

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

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**(A) THE APPLICATION**

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

- Refurbishment of redundant bakery to form four flats

**(ii) Other specified operations.**

- Connection to public water supply and waste water network.
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**(B) RECOMMENDATION**

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

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

**(i) Development Plan Context:**

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

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

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

**(ii) Representations:**

No representations have been received.

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

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

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

Not applicable.

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

No

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

No.

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

Not applicable.

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

No.

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

**Author:** Steven Gove  
**Reviewing Officer:** David Eaglesham

**Date:** 19<sup>th</sup> June 2009  
**Date:** 19<sup>th</sup> June 2009

**NOTE: Committee Members, the applicant, agent and any other interested party should note that the consultation responses and letters of representation referred to in Appendix A, have been summarised and that the full consultation response or letter of representations are available on request. It should also be noted that the associated drawings, application forms, consultations, other correspondence and all letters of representations are available for viewing on the Council web site at [www.argyll-bute.gov.uk](http://www.argyll-bute.gov.uk)**

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

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

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

### **MATERIAL CONSIDERATIONS AND ADVICE**

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

##### **Argyll and Bute Structure Plan 2002**

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

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

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

##### **Bute Local Plan 1990**

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

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

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

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

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

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

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

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

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

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

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

**Note (i): The applicable elements of the above Policies have not been objected to or have no unresolved material planning issues and are therefore material planning considerations.**

**Note (ii): The Full Policies are available to view on the Council's Web Site at [www.argyll-bute.gov.uk](http://www.argyll-bute.gov.uk)**

#### **(ii) SITE HISTORY**

Not applicable.

**(iii) CONSULTATIONS**

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

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

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

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

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

No objections.

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

No objections.

**(iv) PUBLICITY AND REPRESENTATIONS**

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

**(v) APPLICANTS' SUPPORTING INFORMATION**

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

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

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

### PLANNING LAND USE AND POLICY ASSESSMENT

#### A. Settlement Strategy

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### **D. Archaeological Matters**

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

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

### **E. Infrastructure**

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

### **F. Bad Neighbour In Reverse**

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

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

## **CONCLUSION**

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