 St Glasgow G12 8JH T: 0141 350 8888 F: 0141 354 9441

Replacement House, The Chalet  
 Ground Floor Plan  
 Date: Dec 2019 Scale: 1:100 Job No: 1827

PP-112

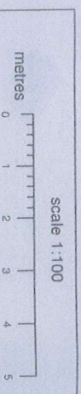
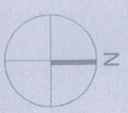
- LEGEND**
- 01. Green roof
  - 02. Existing stone wall and track to north edge of site
  - 03. External fire
  - 04. Covered external dining area
  - 05. Spiral stair from covered ground floor entrance
  - 06. First floor terrace with decked finish
  - 07. Live of roof over
  - 08. Storage for terrace
  - 09. Void over main stair
  - 10. Partry
  - 11. Utility room
  - 12. Lobby
  - 13. WC
  - 14. Kitchen
  - 15. Dining area
  - 16. Lounge
  - 17. Line of lowered ceiling above
  - 18. Living room
  - 19. Fire recess
  - 20. Line of linear rooflight
  - 21. Stair up to roof terrace
  - 22. Stair down to ground floor corridor
  - 23. Window seat
  - 24. Prerweathered zinc roof
  - 25. Drainage channel under decking



Argyll and Bute Council  
 This plan has been APPROVED by the PLANNING AUTHORITY and MUST be read in conjunction with the Planning Conditions of Consent No. 19/02633/PP  
 Pegasus Murray  
 Head of Development and Economic Growth  
 12 June 2020

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Notes:



**PLANNING**

**cameonwebsterarchitects**  
 The Priory, 100 St. Gillespie, G12 2AH, T: 0141 330 9898 F: 0141 334 3641

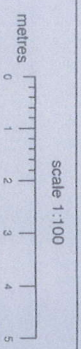
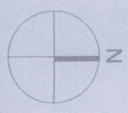
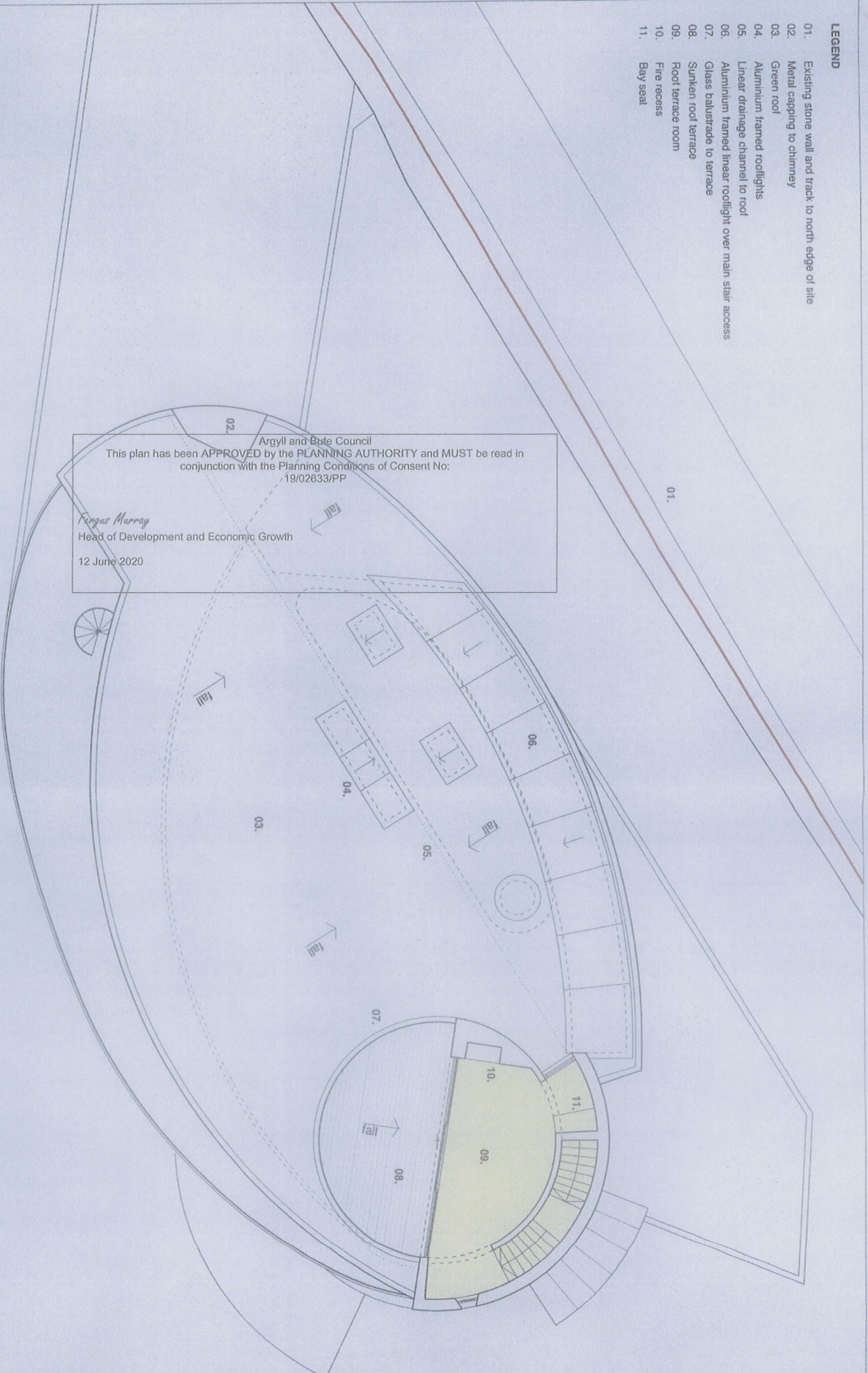
Replacement House, The Chalet  
**First Floor Plan**  
 Date: Dec 2019 Scale: 1:100 Job No: 1827  
 PP-113

FIRST FLOOR

3 of 7

- LEGEND**
- 01. Existing stone wall and track to north edge of site
  - 02. Metal capping to chimney
  - 03. Green roof
  - 04. Aluminium framed rooflights
  - 05. Linear drainage channel to roof
  - 06. Aluminium framed linear rooflight over main stair access
  - 07. Glass balustrade to terrace
  - 08. Sunken roof terrace
  - 09. Root terrace room
  - 10. Fire recess
  - 11. Bay seat

Argyll and Bute Council  
 This plan has been APPROVED by the PLANNING AUTHORITY and MUST be read in conjunction with the Planning Conditions of Consent No: 19/02633/PP  
 Fergus Murray  
 Head of Development and Economic Growth  
 12 June 2020



**PLANNING**

came  
 nwebsterarchitects  
 The Printworks, Exchange St, Glasgow G12 8JH T: 0141 320 9999 F: 0141 354 8841

Replacement House, The Chalet  
**Second Floor Plan**  
 Date: Dec 2019 Scale: 1:100 Job No: 1827  
 AS  
 PP-114

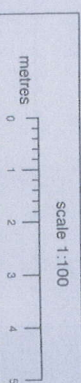
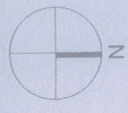
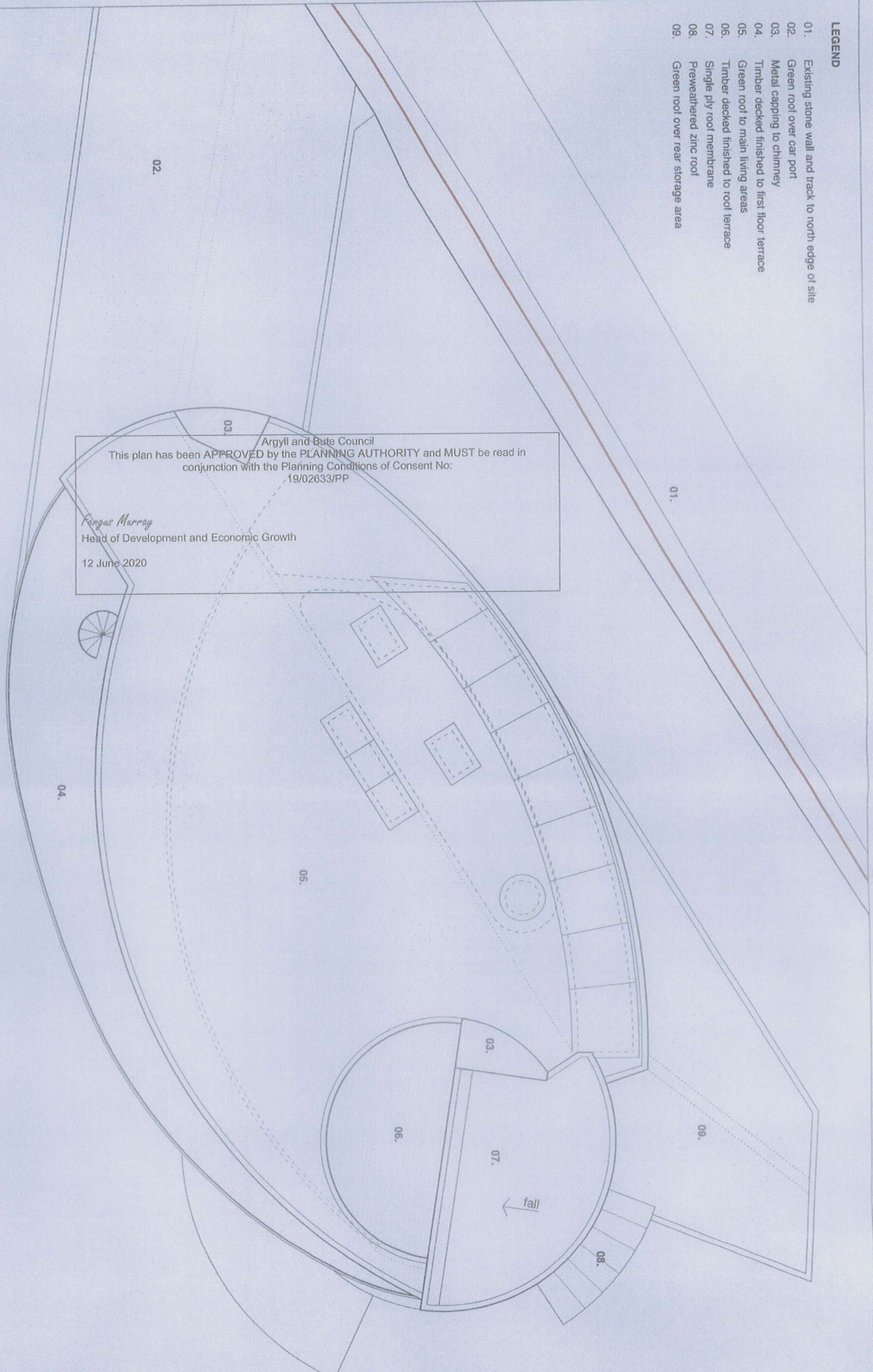
**SECOND FLOOR - ROOF ROOM**

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Notes:

- LEGEND**
- 01. Existing stone wall and track to north edge of site
  - 02. Green roof over car port
  - 03. Metal capping to chimney
  - 04. Timber decked finished to first floor terrace
  - 05. Green roof to main living areas
  - 06. Timber decked finished to roof terrace
  - 07. Single ply roof membrane
  - 08. Prewathered zinc roof
  - 09. Green roof over rear storage area

Argyll and Bute Council  
 This plan has been APPROVED by the PLANNING AUTHORITY and MUST be read in conjunction with the Planning Conditions of Consent No: 19/02633/PP  
*Rogae Murray*  
 Head of Development and Economic Growth  
 12 June 2020



**PLANNING**

Roof Plan

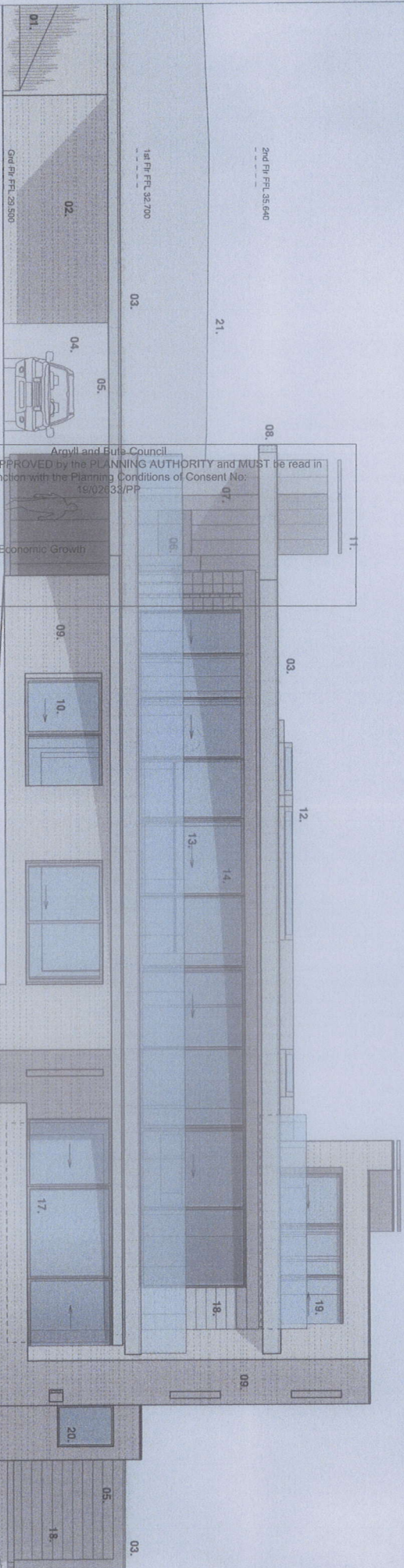
5 of 7

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Notes:

came  
 websterarchitects  
 The Printworks  
 100 St. George's, Glasgow, G12 8JH T: 0141 320 9999 F: 0141 324 9441

Replacement House, The Chalet  
**Roof Plan**  
 Date: Dec 2019 Scale: 1:100 Job No.: 1927  
 PP-115



**LEGEND**

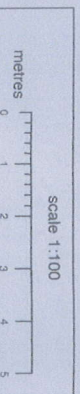
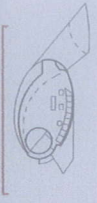
- 01. Existing bank planned
- 02. Textured stone cladding to edge of existing bank
- 03. Green roof
- 04. Car port
- 05. Pre-weathered zinc fascia
- 06. External fire recess to terrace
- 07. Pre-weathered zinc cladding
- 08. Pre-weathered zinc fascia
- 09. Textured stone cladding
- 10. Powder coated aluminium sliding doors to ground floor bedrooms
- 11. Metal capping to chimney
- 12. Aluminium framed rooflights
- 13. Clamped glass balustrade to first floor terrace
- 14. Powder coated aluminium sliding doors to living area
- 15. New steps to allow for existing ground levels
- 16. Powder coated aluminium window/sliding door to lower garden room
- 17. Powder coated sliding aluminium windows to master bedroom

Argyll and Bute Council  
 This plan has been APPROVED by the PLANNING AUTHORITY and MUST be read in conjunction with the Planning Conditions of Consent No. 16/02633/PP  
 Planning Department  
 Head of Planning and Economic Growth

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Notes:

camerwebsterarchitects



**PLANNING**

Replacement House, The Chalet  
 South Elevation  
 RP-118

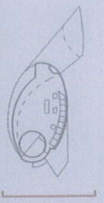
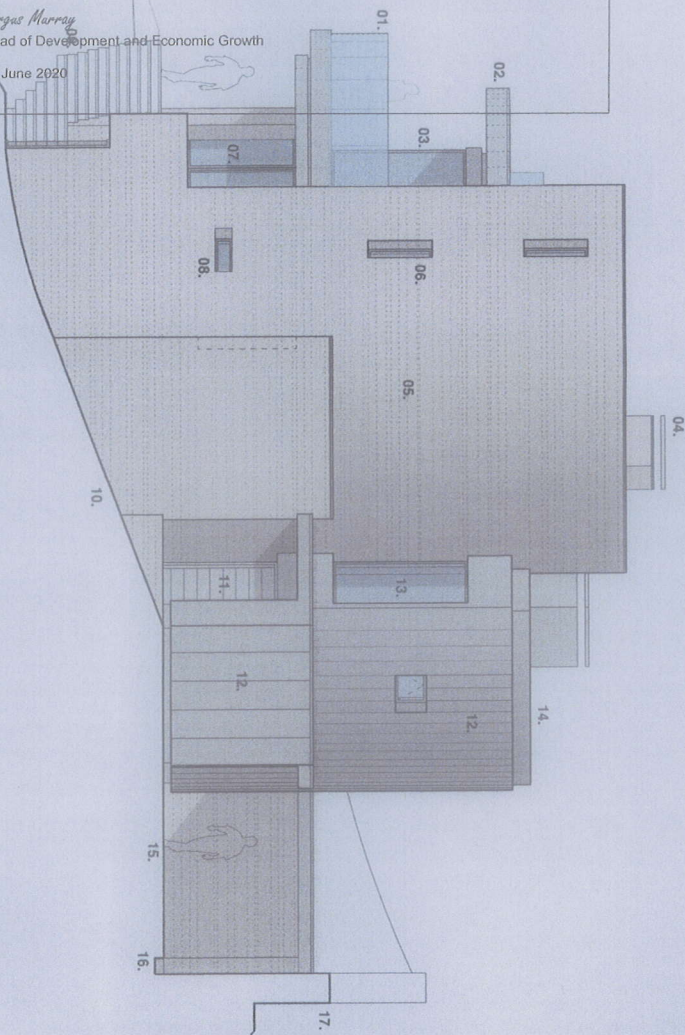
**SOUTH ELEVATION**

- LEGEND**
- 01. Clamped glass balustrade to first floor terrace
  - 02. Powder coated zinc fascia
  - 03. Powder coated aluminium sliding doors to living area
  - 04. Metal capping to chimney
  - 05. Textured stone cladding
  - 06. Slits windows to living room bay seat and roof terrace room
  - 07. Powder coated aluminium windows to master bedroom
  - 08. Slit window to master bedroom desk
  - 09. New steps to allow for existing site levels
  - 10. Ground profile dressed to match existing
  - 11. Entrance from covered storage area
  - 12. Pre-weathered zinc cladding
  - 13. Powder coated aluminium window to top landing
  - 14. Aluminium framed rooflights
  - 15. Gravel finish to rear drive
  - 16. Drainage channel to base of existing stone wall
  - 17. Existing track and stone wall to north edge of site

Argyll and Bute Council  
 This plan has been APPROVED by the PLANNING AUTHORITY and MUST be read in conjunction with the Planning Conditions of Consent No: 19/02633/PP

*Fergus Murray*  
 Head of Development and Economic Growth  
 12 June 2020

2nd Fl FFL 38.640  
 1st Fl FFL 32.700  
 Gnd Fl FFL 28.500  
 Lower Gnd Fl FFL 26.500



scale 1:100  
 metres  
 0 1 2 3 4 5

**PLANNING**

cameronwebsterarchitects  
 The Printworks  
 100 St. Chappin, G12 3JH T: 0141 350 9999 F: 0141 354 3541

Replacement House, The Chalet  
**East Elevation**  
 Date - Dec-2019 Scale - 1:100 Job No - 1827  
 PP-121

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Notes:

**EAST ELEVATION**

**Schedule of documents submitted with Notice of Review**

**No. 8**

**22/00221/PP**

**Erection of dwellinghouse**

**AT:**

**Andrews Garage Tighnabruaich Argyll and Bute PA21 2DS**

The Tighnabruaich Hotel bar terrace



# Schedule of documents submitted with Notice of Review

**No. 9**

22/00221/PP

Erection of dwellinghouse

AT:

Andrews Garage Tighnabrauaich Argyll and Bute PA21 2DS

## Location of Council owned Coach and Car Park “Tighnabrauaich Car Park”

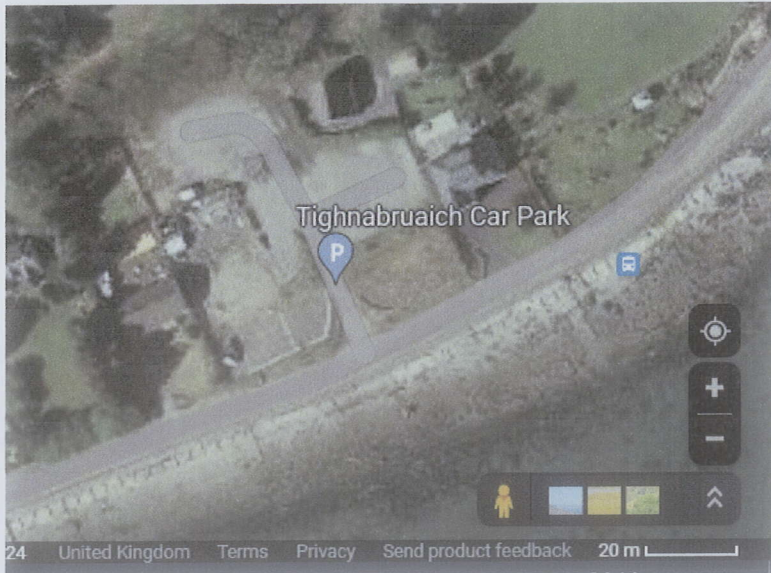


## New EV charging points on Tighnabrauaich Car Park on zapmap





Scale of 20m on googlemaps at Tighnabruaich Car Park



Actual visibility splays at exit from the Council owned Tighnabruaich Car Park



## Schedule of documents submitted with Notice of Review

**No. 10**

22/00221/PP

Erection of dwellinghouse

AT:

Andrews Garage Tighnabruaich Argyll and Bute PA21 2DS

**Sweeney, Kirsty** Wed, 20 Dec 2023 at 12:16

**From:**kirsty.sweeney@argyll-bute.gov.uk

**To:**karen.raeburn

**Cc:**Bain, Peter (Planning), Gove, Steven

**Classification:** OFFICIAL

Dear Mrs Raeburn,

22/00223/PP – Susy's Tearoom

22/00221/PP – Andrew's Garage

I have reviewed both your cases and I firstly apologise for the delay in determining these cases which was due initially from a delay that we had from Roads and that their responses raised significant concerns and recommended refusal. Both sites are brownfield in the settlement of Tighnabruaich and are both sites that we are supportive of in principle for re-development. I am keen to work with you to find a solution but at the moment the best course will be to get these two applications determined – unfortunately as refusals – with the opportunity for you to work with myself and Steven on a revised submission addressing the points. We can get these determined by end of January or sooner if possible to allow you to move forward. I have set out the key points below. **I do not expect you respond to these at present.**

I hope you understand that the changes required to these two proposals to make them compliant with policy are too significant to handle within the current applications so therefore it would be to your benefit to get a decision and allow you to move forward to re-submit with no fee charge within 12 months of the refusal date or take your case to Local review body. I would have suggested withdrawal and re-submission but unfortunately you would not be within the period to get a free re-submission with this option. A refusal gives you this free re-submission option.

### Andrew's Garage

There is a fundamental issue with the design, scale and massing. The height is inappropriate and out of context with the surrounding properties and the site is considered to be overdeveloped. This could be addressed with a re-design of the property and addressing the character/style. It is unclear why an art deco style house has been selected and how this responds to the character of the village. We are not adverse to a modern approach to design but this needs take cues from the neighbouring style of properties (i.e. we are not seeking a pastiche design). This will be set out in more detail in the report of handling and we can discuss once you have received your refusal.

There are some issues with residential amenity and overlooking to neighbouring property and this has been raised by representatives and will need examined in more detail but I do have concern about how this overlooks neighbouring properties. But this may be something that can be mitigated through an amended design.

Parking and access – It is a 2 bed property and therefore there is a requirement for 2 on-site spaces. One is within the garage and the other in front of the garage. It appears that this could be achievable if the design was amended. In terms of visibility this is not achievable but we are sympathetic to the fact there has been an existing garage and historic access at this point near the bend and roads have not addressed whether this proposal is a de-intensification of use or not. This is likely to be something that can be resolved and a solution found even if not to the satisfaction of roads but as long as we are satisfied that there is no intensification of use.

Contaminated land – I do not know the detail of this but from the looks of the emails below this looks like something that is resolvable and is being resolved separately with Environmental Health. It is not a reason for refusal.

[Email continues on the subject of 22/00223/PP Susy's Tearoom]

Kind regards

Kirsty

**Kirsty Sweeney BA Hons, MSc MRTPI**

Area Team Leader (Bute, Cowal, Helensburgh and Lomond)

Development Management

Development and Economic Growth

## Schedule of documents submitted with Notice of Review

**No. 11**

**22/00221/PP**  
**Erection of dwellinghouse**  
**AT:**  
**Andrews Garage Tighnabruaich Argyll and Bute PA21 2DS**

From: **Carson, Anthony** <[Anthony.Carson@argyll-bute.gov.uk](mailto:Anthony.Carson@argyll-bute.gov.uk)>

Date: Fri, 5 Nov 2021 at 10:12

Subject: Andrews Garage Tighnabruaich [OFFICIAL]

To: >

Cc: Fraser, Pamela <[Pamela.Fraser@argyll-bute.gov.uk](mailto:Pamela.Fraser@argyll-bute.gov.uk)>

**Classification: OFFICIAL**

Good morning Colin

We spoke in early September regarding the redevelopment of the filling station in Tighnabruaich. I am not sure if you have a continuing interest in the site as I remember you saying the client was yet to conclude the sale.

I have received reports of demolition work on site this week which involved burning, and concerns have been raised regarding potential release of further contaminants.

Are you able to advise whether this demolition activity was undertaken as part of your clients development proposal, and whether within the method statement for the works there was consideration of the potential for asbestos to be present in the structures?

If so, could you advise what provisions were made for its safe removal and disposal?

Apologies if you are no longer involved with the site.

Regards

Anthony

Anthony Carson

Environmental Health Officer – Environmental Protection

Development and Economic Growth

## Schedule of documents submitted with Notice of Review

**No. 12** page 1 & 2

### 22/00221/PP Erection of dwellinghouse

AT:

### Andrews Garage Tighnabruaich Argyll and Bute PA21 2DS

**karen raeburn**

From:

To: Anthony.Carson@argyll-

Cc: bute.gov.uk Pamela Fraser

Fri, 5 Nov 2021 at 14:50

Dear Mr Carson

Regarding the above site and your email below kindly forwarded to me by \_\_\_\_\_ this afternoon following his phone call.

Firstly, we have changed architects since deciding that we will be using another construction method due to practical considerations of the site and the building itself. \_\_\_\_\_'s firm specialises in timber kit, excellent but not appropriate for our building all things considered.

Please note that in your email to \_\_\_\_\_ you mistakenly state that the site is "redevelopment of the filling station in Tighnabruaich". **The premises is not and has never been a "filling station"**.

Also regarding "potential release of further contaminants" there have been no contaminants released previously as far as we are aware.

The re-development of the smaller nissen type building involving its demolition and building of a residential unit has been subject of a pre-planning application to the Council.

That smaller nissen type building has been used since the 1970s only for storage of recovery vehicles. Any garage operations - repair and servicing activities - took place in the larger building.

We received the following advice from planning regarding demolition -

*In relation to the demolition of the smaller Nissen building on the site, I would recommend checking for the presence of asbestos and, if this is present, a suitable contractor would need to be employed for its safe removal.*

We carried out a walk through survey prior to purchase of both buildings with the previous owner, Andrew Sim, and noted within the building in question there was no asbestos present.

**We are aware of the legal obligations regarding safe practice when dealing with asbestos. There had been roofing material at our other site in the village at Susy's Tearoom where material containing asbestos was disposed of by a licenced contractor we employed - Chris Wright & Sons Ltd in Greenock.**

The smaller nissen type building construction was noted to be of corrugated iron with two brick gables supported by timber framing. There was a historical pit for vehicle inspection which was water/fluid tight which showed no sign of oil/fuel contamination with no iridescence being visible on water surface when filled with water.

The corrugated sheets have been removed from the building. The dry, mostly rotten, pine framing has been dismantled and disposed of by burning in a controlled way over 3 days after a risk assessment had been carried out and when neighbours had been consulted. The burn was contained and gave off light grey smoke with no more smell than a log fire as expected albeit there is the most appalling smell in the village on a daily basis from the burning of wet logs! The brick gables have been knocked down. The historical pit has been infilled for safety with some of the brick rubble with still no evidence of any fuel iridescence.

All material will be disposed of appropriately in due course.

Following on inspection pits will be dug as part of the structural engineering process involved in advancing our planning application.

I hope this answers your queries about on-site activity but please don't hesitate to refer to me if I can be of further assistance.

Yours sincerely

Karen Raeburn

## Schedule of documents submitted with Notice of Review

**No. 13**

**22/00221/PP**  
**Erection of dwellinghouse**  
**AT:**  
**Andrews Garage Tighnabruaich Argyll and Bute PA21 2DS**

John Whittle From: [jhw@crossfield-consulting.co.uk](mailto:jhw@crossfield-consulting.co.uk)  
To: [steven.gove@argyll-bute.gov.uk](mailto:steven.gove@argyll-bute.gov.uk)  
Cc: [anthony.carson@argyll-bute.gov.uk](mailto:anthony.carson@argyll-bute.gov.uk), [Simon@highstreetarchitects.co.uk](mailto:Simon@highstreetarchitects.co.uk), Karen Raeburn, Scott Raeburn, Iain Donnachie  
Mon, 10 Jul 2023 at 17:20  
FAO Steven Gove, Planning Officer

cc Anthony Carson, Environmental Health Officer, Argyll & Bute Council Iain Donnachie – The Structural Partnership  
Simon Ash – High Street Architects Karen & Scott Raeburn

Our Ref. JHW/jw/CCL03617.015

Dear Steven Gove,

**Proposed Single Dwelling at former Andrews Garage, Tighnabruaich PA21 2DS**  
**Planning Ref: 22/00221/PP**

We were surprised to (recently) receive such a long list of comments from Environmental Health regarding the above property and our *Phase 1 & 2 Environmental Assessment Report* (Jan 2023) Ref. CCL03617.CR18, particularly as we had thought we had addressed the main issues in our email issued on 5 April 2023 (and sent on to the Council shortly after). We have extensive experience of working throughout Scotland, including for several local authorities and public bodies, and over several decades.

It appears that most of the items raised relate to presentational issues and/or a misunderstanding of the *scale* of the proposed development/very small size of the site, which comprises the following:

- Only one small dwelling is proposed
- The proposed house is directly underlain by very low permeability intact rock strata
- A domestic garden is proposed of only 7 m x 5 m which includes the very limited volume of soil remaining on site.
- The ground investigation targeted the most sensitive element of the proposed development, namely the garden area.
- The site has not been associated with bulk petrol storage or significant use of paints etc.
- The site is not located in an environmentally sensitive location (ie. does not adjoin a watercourse and is not underlain by a significant aquifer).

Attached, is the schedule of comments, dated 25 May 2023, as provided by Environmental Health, together with our clarification of each point raised (in blue text in appended column). We trust that these (extensive) clarifications will assist and permit the development to proceed.

My contact details are provided below (unfortunately, I only have an email address for Anthony Carson). If any matters still remain outstanding, it would be preferable that your Officer contact me directly by phone/online discussion to clarify any items and avoid further potential misunderstanding or protracted email exchanges. In the meantime, your assistance is appreciated, and it is hoped that these issues are now resolved such that development may proceed.

Yours sincerely

**John H Whittle BSc MSc FGS MICE CEng SiLC**  
Associate Director  
[jhw@crossfield-consulting.co.uk](mailto:jhw@crossfield-consulting.co.uk)

## Schedule of documents submitted with Notice of Review

**No.14**

**22/00221/PP**

**Erection of dwellinghouse**

**AT:**

**Andrews Garage Tighnabruaich Argyll and Bute PA21 2DS**

Appears on the public planning portal as -

[Contributor: Objection - Colin Slinger](#)

26 July 2022

## Comments for Planning Application 221002211PP

### Application Summary

Application Number: 22/00221/PP

Address: Andrews Garage Tighnabruaich Argyll And Bute PA21 2DS

Proposal: Erection of dwellinghouse Case

Officer: Steven Gove

Customer Details Name: Mr Colin Slinger Address: Hillside, Tighnabruaich, Argyll And Bute PA21 2BE

### Comment Details

Commenter Type: General member of the public.

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: It has been noted by those close to the site in question that Ross Macarthur a local contractor has been on site within the last few days with a JCB to remove a lot of the ground soil for disposal off site!

It is not clear if this conflicts with the environmental contamination checks required by the council, which appear to be still subject for proper technical council assessment. I am not suggesting the contractor has done this whilst being aware of the possible implications of their actions, just alerting you to this activity in case the void is then filled with concrete before you have had the chance to check what has been removed for ground contamination, and indeed should it be contaminated where and how it has been disposed of.

## Schedule of documents submitted with Notice of Review

**No. 15**

**22/00221/PP**  
**Erection of dwellinghouse**  
**AT:**  
**Andrews Garage Tighnabruaich Argyll and Bute PA21 2DS**

General Correspondence - Contributor Representation from Ross MacArthur Contractor Ltd 03.08.2022

7 October 2022 - date of publication on portal

Hi Kirsty,

We have been informed by the owners of the site at Andrews Garage that a notice has been published on the councils public planning portal re planning application 22/00221/PP.

We would like to confirm our position in relation to this.

The companies machine is currently in that area working on a job for the council and not for the owners of the Site in question-

We were not and are not working on this site, the companies machine has purely been parked up there because it is safe place to leave it,

We'd appreciate if this can be relayed accordingly.

If you would like to discuss the matter further, please call Ross MacArthur directly on

Kind regards  
Jennifer



## Schedule of documents submitted with Notice of Review

**No. 16** pages 1 & 2

22/00221/PP

Erection of dwellinghouse

AT:

Andrews Garage Tighnabruaich Argyll and Bute PA21 2DS

## Comments for Planning Application 221002211PP

### Application Summary

Application Number: 22/00221/PP

Address: Andrews Garage Tighnabruaich Argyll And Bute PA21 2DS

Proposal: Erection of dwellinghouse Case

Officer: Steven Gove

Customer Details Name: Mr Paul Paterson Address: 2 Manor Way, Tighnabruaich, Argyll And Bute PA21 2BF

### Comment Details

Commenter Type: General member of the public.

Stance: Customer objects to the Planning Application

Comment Reasons: Comment:Paul Paterson

2 Manor Way

Tighnabruaich

Argyll PA21 2BF

Argyll & Bute Council Planning Department

22/00221/PP | Erection of dwellinghouse | Andrews Garage Tighnabruaich Argyll And Bute PA21 2DS

Attached herein are comments relating to the above noted planning application 22/00221/PP

This is marked as an objection

The applicant(s) who acquired the property called Andrews Garage, Tighnabruaich and without any permissions from the local authority decided to demolish parts of the building structures, this was done without any due diligence to health & safety, without correct and best practice of planning/demolishing/laws in place. It is noted that the applicant has previous history of doing this, see 22/00223/PP

It is noted that the applicant(s) have failed to comply with clearing the sight from any potential contamination especially as the building was used as a garage and was well used as such, there has been failures in the disposal of materials even to where it was being dumped in areas that can be construed as unlawful dumping, failures to even have the correct tickets and licensing as examples, this also sees a similar history of 22/00221/PP whereby there was unlawful removal and burning and dumping of asbestos.

The applicant(s) let the property called Andrews Garage to various groups within the village.

Fresh plans were updated and posted on the Argyll & Bute Council planning portal, dated 5th January 2024. These plans show various height issues which have ignored what the local authority mentioned within their correspondence within this planning matter. 1.8 m high fencing is noted whereby the local authority said no to such heights. The line of sight looking into other properties is a failure and lacks credibility on the plans and speaking of plans, there is a lack of full plans, structures, weights, type of materials, permitted materials, lack of drainage and even a lack of sewage disposal. The building fails to meet any disability required legislation and fails miserably to address anything associated with level access and width internally or external, it's a mess. The design does not keep in with the natural buildings within the locus, actually as a design goes and being a flat roof, it is ugly and fails to even meet the desired keeping of the surrounding buildings, this design is an abstract failure to the area and to the general keeping of such a visually stunning area as Tighnabruaich is.

Various other objections point to many failures and issues that the applicant(s) have neglected, from road and pavement, parking, drains and sewage, height of building and design, all pointing to a lack of thought, care and understanding. As it stands this planning application lacks any merit, any credence and fails to meet any of the local authority legal requirements.

Kind regards

Paul Paterson

## Schedule of documents submitted with Notice of Review

**No. 17**

**22/00221/PP**  
**Erection of dwellinghouse**  
**AT:**  
**Andrews Garage Tighnabruaich Argyll and Bute PA21 2DS**

karen raeburn

From: karen.raeburn@argyll-bute.gov.uk  
To: Steven Paterson  
Tue, 7 Jun 2022 at 14:03

Dear Steven

**Mr Paul Paterson's Objection to application 22/00223/PP**

We and others in the local community have long experience of how Mr Paterson operates from behind bushes with his camera when he then raises complaints with authorities, despite many persons objecting to this behaviour directly to him. All he appears to achieve is a demonstration of his own biased and ill-informed opinions.

In our case he shows that he is unable to interpret plans correctly regarding the overall height of the building. He would have us believe that we are building a skyscraper when in fact the proposal is within the parameters of the surrounding buildings, far from that "it swallows the light out"!

Much of what Mr Paterson alleges within the body of his objection to our proposal is libellous and due to the serious allegations made by Mr Paterson regarding asbestos on the site we feel it necessary to respond to that directly.

He shows total ignorance of any factual information by making the following statement -

The issue was dealt with correctly and in full consultation with the relevant departments of Argyll & Bute Council.

We are not aware of being "challenged" nor any "disrepute" nor that we gave the Council a "closed door approach". Mr Paterson is either making this up or repeating gossip which has no foundation. We did not believe that we had any obligation, legally or otherwise, to local residents.

**FACTS -**

1. There was full consultation with Building Control and Environmental Health at Argyll & Bute Council prior to any demolition at Susy's Tearoom being progressed.
2. Building Control granted a Warrant to Demolish and work was carried out during lockdown, fully compliant with Covid restrictions applying at the time. We understand that Mr Paterson lodged a complaint on that score at the time but the Council of course was satisfied that we were indeed acting correctly and within the law.
3. Environmental Health was fully consulted over how to deal with suspect material on site prior to demolition commencing.
4. Chris Wright and Sons Ltd of Greenock who are licensed by the Scottish Environmental Protection Agency were contracted to transfer and dispose of all suspected asbestos containing materials. They transported and disposed of all such material from the site at Susy's Tearoom.

It would serve Mr Paterson well to avoid any future embarrassment by confirming facts before he decides to broadcast views which are without foundation in truth and which only serve to demonstrate his ignorance.

Yours sincerely

Karen Raeburn