

Argyll and Bute Council
Comhairle Earra Ghaidheal agus Bhoid

Customer Services
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20 December 2011

SUPPLEMENTARY PACK 2

PLANNING, PROTECTIVE SERVICES AND LICENSING COMMITTEE – 21 DECEMBER 2011 AT 10.30 AM

I enclose herewith additional information in respect of item 4 (**PLANNING APPLICATION REFERENCE 09/00385/OUT**) and item 9 (**PLANNING APPLICATION REFERENCE 11/01590/PP**) on the above agenda.

Douglas Hendry
Executive Director - Customer Services

ADDITIONAL INFORMATION

- 4. ARDKINGLAS ESTATE: ERECTION OF MIXED DEVELOPMENT COMPRISING 16 DWELLING HOUSES, 7 COMMERCIAL UNITS, CHILDCARE CENTRE AND INSTALLATION OF SEWAGE SYSTEMS AND ACCESS IMPROVEMENTS: LAND ADJACENT TO ARDKINGLAS SAWMILL, CLACHAN, CAIRNDOW (REF: 09/00385/OUT)**
Report by Head of Planning and Regulatory Services (Pages 1 - 6)

- 9. MR AND MRS J URQUHART: ALTERATIONS AND EXTENSION TO DWELLINGHOUSE: 64B COLQUHOUN STREET, HELENSBURGH (REF: 11/01590/PP)**
Report by Head of Planning and Regulatory Services (Pages 7 - 12)

PLANNING, PROTECTIVE SERVICES AND LICENSING COMMITTEE

Councillor Gordon Chalmers
Councillor Robin Currie
Councillor Mary-Jean Devon
Councillor David Kinniburgh
Councillor Donald MacMillan
Councillor Alister McAlister
Councillor Alex McNaughton
Councillor Al Reay

Councillor Rory Colville
Councillor Vivien Dance
Councillor Daniel Kelly
Councillor Neil Mackay
Councillor Bruce Marshall
Councillor Roderick McCuish
Councillor James McQueen

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Delegated or Committee Planning Application Report and Report of handling as required by Schedule 2 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008 relative to applications for Planning Permission or Planning Permission in Principle

Reference No: 09/00385/OUT

Planning Hierarchy: Local application

Applicant: Ardkinglas Estate

Proposal: Erection of mixed development comprising 16 dwellinghouses, 7 commercial units, childcare centre and installation of sewage systems and access improvements.

Site Address: Land adjacent to Ardkinglas Sawmill, Clachan, Cairndow, Argyll

SUPPLEMENTARY REPORT 6

1.0 SUMMARY

At the PPSL Committee on 23rd November 2011, Members resolved to continue determination of this application. The purpose of this further supplementary report is to alert Members of the advertisement of a 'Masterplan' document, further supporting information from the applicant, further consultee responses and further representations including a petition of support with 155 names.

2.0 ADVERTISEMENT OF MASTERPLAN DOCUMENT

At the PPSL Committee on 23rd November 2011, Members agreed:-

1. To continue consideration of this Application to allow a period of public consultation to be undertaken in respect of the new Masterplan submitted by the Applicant;
2. To note that local consultation had already been ongoing since submission of the Masterplan on 27 October 2011;
3. That consultation on the Masterplan be advertised in the local press from 1 December 2011 advising that representations on this should be submitted to the Head of Planning and Regulatory Services prior to the 20 December 2011; and
4. That this application and any further representations received will be considered by the Committee on 21 December 2011.

It is relevant to note that a paper titled 'Guidance On The Use Of Masterplans' was tabled at the same meeting on 23rd November but was not discussed until after the above decisions were taken.

As instructed by the PPSL to facilitate Community Consultation, an advertisement for the Masterplan and associated documents was placed in the Dunoon Observer on Friday 2nd and 9th December 2011 and Here We Are Service Point with a consultation deadline of the 19th December being noted.

3.0 FURTHER CONSULTEE RESPONSES

Response from Public Protection

A consultee response was recently received from Public Protection (memo dated 19th September 2011 but not received until December 2011) and was discussed at the Hearing with Environmental Officer Jo Rains. This response details issues concerning the provision of a private water supply and 'bad neighbour development' issues.

Whilst Public Protection express no objections to the application in principle, further information is required regarding the proposed private water supply and the impact of the existing ambient noise levels on the proposed development.

In terms of private water supply, Public Protection advises that consideration is given to a new communal supply to serve the mixed development. As insufficient information has been submitted by the applicant at this stage a suspensive condition is recommended requiring a full appraisal to be carried out to demonstrate the wholesomeness and sufficiency of the private water supply. Such a suspensive condition is considered a common and acceptable for 'in principle' applications.

Additionally Public Protection express concern over existing industrial and commercial uses and their potential noise impact on proposed dwellings and other uses. It is suggested that an assessment should be made of the existing ambient noise levels for daytime and night time noise to determine the effect on the proposed development, in particular on the nearest proposed dwellings. Such an assessment would allow the proposed dwellings to be designed accordingly but could be covered by a suspensive condition requiring a full assessment to take place as part of Approval of Matters Specified in Conditions or detailed applications.

Public Protection also notes that the application proposes to introduce commercial and industrial premises between the proposed dwellings and the existing usages. While it is impossible to determine at the outline planning stage what the potential noise impact on the proposed dwellings will be, safeguarding conditions can be applied at this stage to protect the dwellings and a suspensive condition is recommended.

Response from SEPA

A further letter from SEPA (dated 1st December 2011) requests that the planning condition in Section 1.1 (of their previous correspondence) be attached to any consent and for the avoidance of doubt, still request that the planning condition in section 2.3 of correspondence dated 8th September 2011 also be attached to any consent. If these will not be applied then this representation should be treated as an objection.

SEPA comment that where an overall masterplan is produced, drainage should be designed for the overall site area, as the same level of environmental protection is unlikely to be achieved by installing individual drainage schemes for each separate phase of the overall development. While authorisation has been granted under the Controlled Activities Regulations (CAR) for a private drainage system for phase 1 of the development (subject of the current application), the long term sustainable solution for the masterplan area is the adoption of a public sewer. To allow for this, SEPA request that the following condition is attached to any grant of planning consent for this application requiring the development to connect to the public waste water network public sewerage becomes available.

"No development, including any site works, shall commence until the written agreement of Scottish Water has been received confirming that the site foul drainage system can be connected to the public sewerage system.

Reason: In order to protect the surrounding population and the environment from the impact of waste water and ensure the development of the public sewerage network."

SEPA also comment that the level of sustainable drainage (SUDS) treatment proposed is not adequate for the proposed use of industrial units E-G and that a suspensive condition is

applied to any permission requiring a detailed sustainable drainage system to be submitted. If this condition is not applied then SEPA would object to the proposal.

SEPA also offer advice on the submitted masterplan approach in terms of waste water drainage proposals, surface water drainage, water abstraction, site waste management plan, environmental management and pollution prevention, watercourse crossings, space for waste management provision within the site layout and flood risk.

Comment: In respect of foul drainage, SEPA have confirmed that the requirement for a public sewerage system would only be applicable if the area outwith the current red line boundary was ever to be developed. At present, SEPA are satisfied with the foul drainage arrangements in place for the mixed use development within the red line boundary but do not wish a number of separate private foul drainage systems being proposed as part of the 'masterplan' development. Depending on phasing, the provision of a public foul drainage system would still be preferable but if development is confirmed at this stage to the application site boundary then SEPA have already discussed and approved the principle of such arrangements.

4.0 FURTHER REPRESENTATION

A letter of petition including 155 names was received under a cover letter from Ardkinglas Estate dated 16th December 2011. This letter also includes copies of emails already sent to the department that are listed below.

23 further emails and letters of support have been received from:

1. Mr. Jon Pope, 2/2 129 Novar Drive, Hyndland, Glasgow (emails dated 1st / 6th December 2011);
2. Mike Mitchell (email dated 4th December 2011);
3. Bill Carlow, Balliemore, Loch Striven (email dated 5th December 2011);
4. Jim Heward, 5 Benvoullin Gardens, Oban (email dated 5th December 2011);
5. Don McNeil and Jean Bell (McNeil), Fyne Studios, Newton (email dated 5th December 2011);
6. Judith Macrae (email dated 5th December 2011);
7. Virginia Sumsion, Glen Fyne Lodge, Glen Fyne (email dated 5th December 2011);
8. Leonard and Catherine McNeill, Minard (email dated 5th December 2011);
9. Elizabeth Fairbairn, Glendaruel (email dated 5th December 2011);
10. Catherine Montgomery, Strachur (email dated 5th December 2011);
11. Liz Strachan (email dated 5th December 2011);
12. Ann Galliard, Glenshiel, Pier Road, Sandbank (email dated 5th December 2011);
13. Ian WJ Sinclair, Sinclair Horticultural Associates (email dated 6th December 2011);
14. Mr Noel Dowse, NDD Hygiene, Inverglenn Farmhouse, Strachur (letter received 6th December 2011);
15. John Patrick, Inveraray Marketing Group, Argyll Adventure (email dated 6th December 2011)
16. Noel Dowes Inverglenn, Strachur (email dated 5th December 2011);
17. Sarah Sumsion, Bachie Bhan, Cairndow (email dated 7th December 2011);
18. Peter Robinson, Braigh Varr, Minard (email dated 8th December 2011);
19. Michael Russell, MSP Scottish Parliament (email dated 8th December 2011)
20. Calum Innes, Adylinn, Newton Street, Blairgowrie (email dated 14th December 2011);
21. Annie McKee, Social Researcher in Land Management, The James Hutton Institute, Aberdeen (email dated 15th December 2011);
22. Mr. John Smart, Stalker's Cottage, Glen Fyne, Cairndow (email dated 15 December 2011).

The points raised in the emails/letters of support is summarised below:

- *One supporter wishes to draw the attention of elected Members is that there is a clear conflict of commercial interest between the statements of two of the most persistent and vociferous objectors to this application and their own development ref. 09/01854/PP (sic) and feels that there has not been a true declaration of interest as minutes of the meeting at Strachur Village Hall will testify. The supporter finds it odd that these objectors have the time and energy to interrogate the planning process in such obsessive detail and feels that these are no more than 'spoiling tactics' to hold up approval of this application.*

Comment: The application referred to is actually 09/01854/PPP for the erection of 3 dwellinghouses east of Sonachan Farm, Portsonachan, approved on 11th May 2010 but it is not clear what point the supporter is trying to make in respect of the current application.

- *MSP Michael Russell endorses the comments made by Peter Robinson and also indicates his support for the proposal which is much needed and should be encouraged. Hopefully it will be given approval at the next consideration by the Council;*
- *Offer support for rural investment and strengthening rural communities;*
- *If acceptable, the mixed use scheme could be used as a model for rural development projects;*
- *Do not allow local jealousies to stand in the way of this development which is much needed for the viability of the Estate, which is already contributing much more than its weight in local social amenity;*
- *Outrageous that non-permanent residents should object to this modest application that will create jobs in the area;*
- *Opposed to objections by 'absentee' holiday home owners who contribute nothing to the rural infrastructure as well as depriving people of buying these nearly all year round empty homes;*
- *We need more people to live and work in Cowal thus helping the already fragile rural economy;*
- *Proposals have a large amount of support locally and can only be an improvement to what is currently an underused and unattractive piece of land;*
- *Young families have had to move out of the area because of a lack of housing and business premises and other workers have to travel long distances due to a lack of local accommodation;*
- *The childcare centre needs better premises in order to build its business and become sustainable;*
- *The future of rural communities as holiday/retirement/commuting villages is not sustainable and to redress that we need to be able to offer affordable homes, work and facilities such as those proposed at Clachan;*
- *Unlike previous clearances in Scotland, rural community buy-outs should be supported as the way forward;*
- *There is currently a shortage of contemporary small business units;*
- *Cairndow cannot be viewed just as a tourist destination;*
- *Great weight is placed on the support of the applicant's wider family and relations when this is actually how many rural communities tend to operate;*
- *Any allegations that there is some kind of conspiracy and that the applicant would want to desecrate Cairndow is ludicrous;*
- *The proposed location is ideal for Mid-Argyll Communities to provide affordable housing, child care and employment opportunities which the Council should be supporting;*

- *Over provision of holiday homes are seriously affecting rural communities in terms of sustainability and expectations of visual amenity;*
- *Hope that the planning committee will treat the objections and selfish legal threats with the contempt they deserve and support the greater need of the Mid-Argyll Communities by granting permission;*
- *An in-depth case study as part of a PhD clearly illustrated the need for affordable housing, combined with potential employment opportunities. Also a strong desire to diversify local employment opportunities, provide support to start-up and small businesses. The community demonstrate strong community spirit and entrepreneurship in particular through the establishment of Cairndow Community Childcare, a thriving social enterprise. The proposed development will provide this enterprise with room for expansion and free up space within the village hall to provide a boost to local social capital;*
- *Current proposal shows flair and dedication by Ardkinglas Estate similar to Loch Fyne Oysters and the Tree Shop enterprises in nurturing and supporting the locality. Rural homes and business premises are in short supply and the principle of living and working locally is one which is supported by Scottish Government as fulfilling its targets for sustainability of both resources and communities. The principle of mixed use development has been the subject of discussion and liaison within both the community and the planning authority where the site has been identified in the local plan as being suited to such use;*
- *Proposal will not 'ruin' Cairndow and can only see real benefit being delivered to the area for those people who live and work and contribute something to the community.*

Comment: Members are requested to note the points made in support of the proposal.

5.0 FURTHER INFORMATION FROM APPLICANT

The applicant has submitted correspondence dated 20th December based on the feedback from the additional consultation period.

They have confirmed that they have reviewed all of the feedback received from interested parties received over the past three weeks and are:-

delighted to note the overwhelming support illustrated by the volume of individual letters and emails received and the petition signed by 155 people.

The success of the consultation period and the feedback received demonstrates the clear will of the local people to support this proposal.

In the light of that the PPSL committee tomorrow should note that no further changes are required to be undertaken to the masterplan by us as a result of the consultation feedback and our intention is that the masterplan presented to them on 23 Nov remains the document they consider tomorrow accompanying the outline application.

6.0 CONCLUSION

Whilst the content of these letters of support does not alter the department's recommendation, the planning related views made by the supporters and applicant are material considerations in a determination of the proposal.

Notwithstanding the level of support for the proposal, or general acceptance of the 'masterplan' by Members at previous meetings, the department still feels that the masterplan submission falls short of expectations particularly when viewed in context with the approved protocol and procedures for masterplans in the Argyll and Bute Local Plan and paper discussed on 23rd November. It is considered that the submitted 'masterplan' document does not provide an

appropriate and detailed working of this PDA and is light in terms of population estimates, phasing, massing, heights, integration, landscape capacity and key viewpoint assessment. The acceptance of such poor quality masterplan submissions could establish an unfortunate precedent for these types of Masterplan that not only provides little confidence in what is being approved but could also potentially slow down or stifle development at later stages given the poor quality of spatial context / integration that has been afforded.

6.0 RECOMMENDATION

It is recommended that Members note the content of this supplementary report and planning permission be refused as per the original planning report dated 14th September 2011 and amendments to reason for refusal no. 3 contained in Supplementary Report dated 20th September 2011.

Author: Brian Close

Contact Point: David Eaglesham 01369 708608

Angus J Gilmour

Head of Planning & Regulatory Services

19th December 2011

**Argyll and Bute Council
Development and Infrastructure Services**

Delegated or Committee Planning Application Report and Report of handling as required by Schedule 2 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008 relative to applications for Planning Permission or Planning Permission in Principle

Reference No: 11/01590/PP

Planning Hierarchy: Local Application

Applicant: Mr and Mrs J Urquhart

Proposal: Alterations and extension to dwellinghouse.

Site Address: 64B Colquhoun Street, Helensburgh

SUPPLEMENTARY REPORT NO.1

1.0 SUMMARY

Members will have received an e-mail dated 2 December 2011 from Dr James & Mrs Christine Greaves regarding the above application. The key issues are summarised and assessed below. A further assessment has also been done in relation to the impact of the proposal on the amenity of the adjoining property particularly in terms of sunlight and daylight.

Representations

We have serious concerns about the handling of this planning application. Until 28 November, there have been no documents or information posted on the relevant page of the Argyll & Bute web for over 2 months, although it is now apparent that private correspondence has been taking place in support of the application during this time. As all other documents have been posted within a couple of days of receipt (and this has taken almost 3 weeks to post), I strongly suspect this has only been posted at all as a result of my recent Freedom of Information request. However, the contents confirm our suspicions that 'behind the scenes' lobbying has been taking place.

Comment: There was a delay in putting some documents on Comino, the Council's Public Access system. However, this has now been done and does not affect the assessment or processing of this application.

Following a phone call we were advised that, because Balmillig was being run as a business (in a part of the Conservation Area not zoned for business), then it was possible that the application (for an extension to a dwellinghouse) would be withdrawn, pending an application for a change of use of the property. However, the emails now posted on the Argyll & Bute web site indicate that correspondence has been on-going between the applicants' agent and the Area Team Leader apparently resulting in Balmillig now using only letting 2 letting rooms, which makes it no longer a business. However, although the automated booking page now shows only 2 rooms, the Balmillig Rooms page still announces "all 3 en-suite bedrooms.." and carries numerous photographs and descriptions of all three rooms. As neighbours, we also have good reason to believe that

3 rooms are still being let. This appears to be a blatant attempt to circumvent the planning regulations in which the Planning Department is, seemingly, complicit.

Comment: Conservation Area status doesn't preclude businesses such as these operating in such locations. Under the Town and Country Planning (Use Classes) (Scotland) Order 1997, a dwellinghouse can be used as a bed and breakfast provided it does not use more than 1 bedroom where the house has less than 4 bedrooms and a maximum of 2 bedrooms where the house has 4 or more bedrooms. If this limit is exceeded, then planning permission will be required for a change of use to Class 7 (Hotels and Hostels). The applicants were advised of this and that a change of use application was required. They discussed the matter with their agent and confirmed that the number of letting bedrooms would be reduced from 3 to 2. A Planning Contravention Notice (PCN) was also served. This is a legal notice which requires the owners to confirm the use of the premises. If incorrect information is supplied it is a criminal offence. The owners have confirmed that they have 2 letting bedrooms. As such, there is no change of use and the application is solely for the extension which is judged on its merits against development plan policy and other material considerations.

The agent's statement that "the applicants have reduced their B&B to 2 bedrooms" also begs the question as to why a couple living in a 5 bedroomed house need to extend at all. Having seen copies of further plans that have, as yet, not been submitted, we know exactly why; to create yet another en-suite bedroom.

Comment: The applicants wish to extend two bedrooms. The application is judged on its merits against development plan policy and other material considerations.

The agent states "I was hoping that, with the support of the Planning Department report that it [the application] may not have to go to the PPSL". We are not aware of this report and suggest that, with so many objections (including one from Helensburgh Community Council and numerous local residents) that this would be a serious breach of due process.

Comment: The application is a Committee item.

Further Assessment of Impact on Amenity

Policy LP HOU 5 of the Argyll and Bute Adopted Local Plan presumes in favour of house extensions where they cause no significant detriment to the building, the neighbours or the immediate vicinity. They also have to comply with the relevant siting and design principles as set out in Appendix A.

Appendix A states that there is a presumption against alterations and extensions where the siting and scale significantly affects sunlight, daylight and privacy. In relation to overlooking Appendix A also requires a distance of 12 metres between habitable room windows and gable ends or elevations with only non-habitable room windows. These standards may be relaxed where the angle of the windows allows privacy to be maintained.

Whilst there isn't a 12 metre separation between the application property and the adjoining dwellinghouse there are no windows on the existing or proposed elevation of the application property. As such, the privacy of the adjoining property will be maintained subject to an additional condition removing permitted development rights to form windows or other openings in this elevation. Moreover, when the application house was built it was a requirement of the consent that it (64B) be attached to the adjoining property. On the previous application a daylight assessment was requested from the applicants because of the size and scale of the proposed extension. This showed there was a potential detrimental impact and this formed part of the reasons for refusal.

The adjoining property has two kitchen windows at ground floor level. An informal assessment has been done using the 25 degree method. This involves drawing a line on the submitted elevational drawings from the apex of the roof of the extension to the gable of the adjoining property. Where this subtends (intersects) any window at more than 25 degrees then there is a potential detrimental impact in terms of daylight/sunlight. The apex of the proposed extension does subtend at an angle greater than 25 degrees. However, one of the windows is already affected by the existing gable and any additional impact will be minor and within acceptable limits. Similarly, the extension has been reduced in scale and will not come in front of the other kitchen window. Again, while there will be an impact in terms of light it is considered to be within acceptable limits. The main impact will be from the proposed new 1.8 metre high boundary wall. The applicants' agent was approached regarding this and has advised that the wall can either be reduced or deleted. It is considered that the wall should be deleted and this is covered by condition. As such, the proposal can be considered as a minor departure from Policy LP HOU 5 and Appendix A of the Argyll and Bute Adopted Local Plan.

2.0 RECOMMENDATION

It is recommended that the contents of this report are noted, that the proposed 1.8 metre boundary wall should be deleted and that the application is now recommended for approval as a minor departure from Policy LP HOU 5 and Appendix A of the Argyll and Bute Adopted Local Plan subject to the justification and amended conditions and reasons listed overleaf.

Angus J Gilmour
Head of Planning & Regulatory Services
20 December 2011

Author: Howard Young 01436 658888
Contact Point: Richard Kerr 01546 604845

CONDITIONS AND REASONS RELATIVE TO APPLICATION REF. NO. 11/01590/PP

1. The development shall be implemented in accordance with the details specified on the application form dated 22/08/2011 and the approved drawing reference numbers 2027..31, 2027..32 and 2027..33 unless the prior written approval of the planning authority is obtained for other materials/finishes/for an amendment to the approved details under Section 64 of the Town and Country Planning (Scotland) Act 1997.

Reason: For the purpose of clarity, to ensure that the development is implemented in accordance with the approved details.

2. Development shall not begin until samples of materials to be used on external surfaces of the buildings and in construction of the wall has been submitted to and approved in writing by the Planning Authority. Development shall thereafter be carried out using the approved materials or such alternatives as may be agreed in writing, with the Planning Authority.

Reason: In order to integrate the development into its surroundings.

3. Notwithstanding the details shown on the docquetted plans no consent is hereby granted for the proposed new 1.8 metre boundary wall. In addition, the existing boundary treatment shall be retained.

Reason: In order to protect the amenity of the adjoining property.

4. Notwithstanding the provisions of Article 3 and Class 1 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, no window or other openings shall be installed in the eastern facing elevations of the building without the prior written consent of the Council as Planning Authority.

Reason: In order to prevent the inclusion of window or other openings in the specified elevations, which could significantly undermine the privacy and amenity of adjoining residential property.

NOTES TO APPLICANT

1. **The length of the permission:** This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period. [See section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended).]
2. In order to comply with Section 27A(1) of the Town and Country Planning (Scotland) Act 1997, prior to works commencing on site it is the responsibility of the developer to complete and submit the attached 'Notice of Initiation of Development' to the Planning Authority specifying the date on which the development will start.
3. In order to comply with Section 27B(1) of the Town and Country Planning (Scotland) Act 1997 it is the responsibility of the developer to submit the attached 'Notice of Completion' to the Planning Authority specifying the date upon which the development was completed.

REASONED JUSTIFICATION FOR A DEPARTURE TO THE PROVISIONS OF THE DEVELOPMENT PLAN

Policy LP HOU 5 of the Argyll and Bute Adopted Local Plan presumes in favour of house extensions where they cause no significant detriment to the building, the neighbours or the immediate vicinity. They also have to comply with the relevant siting and design principles as set out in Appendix A.

Appendix A states that there is a presumption against alterations and extensions where the siting and scale significantly affects sunlight, daylight and privacy. In relation to overlooking Appendix A also requires a distance of 12 metres between habitable room windows and gable ends or elevations with only non-habitable room windows. These standards may be relaxed where the angle of the windows allows privacy to be maintained.

Whilst there isn't a 12 metre separation between the application property and the adjoining dwellinghouse there are no windows on the existing or proposed elevation of the application property. As such, the privacy of the adjoining property will be maintained subject to an additional condition removing permitted development rights to form windows or other openings in this elevation. Moreover, when the application house was built it was a requirement of the consent that it (64B) be attached to the adjoining property.

The adjoining property has two kitchen windows at ground floor level. An informal assessment has been done using the 25 degree method. This involves drawing a line on the submitted elevational drawings from the apex of the roof of the extension to the gable of the adjoining property. Where this subtends (intersects) any window at more than 25 degrees then there is a potential detrimental impact in terms of daylight/sunlight. The apex of the proposed extension does subtend at an angle greater than 25 degrees. However, one of the windows is already affected by the existing gable and any additional impact will be minor and within acceptable limits. Similarly, the extension has been reduced in scale and will not come in front of the other kitchen window. Again, while there will be an impact in terms of light it is considered to be within acceptable limits. The main impact will be from the proposed new 1.8 metre high boundary wall. The wall is to be deleted. As such, the proposal can be considered as a minor departure from Policy LP HOU 5 and Appendix A of the Argyll and Bute Adopted Local Plan.

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