

Ref:  
AB1

**ARGYLL AND BUTE COUNCIL**  
[WWW.ARGYLL-BUTE.GOV.UK/\\*\\*](http://WWW.ARGYLL-BUTE.GOV.UK/**)

OFFICIAL USE

H17/Johnes

19/12/11

Date Received

## NOTICE OF REVIEW

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

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

(1) APPLICANT FOR REVIEW	
Name	Robert McBride
Address	Ground Flat
	4 Montford Terrace
	Rothesay
Postcode	PA20 9ER
Tel. No.	01700 503485
Email	

(2) AGENT (if any)	
Name	James Wilson
Address	Springbank
	7 Chapelhill Road
	Rothesay
Postcode	PA20 0BJ
Tel. No.	01700 502113
Email	mjchapelhill@google mail.com

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

(4) (a) Reference Number of Planning Application   
(b) Date of Submission   
(c) Date of Decision Notice (if applicable)

(5) Address of Appeal Property

Ground Flat  
4 Montford Terrace  
Rothesay  
Isle of Bute PA20 9ER

(6) Description of Proposal

Installation of timber decking to front garden  
(retrospective application)

(7)

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

**Street:**

Unadopted cul-de-sac inclined up from Craigmores Road.

**Houses:**

Stepped terrace containing 8 flats all have oriel windows and are enclosed by boundary walls.

**Decking:**

The decking is concealed behind the boundary walls and is not visible from standing in Montford Terrace until one is adjacent with the access path serving 4 Montford Terrace.

**Balustrading:**

This is readily visible as it projects up from the decking but can be readily removed and is not necessary in terms of the Building Standards as this decking is an exempt structure in terms of Regulation 0.5.2 Schedule 3 type 19.

**Representations:**

Six letters of objection received and as the proposals were advertised in the local paper one objection was received from an owner/occupier resident 1.4 miles from the site the other objections all being received from owner/occupiers in Montford Terrace.

**Summary of Issues raised:**

Loss of Privacy – there is no privacy to the ground floor flats owing to the way the terrace has been built.

Surrounding Properties – the decking has less impact on the eye than the derelict if not dangerous timber garage in the rear garden at 37 Craigmores Road which is readily visible from the majority of the flats.

Precedent - This may be the situation in Montford Terrace but not in the Conservation Area.

**Proposed Improvements:**

1. The Applicant is prepared to remove timber balustrading.
2. The Applicant is prepared to treat the decking with green timber preservation fluid to give the appearance of grass.
3. The Applicant is prepared to install wrought iron fencing painted black in place of the timber balustrading along the eastmost elevation of the decking at the side of the common access path.



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

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

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

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

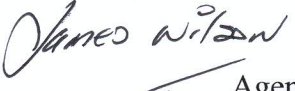
Schedule of documents submitted with Notice of Review (**Note: 3 paper copies of each of the documents referred to in the schedule below must be attached**):

No.	Detail
1	
2	
3	
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10	

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

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Submitted by  
(Please Sign)

  
Agent

Dated

12.12.11

**Important Notes for Guidance**

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

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

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**For official use only**

Date form issued

Issued by (please sign)