

**Argyll and Bute Council**  
Comhairle Earra Ghaidheal agus Bhoid

Customer Services  
Executive Director: Douglas Hendry



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20 June 2011

## **RECONVENED ARGYLL AND BUTE LOCAL REVIEW BODY**

**MONDAY 27 JUNE 2011 AT 11.15 AM IN THE CRAFTS ROOM, COMMUNITY  
EDUCATION CENTRE, EDWARD STREET, DUNOON**

I refer to the above and enclose herewith written submissions requested at the LRB meeting on 19 May 2011.

Please note that prior to this reconvened meeting a site inspection will take place at 140 Edward Street, Dunoon at 10.30 am.

Douglas Hendry  
Executive Director - Customer Services

### **BUSINESS**

#### **3. CONSIDER NOTICE OF REVIEW: 140 EDWARD STREET, DUNOON, PA23 7PH**

(c) **Further Written Submissions**

Written Submission received from Planning (Pages 1 – 2)

Written Submission received from Applicant (Pages 3 – 4)

## **ARGYLL AND BUTE LOCAL REVIEW BODY**

Councillor Rory Colville  
Councillor Alex McNaughton

Councillor Roderick McCuish (Chair)

Contact: Fiona McCallum Tel: 01546 604406

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**STATEMENT OF CASE  
FOR  
ARGYLL AND BUTE COUNCIL  
LOCAL REVIEW BODY**

**REFUSAL OF PLANNING PERMISSION FOR DEMOLITION OF  
EXTENSION AND ALTERATIONS TO HALL TO CREATE FLAT ON  
UPPER LEVEL WITH CAR PARKING SPACE AND EXTERNAL  
ALTERATIONS 140 EDWARD STREET, DUNOON, ARGYLL PA23 7BN.**

**APPEAL REF. NO. 11/00004/REFPLA**

**LOCAL REVIEW BODY REF. 11/0003/LRB**

**PLANNING PERMISSION APPLICATION**

**REFERENCE NUMBER 10/01623/PP**

**REQUEST FOR FURTHER INFORMATION BY WRITTEN  
SUBMISSIONS**

**23<sup>rd</sup> May 2011**

## REQUEST FOR FURTHER INFORMATION BY WRITTEN SUBMISSIONS

The planning authority is Argyll and Bute Council ('the Council'). The appellant is Alister McAlister.

An application for planning permission (ref. 10/01623/PP) for demolition of extension and alterations to hall to create flat on upper level with car parking space and external alterations at 140 Edward Street, Dunoon ('the appeal site') was refused under delegated powers on 15<sup>th</sup> February 2011. The planning application has been appealed and is the subject of referral to a Local Review Body.

With reference to the Request for Further Information by Written Submissions Ref. AB7 (Reg 15) dated 20<sup>th</sup> May 2011, the following information requested under section (8) is provided by Development Management.

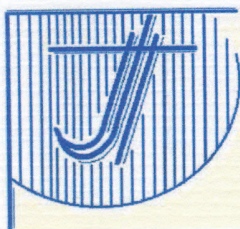
1. *With reference to page 2 of the submission by the Applicant's agent - to seek written clarification in respect of the following statement "The Planning Officer's opinion changed from the alteration of the redline boundary being 'non material' to 'material'".*

**Comment :** Following various verbal and written exchanges, it was suggested to the applicant that he submit a revised red line boundary to include the two car parking spaces where the department may have been able to inform owners/objectors and other interested parties of the changes, in order to avoid the applicant making a fresh application. However, the 'material' nature of the changes and uncertainty over the usage and ownership of these spaces (belonging to ACHA) meant that the department could not re-notify neighbours or other interested parties of the changes made. The only way forward would have been to withdraw that application and resubmit a fresh application (with the two ACHA car parking spaces within the red line) as instructed in the department's letter dated 6<sup>th</sup> January 2011. Whilst the department can generally inform neighbours/interested parties of minor changes or in relation to specific comments, it could not in this instance act on behalf of the applicant, his agent and ACHA in terms of the possible car parking spaces that had not been properly justified during the course of the application.

It should be noted that the agent had been informed of the requirement to have the two dedicated car parking spaces within the application red line boundary on several occasions before and during the course of this application.

2. *Written clarification on their interpretation of Policy LP TRANS 6 in Town centre locations and other locations.*

**Comment:** Policy LP TRAN6 'Vehicle Parking Provision of the Argyll and Bute Local Plan sets out off-street car parking standards in addition to tolerance of zero car parking provision. Zero car parking provision is only applicable within Town Centre zones including Core Shopping Areas. In this instance, the subject property lies outwith Dunoon Town Centre zone where the off-street car parking provision is specified in Appendix C: Access and Car Parking Standards of the Argyll and Bute Local Plan. Within Appendix C, a three bedroom flatted unit would require a minimum of 2 off-street car parking spaces. This is the minimum standard required in the adopted Local Plan and Roads have requested similar in their consultee response dated 8<sup>th</sup> December 2010. It should also be noted that the two car parking spaces require to be allocated to the proposed development and to date; the department has not received a mechanism to achieve allocated and dedicated car parking.



**TAYLOR HAGGARTY DESIGN**  
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May 26 2011

Committee Services  
Argyll & Bute Council  
Kilmory  
Lochgilphead  
PA31 8RT

Dear Sir,

Proposed Hall Sub-division to form 1<sup>st</sup> Floor Flat @ 140 Edward Street, Dunoon  
Mr. A. MacAlister

We refer to the Request for Further Information by Written Submissions received in respect of the Notice of Review ref. no. 11/0003/LRB.

We would confirm the following:-

1. *The Planning Officer's opinion changed from the alteration of the redline boundary being 'non material' to 'material' Refer Argyll & Bute letter dated 14<sup>th</sup> January 2011 paragraph 3. 'it was originally envisaged that these changes could be incorporated within the current scheme'. Our letter of 12<sup>th</sup> December 2010 indicates that following a telephone discussion with the Planning Officer the application would be processed based on the enclosed drawing 893/894.CPA with a revised red line boundary. A non material variation.*

2. Our letter of 12<sup>th</sup> December 2010 is the letter referred to in the Planning Officer's letter of 6<sup>th</sup> January 2011.

3. The second paragraph of the letter from ACHA dated 26<sup>th</sup> April 2010 clearly outlines the terms under which spaces would be made available to our client.

Yours faithfully,

John J Taylor  
Taylor Haggarty Design  
cc A. MacAlister, Ross McLaughlin, Area Roads Manager, N. Bancks ACHA,  
Scottish Water North Region

Partner John J Taylor

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