

**DEVELOPMENT & INFRASTRUCTURE SERVICES  
BUTE & COWAL AREA  
OBSERVATIONS ON PLANNING APPLICATION**

Planning No: 11/01281/PP  
Contact: FARRELL PR  
Tel: 01369708600

Grid Reference: 217247 - 676476

Dated: 28/07/11

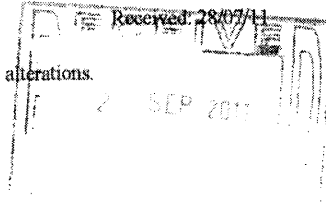
Applicant: Cowal Building and Plumbing Supplies

Proposed Development: Alterations to existing garage to provide flat at upper level and external alterations.

Location: 22 Jane Street, Dunoon

Type of Consent: PP

Ref No(s) of Drg(s) submitted: Location & Site Plans and details (6)



RECOMMENDATION		REFUSE			
Proposals Acceptable Y or N		Proposals Acceptable Y or N		Proposals Acceptable Y or N	
<b>1. General</b>		<b>3. New Roads</b> N/A		<b>4. Servicing &amp; Car Parking</b>	
(a) General impact of development	Y	(a) Widths		(a) Drainage	Y
(b) Safety Audit Required	N	(b) Pedestrian Provision		(b) Car Parking Provision	N
(c) Traffic Impact Analysis	N	(c) Layout (Horizontal/ Vertical alignment)		(c) Layout of Parking Bays/ Garages	Y
(d) Flooding Assessment	N	(d) Turning Facilities (Circles/Hammerheads)		(d) Servicing Arrangements/ Driveways	Y
<b>2. Existing Roads</b>		(e) Junction Details (Locations/Radii/Sightlines)		<b>5. Signing</b> N/A	
(a) Type of Connection (Road Junct/Footway Crossing)	Y	(f) Provision for PU		(a) Location	
(b) Location(s) of Connection(s)	Y			(b) Illumination	
(c) Sightlines 2.5 x 42 metres	Y				
(d) Pedestrian Provision	Y				

Item Ref	COMMENTS
1	<p>The proposed development is accessed from U42 Jane Street, Dunoon, within an urban 30mph speed restriction. Sightlines to be 2.5 x 42 metres in both directions, this is currently attainable. All land within sightlines to be maintained at a height not greater than 1 metre above road level, and must be within the applicants control. Current connection on to public road from private road is acceptable.</p> <p>Parking provision for the garage is 4no. parking spaces per service bay. As plan detailed ramp and a pit, the workshop has been rated as having 2 service bays which coupled with 1no. space required per 2no. employees gives a requirement for 9no. spaces. Given that 4no. spaces may be available inside the garage; 2no. obtainable on the forecourt. There is a shortfall of 3no. spaces for the garage. The parking indicated on submitted plan only covers the proposals to provide 4no. 1 bedroomed unit at 24(6no. spaces), 2no. 2bedroomed units at 24a (4no. spaces) and 1no. 2 bedroomed unit at 22 (2no. spaces). Total 12no. required where provision is for 12no. 3no. more spaces are required for the garage. The parking provision for the proposed flat at 22 Jane Street is acceptable. Parking bays should be delineated for use for flats/garage only.</p>
2	
4	

Item Ref	REASONS FO REFUSAL/CONDITIONS
2	<p>Sightlines to be 2.5 x 42 metres in both directions, this is currently attainable. All land within sightlines to be maintained at a height not greater than 1 metre above road level, and must be within the applicants control. Current connection on to public road from private road is acceptable. The parking provision for the proposed flat at 22 Jane Street is acceptable.</p> <p>Parking provision for motor trade is 4no. parking spaces per service bay. As plan detailed ramp and a pit, the workshop has been rated as having 2 service bays which coupled with 1no. space required per 2no. employees gives a requirement for 9no. spaces. Currently these spaces are available to the south of the site. But additional requirements have been made on these by the proposed flat and planning applications at 24 and 24a Jane Street.</p> <p>Given that 4no. spaces may be available inside the garage; 2no. obtainable on the forecourt. <i>There is a shortfall of 3no. spaces which must be addressed.</i> This parking should be contiguous to the site.</p> <p>The parking indicated on submitted plan only covers the proposals to provide 4no. 1 bedroomed unit at 24, 2no. 2bedroomed units at 24a and 1no. 2 bedroomed unit at 22. Parking bays must be delineated for use for flats/garage only.</p>
4	

**Notes for Intimation to Applicant**

(i) Construction Consent (S21)*	Not Required
(ii) Road Bond (S17)*	Not Required
(iii) Road Opening Permit (S56)*	Not Required

\*Relevant Section of the Roads (Scotland) Act 1984

Signed: Paul Farrell

Date 22/09/11

Copies to: Planning  Maint  SOID  File

## ARGYLL AND BUTE COUNCIL

DEVELOPMENT AND INFRASTRUCTURE SERVICES  
Head of Service: ANGUS GILMOUR



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### INTERNAL MEMORANDUM

Date: 19<sup>th</sup> September 2011

To: Head of Planning & Regulatory Services

Your Ref: 11/01281/PP

From: Jo Rains, Area Environmental Health Manager  
Bute and Cowal

Our Ref:

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**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997**  
**PROPOSAL: ALTERATIONS TO GARAGE TO PROVIDE 1 FLATS AT UPPER LEVEL AND**  
**EXTERNAL ALTERATIONS**  
**ADDRESS: 22 JANE STREET, DUNOON, ARGYLL AND BUTE PA23 7HX**  
**GRID REFERENCE: 217247 676476**

I refer to the above application received to provide a single dwelling above a garage premises at 22 Jane Street. I have the following comments and observations to make concerning this application.

Any dwellings situated above an industrial premises such as a garage could be subject from nuisance from noise (patrons, vehicle engines, banging and grinding from repair work and machinery) odours (exhaust fumes, chemicals such as solvents and fuels) and to a lesser extent dust and particulates (exhaust fumes, repair work debris) unless appropriate safeguarding conditions are put in place.

It is noted from the supporting information that the garage is to be 'private use' by Cowal Building and Plumbing Supplies which will reduce disturbance from patron noise but it is assumed that the garage is still to be used for the maintenance of vehicles and repairs rather than purely secure storage. It is noted that the applicant has submitted hours of use.

#### Noise

The Planning Advice Note 1/2011 is promoting 'a pragmatic approach to the location of new development within the vicinity of existing noise generating uses, to ensure that quality of life is not unreasonably affected'. I am concerned that allowing new construction immediately above an existing industrial premises could not satisfactorily prevent or minimise the consequences of noise as it is unreasonable to restrict the opportunity for natural ventilation through opening windows in a domestic premises.

#### Odours/fumes



The garage building shows mechanical extraction for ventilation purposes. There is insufficient detail provided as to where the ducting will discharge to the outside air. To prevent the possibility of nuisance from odour and fume the extraction from the garage should discharge above eaves level and, in addition, above any velux window openings.

#### Bad Neighbour Assessment

The introduction of a dwelling above an existing garage has the potential to create a bad neighbour development under LP BAD 2. The commercial activities could affect the amenity of the residents through noise disturbance, odour, waste and general disturbance (vehicle movements, deliveries, car parking etc). The reverse applies where the business may require to amend its current operating arrangements to alleviate these issues, thus potentially affecting the viability of the existing usage.

#### Conclusion

I am of the opinion that the application has the potential to be contrary to the Council's Bad Neighbour Policy, although this will require to be considered by you in your planning considerations. Safe guarding conditions are not able to be applied to the proposed development that would adequately protect domestic occupants of the proposed first floor residential accommodation from potential nuisance from the activities of the existing legitimate usage of the garage premises.

I therefore would object to this application being granted.

I trust that this information may be of some assistance to you. Should you require anything further, however, please do not hesitate to contact me direct.

Jo Rains  
Environmental Health Manager - East  
Bute and Cowal

