

Ref:
AB1

ARGYLL AND BUTE COUNCIL
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OFFICIAL USE

17 NOVEMBER
2014

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 Procedure)
(Scotland) Regulations 2013

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	MR DONALD BAKER
Address	ARDLOCH
	GLEN ROAD
	BRIDGEND, ISLAY
Postcode	PA44 7PY
Tel. No.	07747023255
Email	

(2) AGENT (if any)	
Name	BOWMAN STEWART
Address	1 VICTORIA BUILDINGS
	34 UNION STREET
	LOCHGILPHEAD
Postcode	PA31 8JS
Tel. No.	01546 606067
Email	INFO@BOWMANSTEW ART.CO.UK

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

(4) (a) Reference Number of Planning Application 14/00031/PP

(b) Date of Submission 20 DECEMBER 2013

(c) Date of Decision Notice (if applicable) 17 SEPTEMBER 2014

(5) Address of Appeal Property

LAND WEST OF SCARPAGH,
HILLSIDE,
BOWMORE,
ISLAY,
PA43 7JB

(6) Description of Proposal

ERECTION OF NEW DWELLINGHOUSE,
INSTALLATION OF SEWAGE
TREATMENT PLANT AND
SOAKAWAY.

(7)

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

PLEASE SEE ATTACHED DOCUMENT "REASONS FOR REQUESTING
THE REVIEW"

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

(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	DRAWING 13-2098-P-01C – "SITE AND LOCATION PLANS"
2	DRAWING SF22098-001B – "PROPOSED HOUSE AT HILLSIDE, BOWMORE"
3	CASE FOR DEVELOPMENT
4	REASONS FOR REQUESTING THE REVIEW
5	
6	
7	
8	
9	
10	

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

Submitted by
(Please Sign)

Kalyn Mues
(BONMAN STEWART)

Dated

14/11/14

Important Notes for Guidance

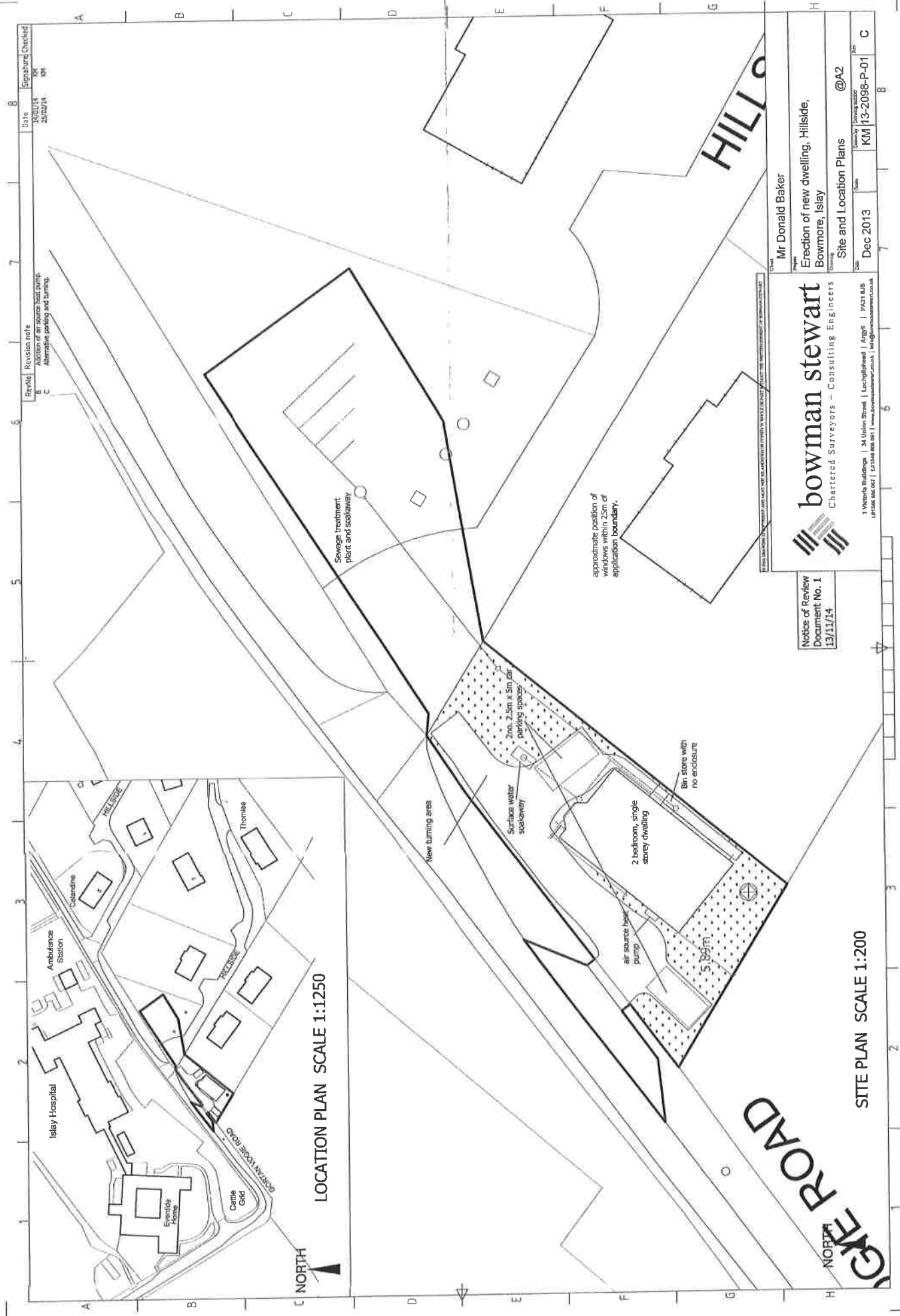
1. All matters which the applicant intends to raise in the review must be set out in or accompany this Notice of Review
2. All documents, materials and evidence which the applicant intends to rely on in the Review must accompany the Notice of Review UNLESS further information is required under Regulation 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/
4. If in doubt how to proceed please contact 01546 604392/604269 or email localreviewprocess@argyll-bute.gov.uk
5. Once completed this form can be either emailed to 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 604392/604269 or email localreviewprocess@argyll-bute.gov.uk

For official use only

Date form issued

Issued by (please sign)



Drawn by	Mr Donald Baker
Project	Erection of new dwelling, Hillside, Bowmore, Islay
Contract	Site and Location Plans @A2
Date	Dec 2013
Scale	KM 13-2098-P-01
Sheet	C

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Notes of Review
 Document No. 1
 13/11/14

SITE PLAN SCALE 1:200



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Project: 2098 – New Dwelling, Hillside, Bowmore

Date: 28 February 2014

Notice of Review Document no. 3

Case for development

Location & Siting

The site is located within a settlement zone as defined by the local plan. It is within a Housing Allocation Area that is allocated for 5 housing developments.

This development adds a mixture of density to this area and provides choice in housing terms as it has smaller accommodation than some of the surrounding properties: it houses 2 bedrooms whereas most of the other housing within the area look to provide larger bedroom capacities.

This dwelling fronts the road in a similar fashion to existing dwellings within Bowmore and Hillside. The siting of this dwelling at 90 degrees to existing Hillside dwellings creates a transition from the frontage of Gortan Vogie Road into the private road at Hillside. This initial dwelling could encourage further development fronting Gortan Vogie Road in the future which could allow the Housing Allocation Areas 10/4 and 10/3 to be established further.

There has been mention that there is not enough room in the site to accommodate this dwelling. I disagree with this assumption as it meets the requirements within the local plan for density: the site area is 454m² and the dwelling is 100m², therefore the dwelling occupies 22% of the site area, much less than the 33% that is the Local Plan's limit.

Other developments within Hillside include:

- No. 1 Hillside, this development takes approximately 17% of the site area.
- Celandine also occupies 17% of the site area.

I therefore do not believe this development will adversely affect the siting and development potential of this area.

My client also owns the land adjacent to the site, where the sewage treatment plant is to be located; therefore this could be classified as open space to meet planning policy if required.



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Design

The proposed dwelling is also single storey and ties in with the surrounding dwelling at Hillside. Many of the design features of this dwelling have been detailed with the concept of retaining the existing fabric and design of the area. Predominately features such as the bay window, the window design. The bay window was designed to act as a smaller scale protrusion from the main house as can be seen in existence at Hillside, shown below. The external finishes are to remain consistent throughout the Hillside development area.



Although the main length of the house fronts the road it is our view that the frontage of the house is actually facing northeast as this is where our main Living area is situated. This would then overlook the Hillside private road in keeping with the existing pattern of housing at Hillside.

My client has a key focus on sustainability and renewables and therefore has decided to proceed with an air source heat pump heating system for the dwelling.

KM 28/02/14



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Project: 2098 – New Dwelling, Hillside, Bowmore
Date: 21 October 2014
Planning reference: 14/00031/PP

Notice of Review Document no. 4

Reasons for requesting the review

Notice of Request of 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

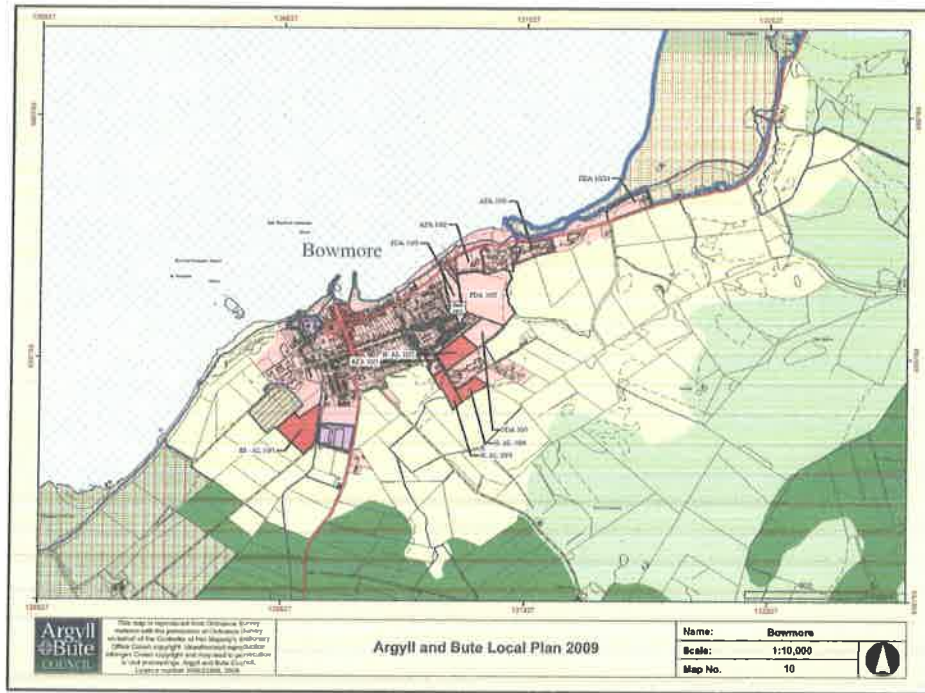
Reasons for requesting the review

- 1) Our client wishes to use this area of land in a useful way in order to accommodate a small dwelling for use in his retirement.
- 2) We were not made aware that the installation of a sewage treatment plant would be an issue that would be a reason for refusal of the planning application through either the pre application enquiry or through the planning application process.

Given that there are existing sewage treatment plants within the triangular area of ground where our treatment plant is proposed, we thought this this would be the more cost effective and appropriate way of waste water treatment and discharge.

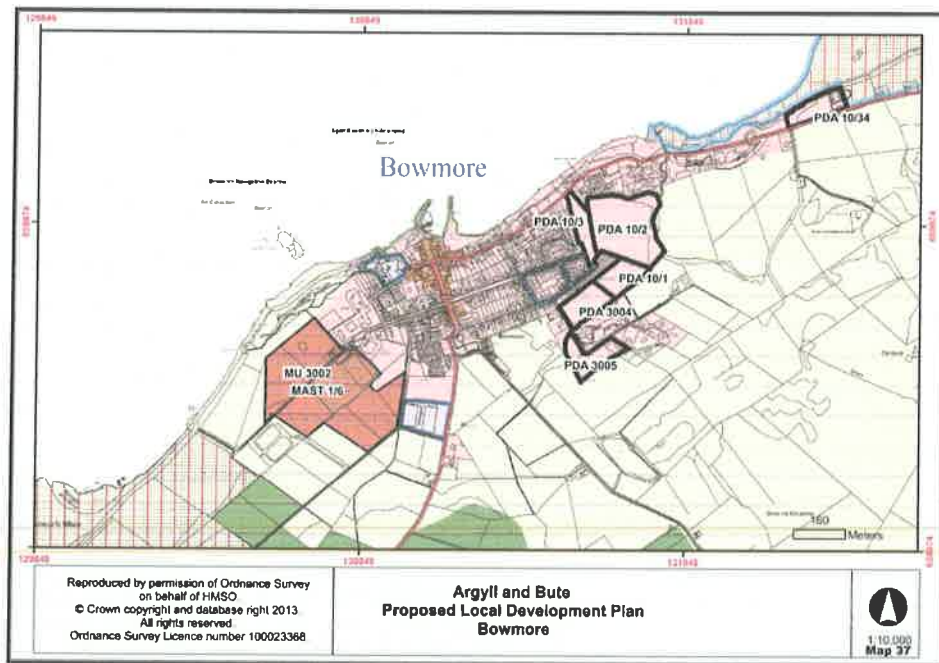
As Scottish Water has suggested use of the Bowmore Waste Water Treatment, we will now look at this as a viable option. If it is economic to do so we will connect to the Bowmore Waste Water Treatment.

- 3) There were no objections to the proposed development either from adjacent proprietors or consultees.



Drawing not to scale.

Figure 1 – Outtake from Argyll and Bute Council Local Plan 2009 (Bowmore).



Drawing not to scale.

Figure 2 – Outtake from Argyll and Bute Council Proposed Local Development Plan, Proposal Maps, Mid Argyll, Kintyre and the Islands, February 2013 (Bowmore).



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4) The current local plan states that 5 dwelling units are to be permitted within H-AL 10/4. As the planner states, two developments have already been developed within this allocation area. It is true that these developments have a much larger site area than what we are proposing but as the local plan does not state what density these developments are to be built to I do not believe that they can specifically dictate low density as a reason for refusal of this application.

It is true however that within the proposed local plans this area is designated as Potential Development Area 3005 and this does state that this area will be used for low density housing with 25% Affordability. But it is my understanding that this has not, as yet, been approved but is being given material consideration when approving planning applications at the moment. Both the current and proposed local plan maps can be seen from Figures 1 and 2.

There are currently approx. 5 dwellings per hectare within Hillside development (measurement taken by including the houses Scarpagh, 9 Hillside, Thornlea, 7 Hillside and Cridhe Samhach) The addition of this one dwelling would increase the density of dwellings to 6 dwellings per hectare which would still be within the Council's low density specification of 11 houses per hectare.

5) We do not believe that using the argument of this development not fitting with the settlement pattern is valid in this instance as within Hillside the current settlement pattern is quite scattered. We agree that the settlement pattern for some of the dwellings is fronting the private Hillside road, such as Scarpagh and 9 Hillside, but this is not the case for all. Cridhe Samhach has the back of the dwelling facing the road. 7 Hillside is also sited very far back from the road compared to the other developments, therefore creating a slightly scattered settlement pattern across this Hillside area.

I do understand that in a perfect world the preferred option would have been to site this dwelling closer to the private Hillside road to tie in with the existing line of dwellings along this side of the road but in this case this was not a satisfactory approach in order to gain the necessary access provision and to allow the clients requested amenity space. But as you can see from the submitted site plans we do not believe this to cause an adverse effect on the current settlement pattern. We feel it also allows a new line of dwellings to be created along the front of Gortan Vogie Road. If preferable to the planners it may be possible to include more windows within this elevation to create a more attractive appearance off Gortan Vogie Road. The reason the dwelling was turned away from this road was to prevent overlooking from and into the nearby Islay Hospital and the fear that this may be an issue for the Planners.



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Figure 3 – Picture showing Hillside private road taken from Gotan Vogie Road (Bowman Stewart, 03/09/13).



Figure 4 – Picture showing site with existing dwellings in background (Bowman Stewart 03/09/13).

6) The planner's argument for refusal of this application due to being unable to provide the sewage treatment plant within the site I believe is unwarranted as this happens very often across many sites in Argyll and Bute and I find this an unreasonable reason for refusal. I believe the planners main argument regarding this was the lack of amenity space within the site. As stated within the submitted "Case for Development" we believe that we have achieved the minimum amenity space required for development but I understand that the planners see this as a design guidance rather than policy. The main concern with the housing sites at Hillside is that they are not within everyone's affordability due to the house sizes and large expansive gardens. Although some of these sites at Hillside are catered for that particular buyer or market, we believe the construction industry should be building developments that cater for the buyers on a lower budget as well, who may require a smaller dwelling and do not require the same large garden size as others, which I believe complies with Policy LP HOU 2 - Provision of Housing to meet Local Needs including Affordable Housing Provision.

"Chapter 11 – Development Land Supply" within the written statement of the current local plan states that:

"There is need for affordable housing throughout each of the planning areas in Argyll and Bute.... This local plan indicates in its housing schedules those particular allocation sites where the provision of an element of affordable housing is appropriate. These sites have been selected on the basis of their locational and suitability for affordable housing provision. Provision of affordable housing can also be facilitated through the development of non-allocated sites e.g. Potential Development Areas, and windfall sites within settlements. On suitable sites, a 25% provision of affordable housing is proposed. This reflects a minimum level of provision, which may be revised to reflect local circumstances and the emerging housing strategy." (2009, p.98)

But there is a slight conflict within the current and the new local plans regarding providing affordable housing within this Housing Allocation/Potential Development Area. The current



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local plan states that there should be no affordable housing within this area whereas the proposed local plan states that 25% of the developments within the PDA should be affordable. I can only assume that this change is due to some further need for affordable housing within Bowmore. As far as I can see many of the current allocated sites within Islay for affordable housing are located in Bowmore, noted on Figure 1 as PDA 10/1, PDA 10/2, PDA 10/3, PDA 10/34.

If these allocations are not being fulfilled I can understand why this housing allocation is being altered to allow more affordable housing to be constructed. I therefore request that this development be looked at again in this respect.

It is also noted within the proposed Local development plan Guidance document 2013 that affordable housing is delivered in the following ways:

"Affordable housing can be delivered by a variety of means including social rented housing, mid-market rented housing, the payment of commuted sums and also the building of houses/apartments designed to meet the needs of first time buyers.*

** provided these are available at affordable levels as defined by the Councils Housing Need and Demand Assessment and within the lower quartile of the housing market of their respective housing market area." (2013, p.122)*

According to information found on Zoopla on 27th October 2014, similar housing within Bowmore has sold in the region between £90,000.00 - £225,000.00. Therefore the lower quartile of this market would be approximately £90,000.00 - £125,000.00. Based on £1,000.00 per square meter, the construction cost of this dwelling could be in the region of £100,000.00 and therefore the market value for this property may be slightly more than this, which I believe meets the criteria of affordable housing, based on rough estimation terms. This dwelling could therefore be judged as future provision of affordable housing.

In trust you find the above in order and this will allow the Local Review Body to approve this application for planning permission.

KM - Bowman Stewart