

**Argyll and Bute Council**  
**Comhairle Earra-Ghàidheal Agus Bhòid**

*Executive Director: Douglas Hendry*



*Kilmory, Lochgilphead, PA31 8RT*  
*Tel: 01546 602127 Fax: 01546 604435*  
*DX 599700 LOCHGILPHEAD*  
*2 October 2020*

**NOTICE OF MEETING**

A meeting of the **ARGYLL AND BUTE LOCAL REVIEW BODY** will be held **VIA SKYPE** on **FRIDAY, 9 OCTOBER 2020** at **2:00 PM**, which you are requested to attend.

Douglas Hendry  
Executive Director

**BUSINESS**

- 1. APOLOGIES FOR ABSENCE**
- 2. DECLARATIONS OF INTEREST (IF ANY)**
- 3. CONSIDER NOTICE OF REVIEW REQUEST: 20/0005/LRB - 1 ARGYLL TERRACE, TOBERMORY, ISLE OF MULL (REF: 19/01801/PP)**
  - (a) Further information from Planning (Pages 3 - 22)
  - (b) Further information from Roads (Pages 23 - 24)
  - (c) Comments from Interested Parties (Pages 25 - 26)

**Argyll and Bute Local Review Body**

Councillor Rory Colville (Chair)  
Councillor George Freeman

Councillor Robin Currie

Contact: Hazel MacInnes Tel: 01546 604269

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**FURTHER INFORMATION FOR  
ARGYLL AND BUTE COUNCIL LOCAL REVIEW BODY**

**20/0005/LRB**

**REFUSAL OF PLANNING PERMISSION  
19/01801/PP**

**REMOVAL OF EXISTING ROOF, ERECTION OF FIRST FLOOR EXTENSION  
ONTO EXISTING BOTHY TO PROVIDE ACCOMMODATION FOR STAFF  
MEMBERS**

**HARBOUR VIEW, 1 ARGYLL TERRACE, TOBERMORY, ISLE OF MULL,  
ARGYLL AND BUTE, PA75 6PB**

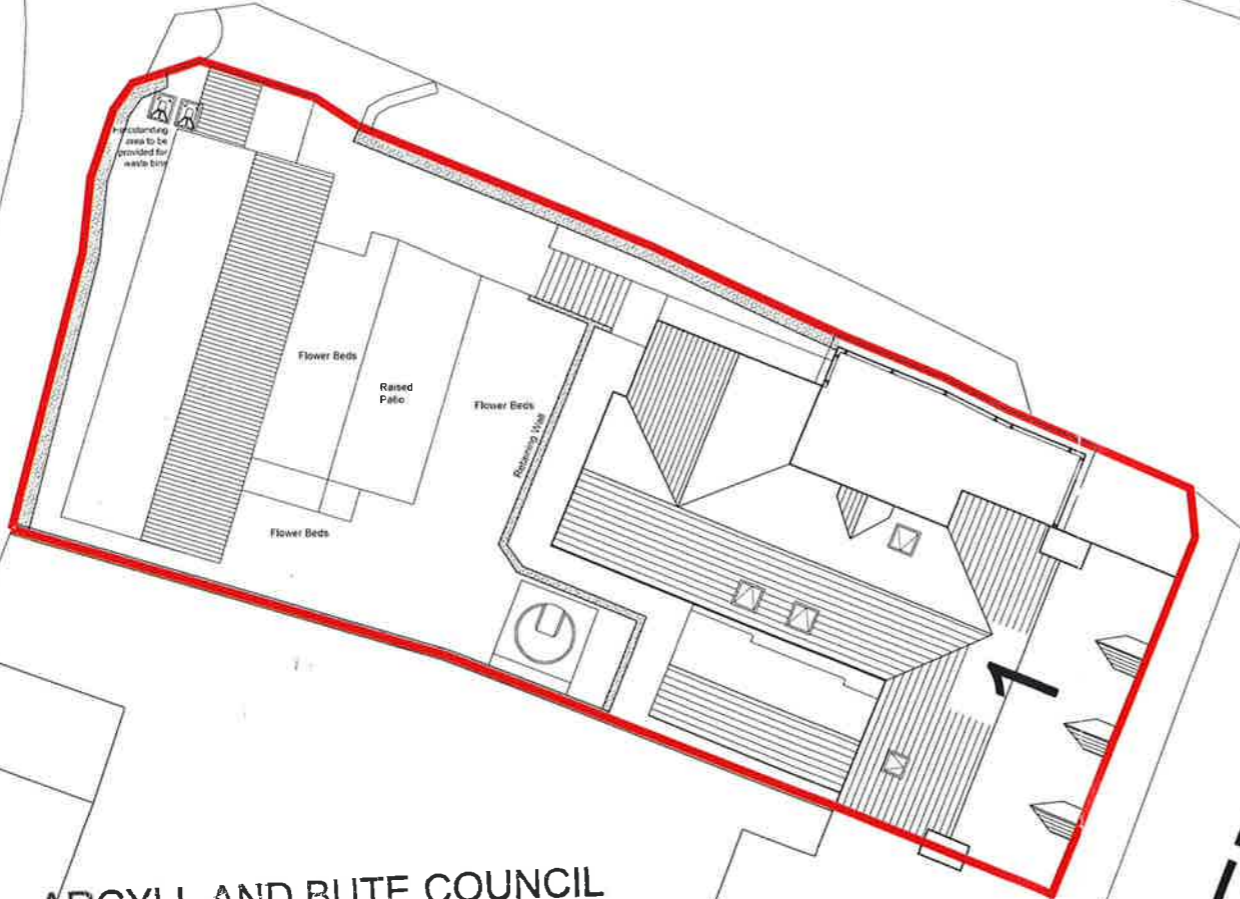
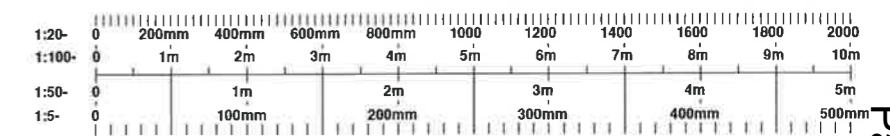
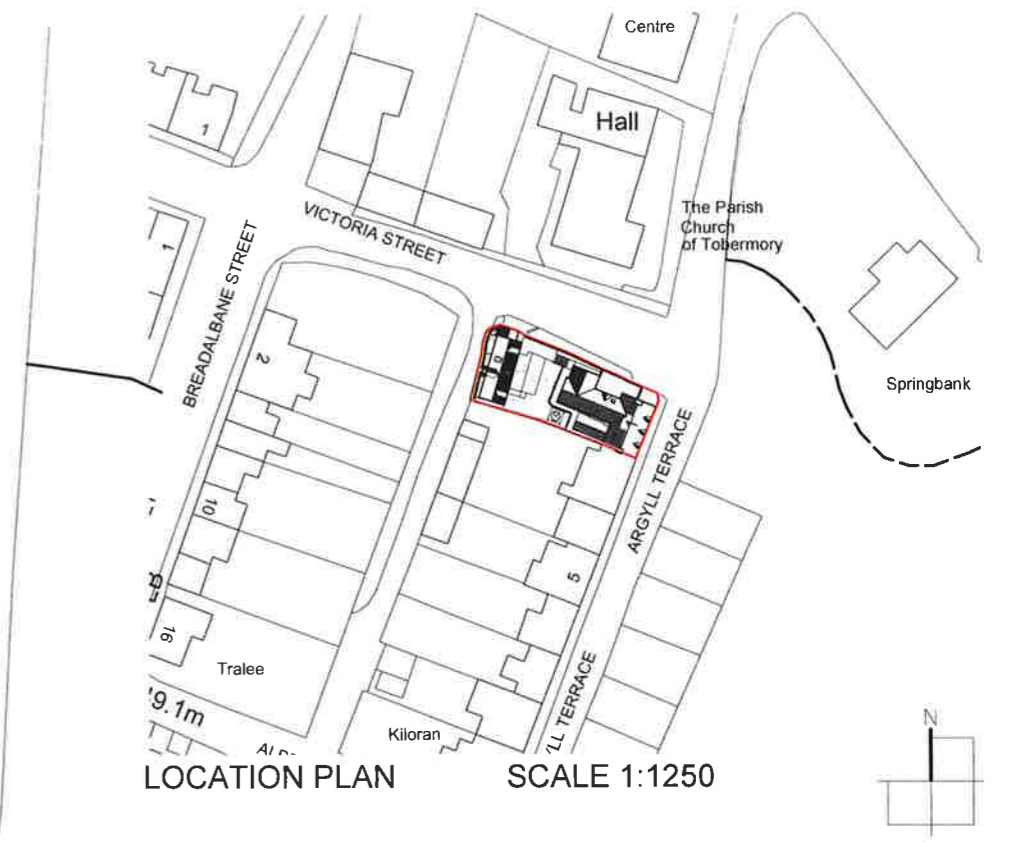
**09/06/20**

Further to the request for additional information following the 'first calling' of Local Review Body case 20/0005/LRB, I hereby submit the following information:

1. The proposed increase in the ridge height of the building the subject of the LRB is approximately 1.3 metres. Officers would, however, respectfully point out that the overall visual impact of the proposed development is substantially greater than an increase to the height of the ridge. The applicant's 'Proposed Elevations' drawing (drawing number 19.135 300) clearly demonstrates a substantial increase to the wall-head height of the building plus the inclusion of dormer windows and a new doorway projection at the proposed first floor level. The impact of this is further demonstrated by the applicant's submitted 'Proposed Section A-A' drawing.
2. Suggested planning conditions in the event that the LRB panel decide to overturn officer's recommendation. The Panel are, respectfully, advised that there are no appropriate planning conditions that may satisfactorily overcome the road safety objections to the development.
3. Copies of the various plans and drawings submitted with the application. The Panel are asked to note that the self-catering holiday accommodation labelled 'Rose Cottage' on the applicant's 'Existing Plan, Sections, Elevations' drawing (drawing number 19.135 200 Rev A) is unlawful. No planning permission has been granted for this additional unit of holiday accommodation. Should the Panel decide to grant planning permission for the development the subject of this Review, they will also be granting planning permission to 'regularise' this unlawful development which is currently the subject of a separate planning enforcement investigation. Whilst the Panel are, of course, free to do this officers would respectfully request that the impact of granting the totality of this development is properly and fully considered, particularly against road safety issues as encompassed within the tabled refusal reason 2.

TORIA STREET

The Parish Church  
of Tobermory



ARGYLL TERRACE

**ARGYLL AND BUTE COUNCIL**  
REFUSED by PLANNING AUTHORITY  
Relative to Application No: 19/01801/PP  
*[Signature]*  
Head of Development and Economic Growth  
Date: 13/01/2020

**Argyll and Bute Council  
Planning and Regulatory  
Services**

Application ref no: 19/01801/PP  
Date received: 5/9/19

Plan no: 1 of 8  
P.O. Initials: AS

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MR A. TOMKINSON

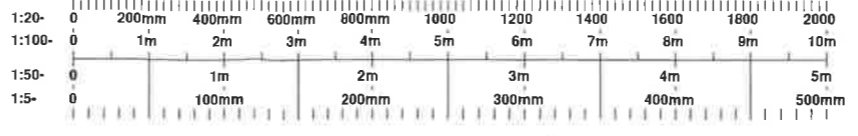
PROPOSED STAFF ACCOMMODATION  
1 ARGYLL TERRACE, TOBERMORY  
ISLE OF MULL

EXISTING SITE PLAN

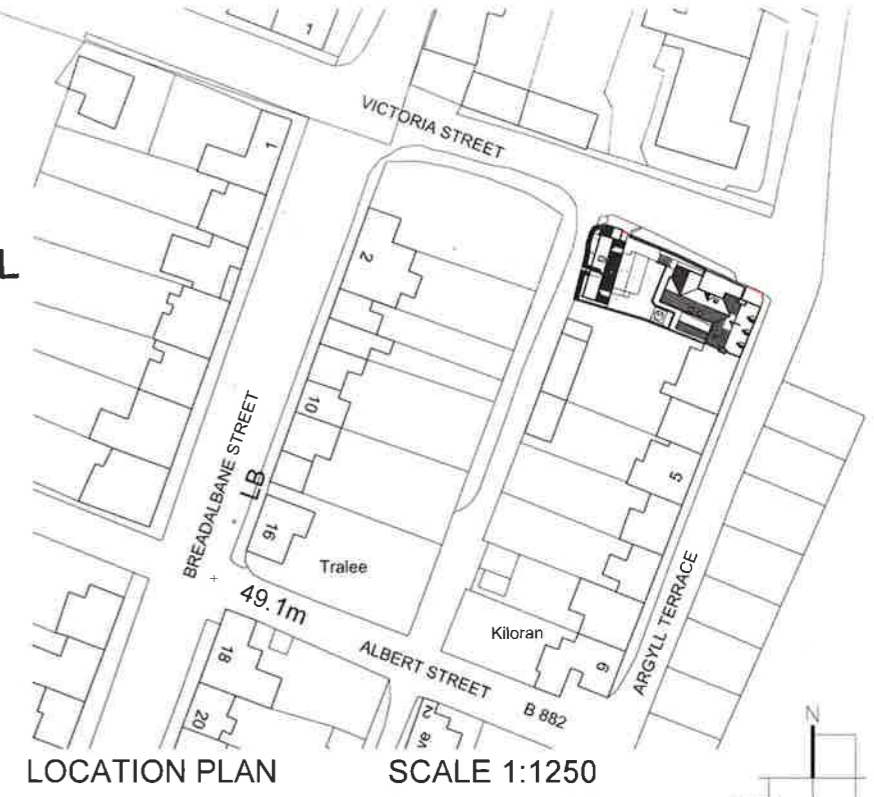
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proj no.	19-135	Dwg no.	100	REV	B	<i>(AS)</i>	

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**ARGYLL AND BUTE COUNCIL**  
 REFUSED by PLANNING AUTHORITY  
 Relative to Application No. 19/01801/PP  
 Head of Development and Economic Growth  
 Date: 13/01/2020



LOCATION PLAN SCALE 1:1250

Argyll and Bute Council  
 Planning and Regulatory Services

Application ref no: 19/01801/PP  
 Date received: 5/9/19  
 Plan no: 2 of 8  
 P.O. Initials: [Signature]



BLOCK PLAN SCALE 1:100

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MR A. TOMKINSON  
 PROPOSED STAFF ACCOMMODATION  
 1 ARGYLL TERRACE, TOBERMORY  
 ISLE OF MULL

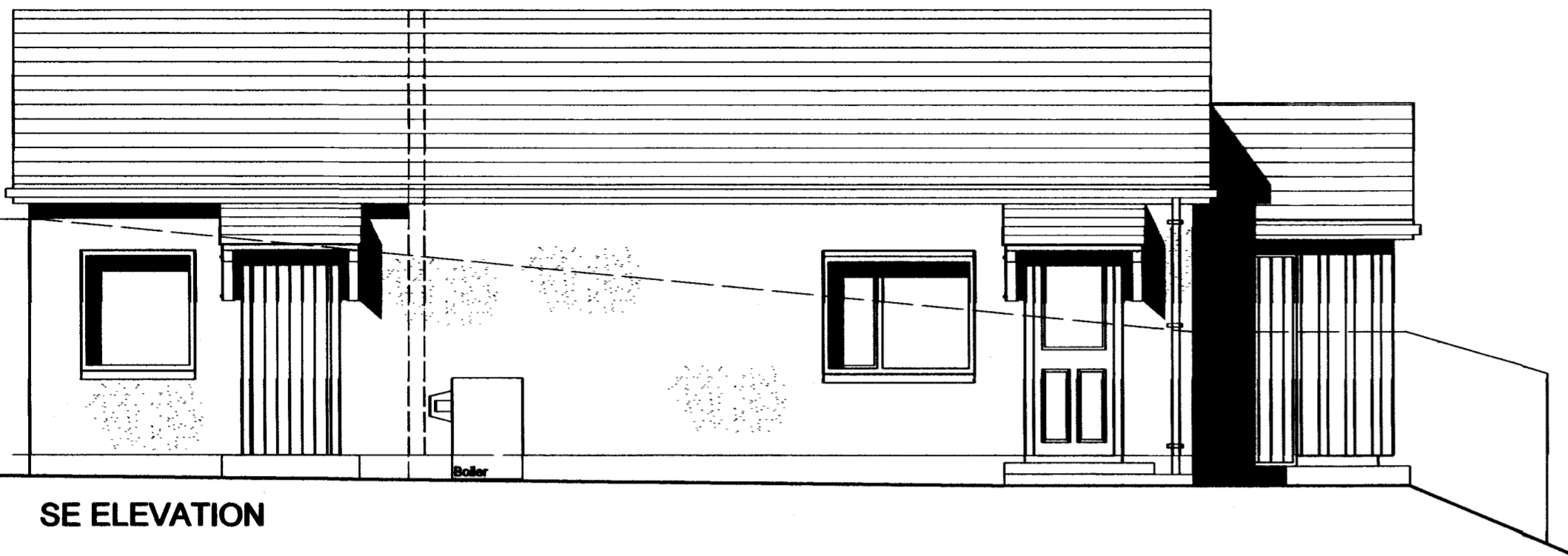
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proj no.	Draw no.	REV	
19-135	100	A	

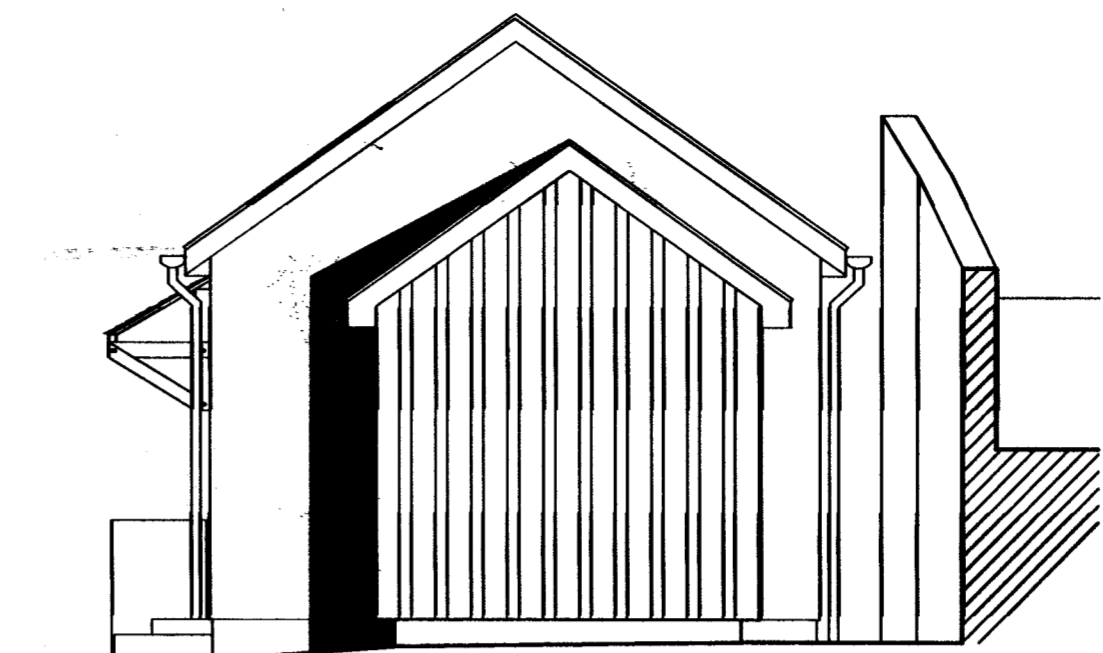
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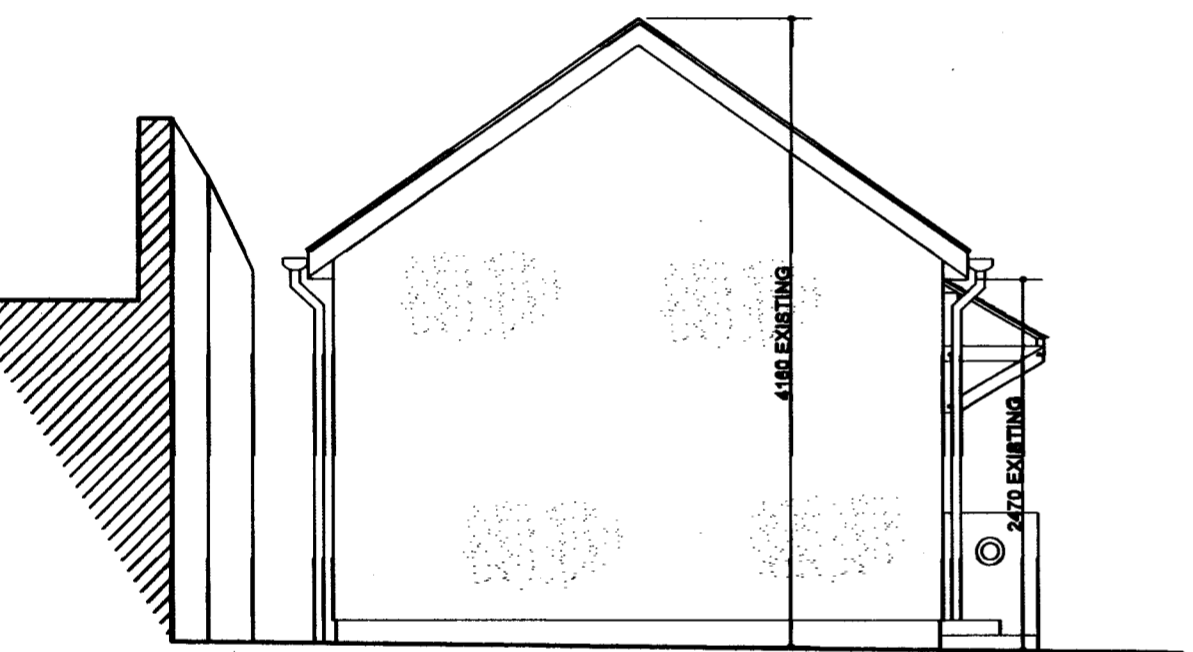
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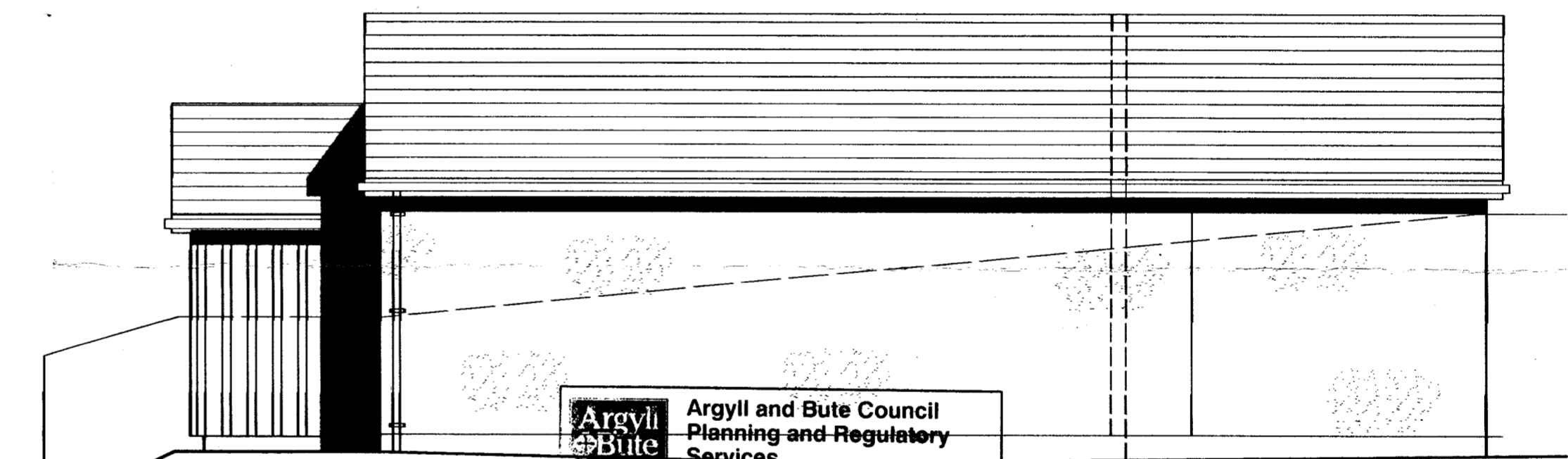
SE ELEVATION  
1:50



NE ELEVATION  
1:50



SW ELEVATION  
1:50



NW ELEVATION  
1:50

Argyll and Bute Council  
Planning and Regulatory Services

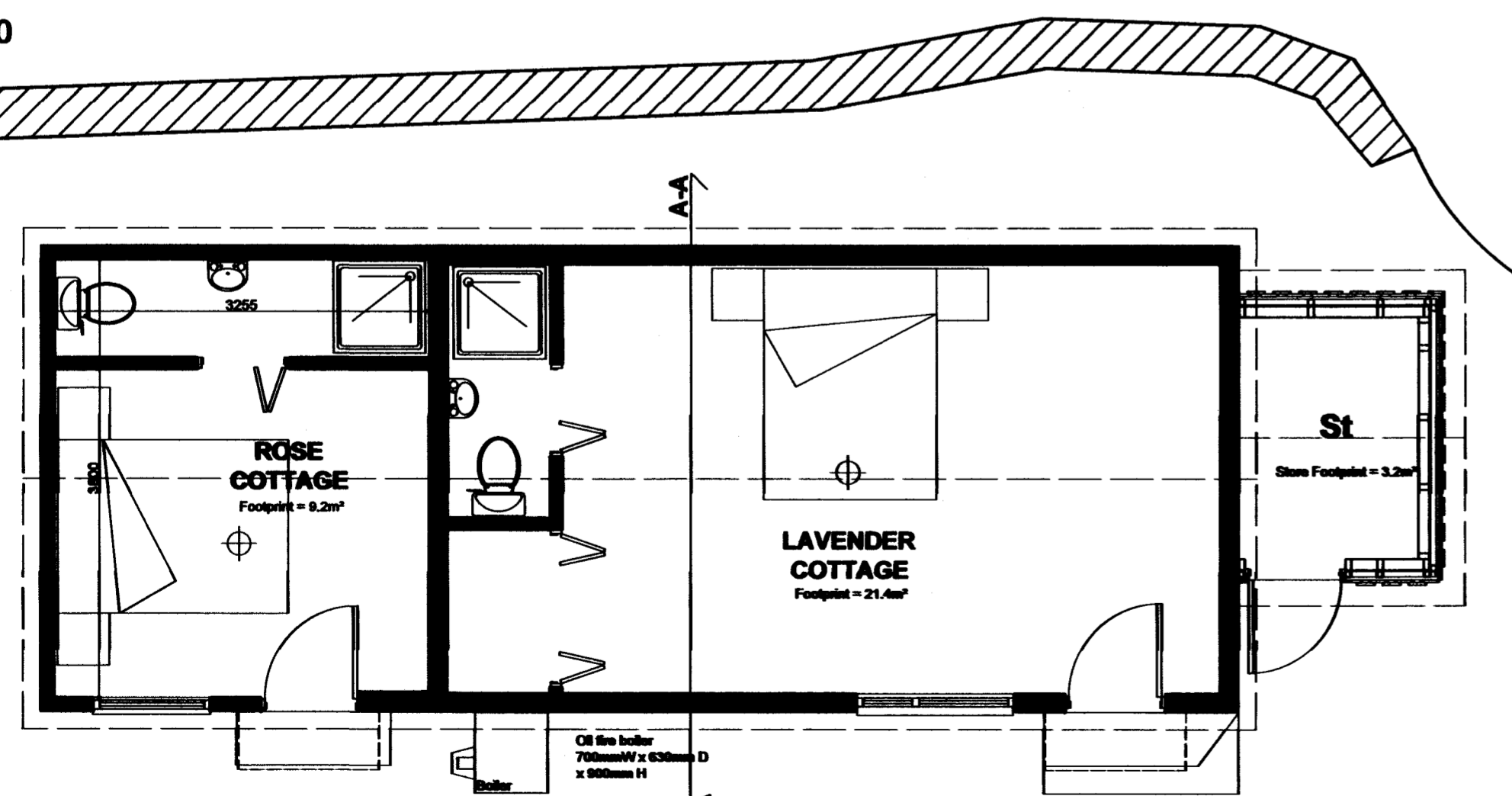
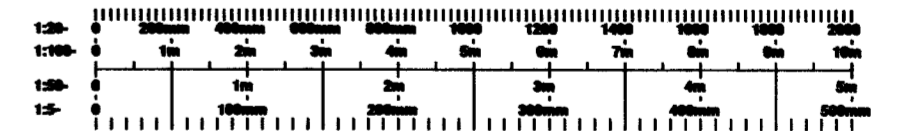
Application ref no: 19/01801/PP  
Date received: 5/9/19

Plan no: 5 of 8  
P.O. Initials: AS

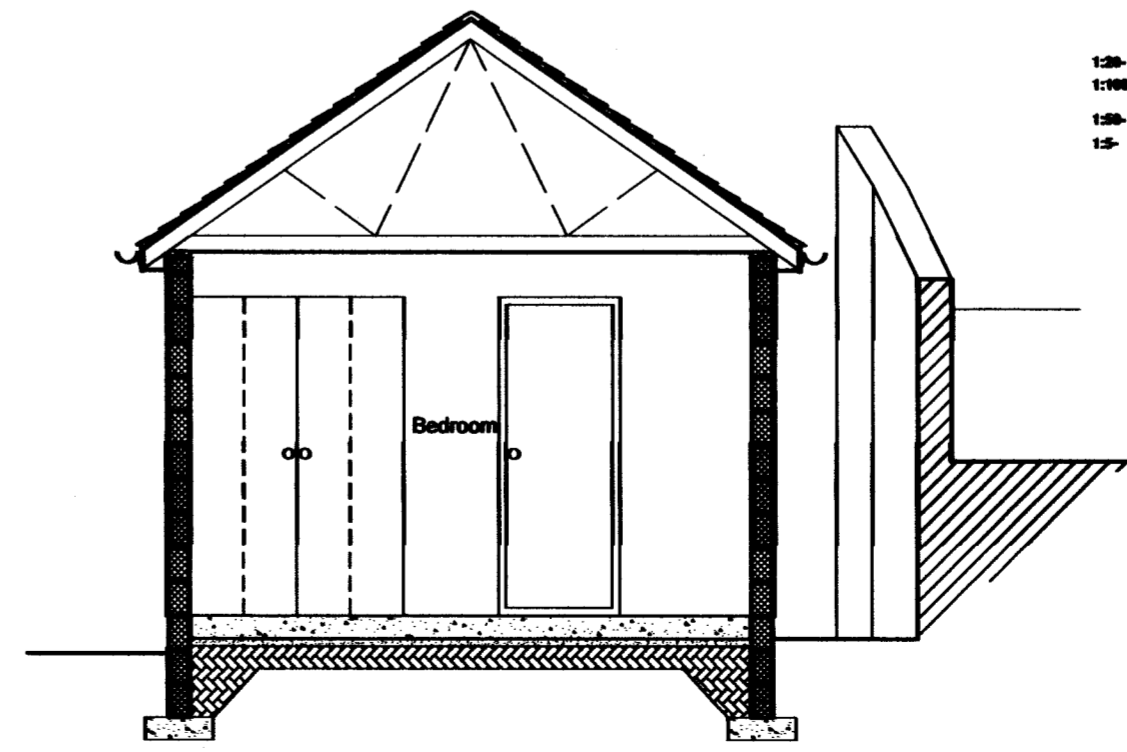
ARGYLL AND BUTE COUNCIL  
REFUSED BY PLANNING AUTHORITY

Relative to Application No 19/01801/PP

Head of Development and Economic Growth  
Date 12/01/2020



GROUND FLOOR PLAN  
1:50



SECTION A-A  
1:50

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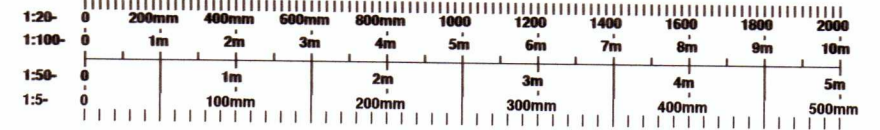
MR A. TOMKINSON

PROPOSED STAFF ACCOMMODATION  
1 ARGYLL TERRACE, TOBERMORY  
ISLE OF MULL

EXISTING PLAN, SECTIONS, ELEVATIONS

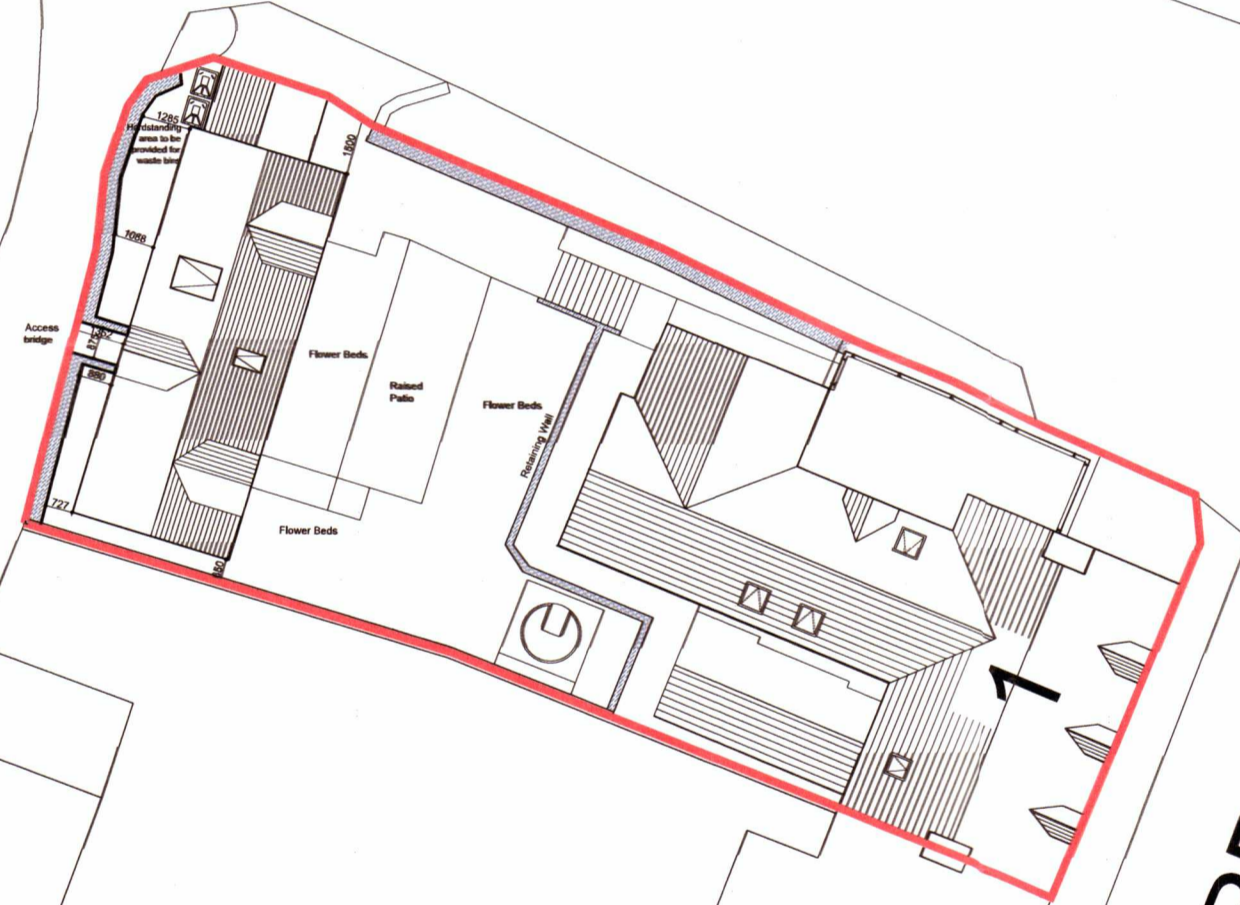
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VICTORIA STREET

The Parish  
Church  
of Tobermory



ARGYLL TERRACE

Argyll and Bute Council  
Planning and Regulatory  
Services

Application ref no: 19/01801/PP  
Date received: 31.9.19

Plan no: 3 of 8  
PO. Initials: NB

ARGYLL AND BUTE COUNCIL  
REFUSED BY PLANNING AUTHORITY

Relative to Application No: 19/01801/PP

Head of Development and Economic Growth  
Date: 13/11/2020

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MR A. TOMKINSON

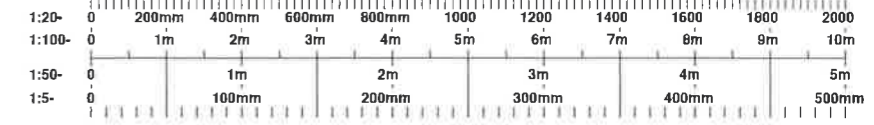
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1 ARGYLL TERRACE, TOBERMORY  
ISLE OF MULL

PROPOSED SITE PLAN

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SITE PLAN  
SCALE 1:200

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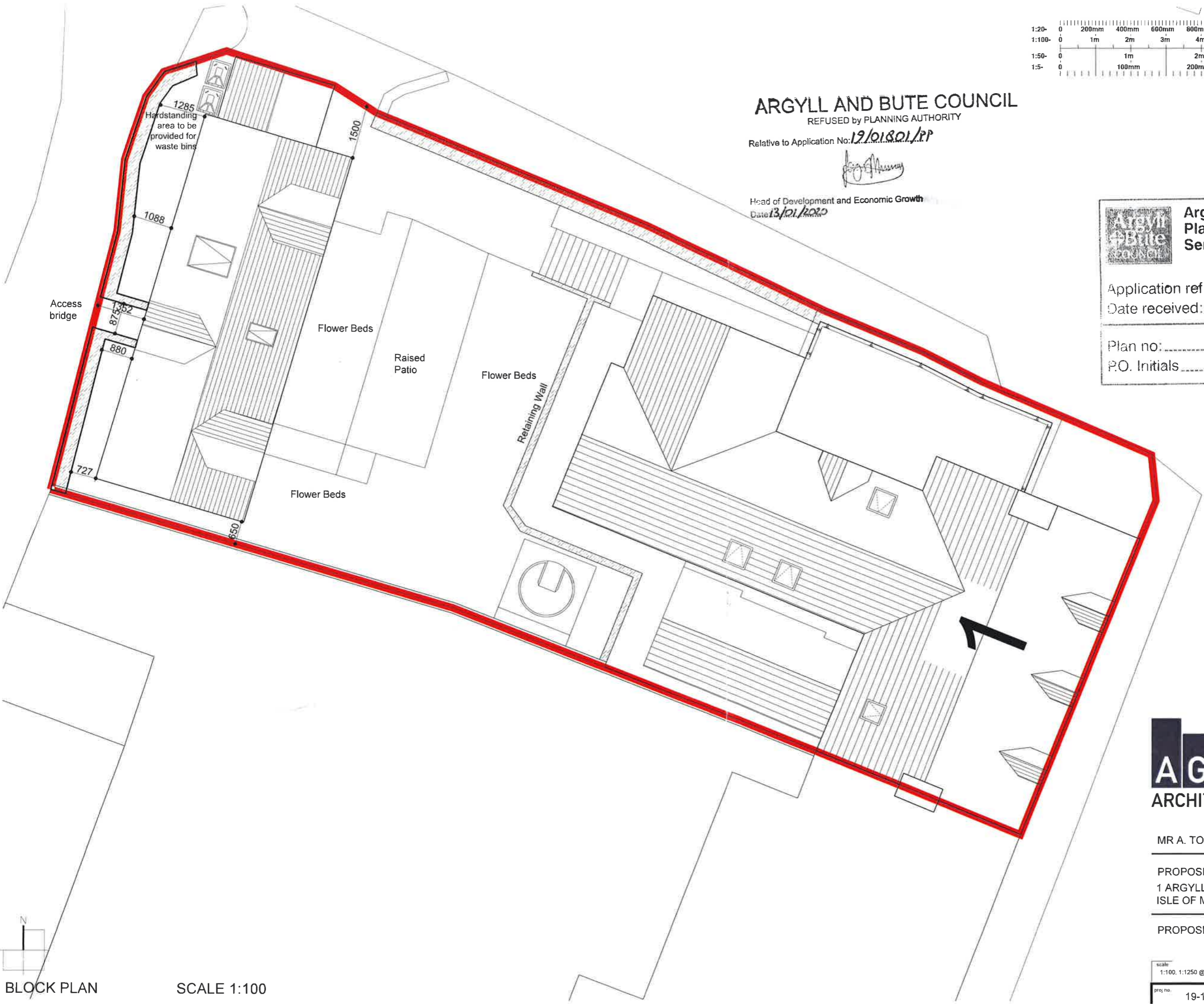


**ARGYLL AND BUTE COUNCIL**  
REFUSED by PLANNING AUTHORITY

Relative to Application No: 19/01801/PP

Head of Development and Economic Growth  
Date 13/01/2020

	<b>Argyll and Bute Council Planning and Regulatory Services</b>
Application ref no:	<u>19/01801/PP</u>
Date received:	<u>5/9/19</u>
Plan no:	<u>1 of 8</u>
P.O. Initials:	<u>AS</u>



BLOCK PLAN SCALE 1:100

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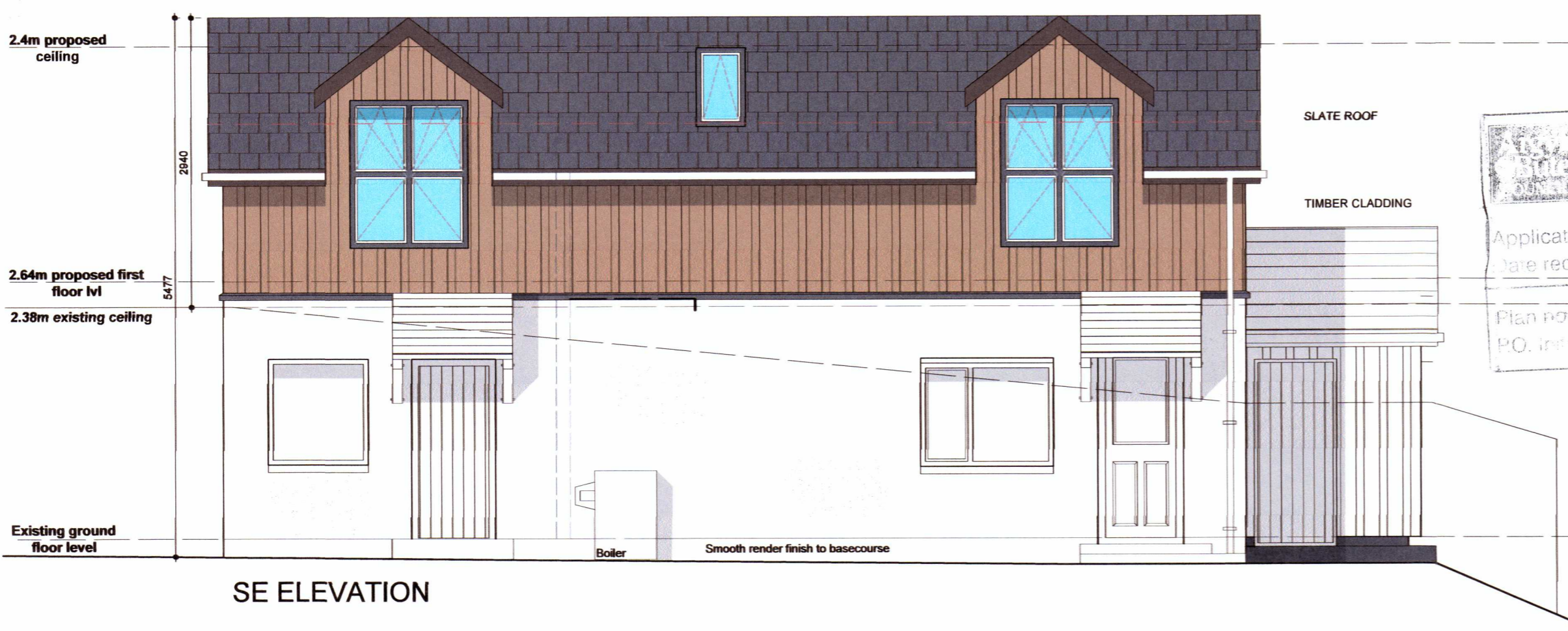
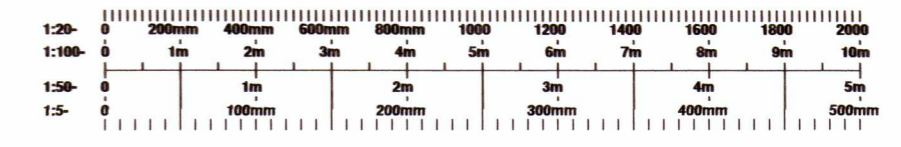
MR A. TOMKINSON  
PROPOSED STAFF ACCOMMODATION  
1 ARGYLL TERRACE, TOBERMORY  
ISLE OF MULL

PROPOSED SITE PLAN

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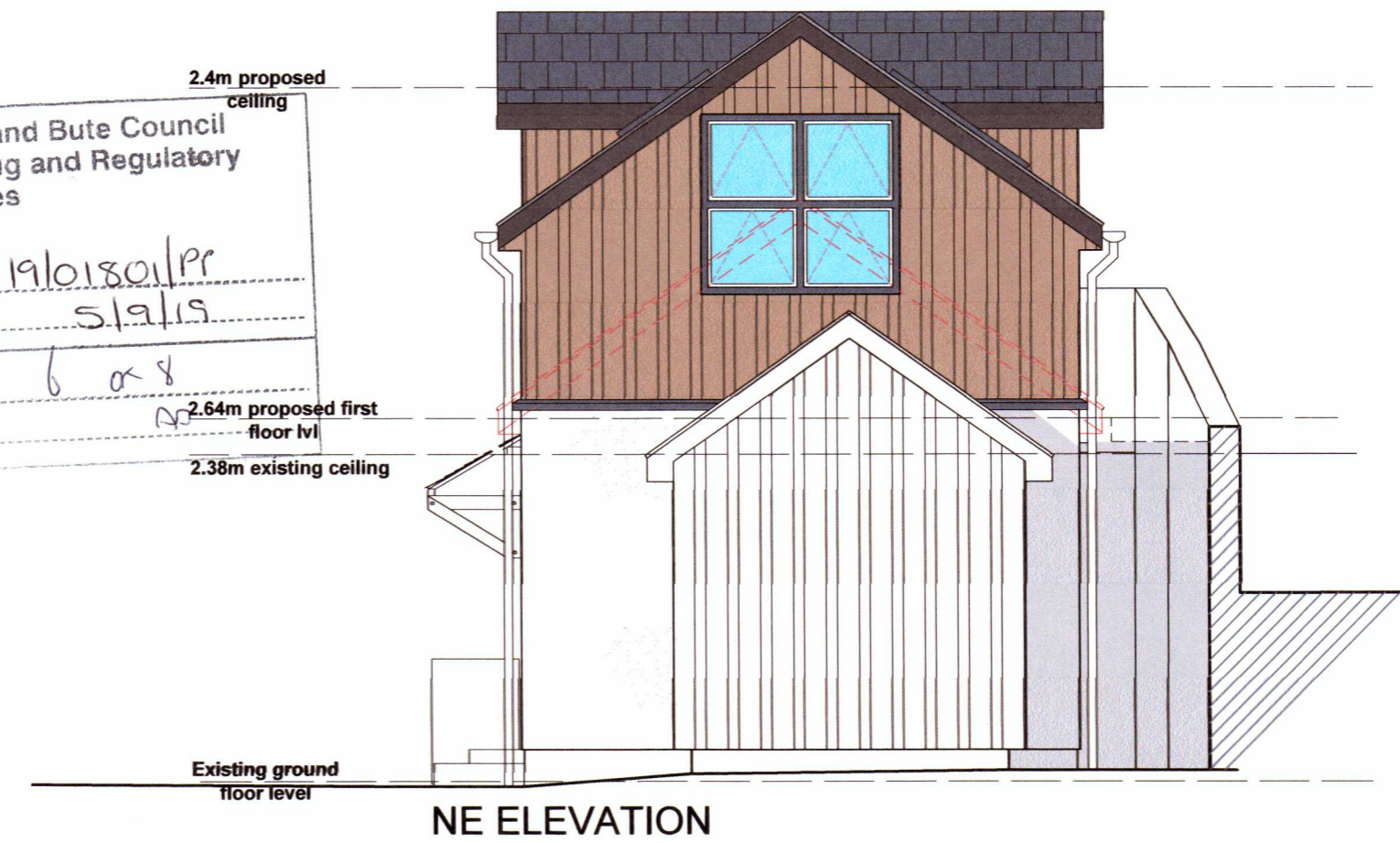


SE ELEVATION

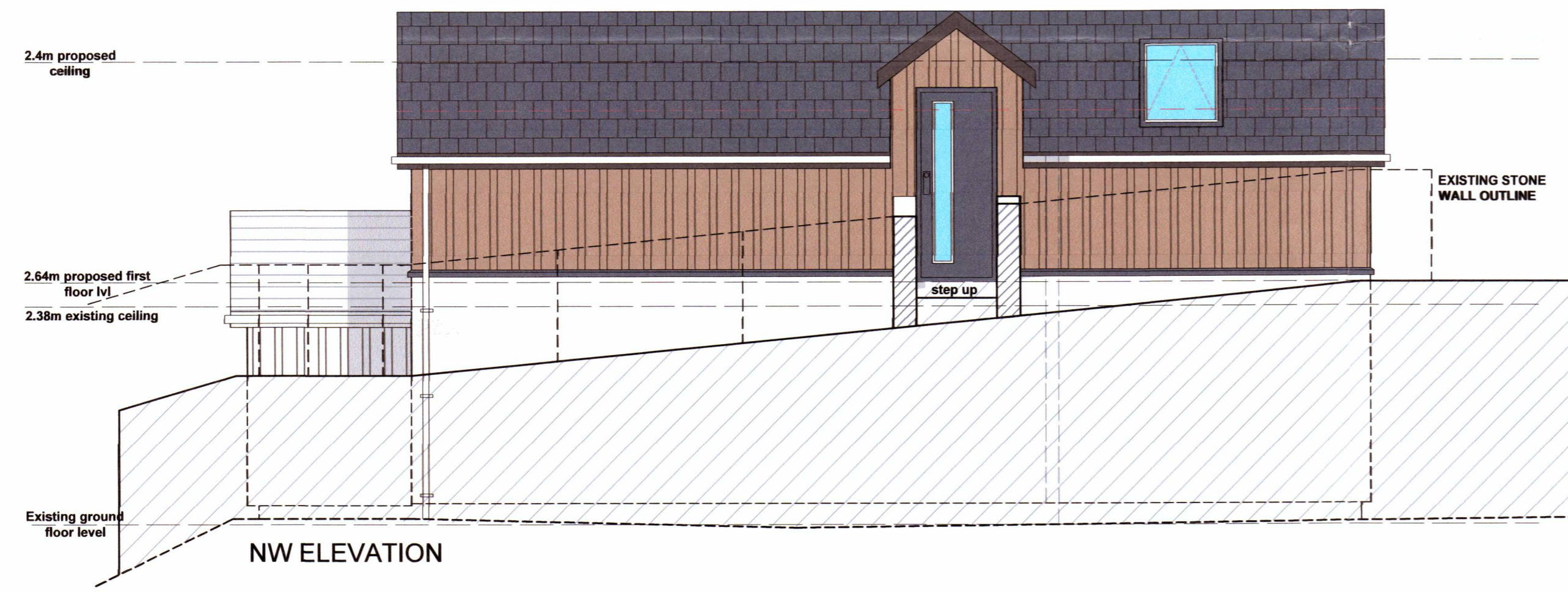
Argyll and Bute Council  
 Planning and Regulatory  
 Services

Application ref no: 19/01801/PP  
 Date received: 5/1/19

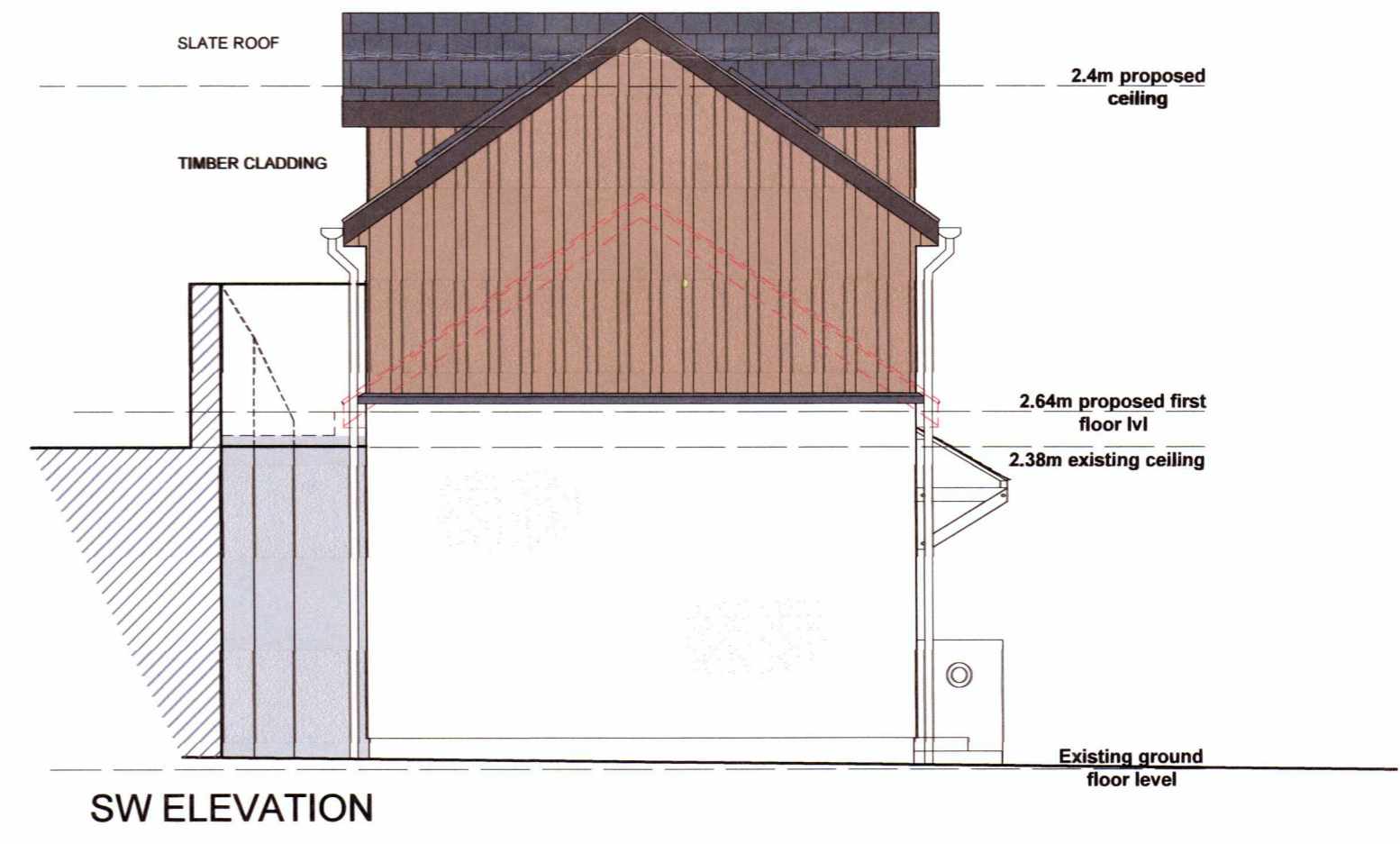
Plan no: 6 or 8  
 P.O. info's: 2



NE ELEVATION



NW ELEVATION



SW ELEVATION

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ARGYLL AND BUTE COUNCIL  
 REFUSED BY PLANNING AUTHORITY

Relative to Application No 19/01801/PP

Head of Development and Economic Growth  
 Date 13/01/2020

Architecture | Planning | Project Management

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MR A. TOMKINSON

PROPOSED STAFF ACCOMMODATION  
 1 ARGYLL TERRACE, TOBERMORY  
 ISLE OF MULL

PROPOSED ELEVATIONS

Scale: 1:50@A2	Date: 13.08.2019	Drawn: CP	Check: PLANNING
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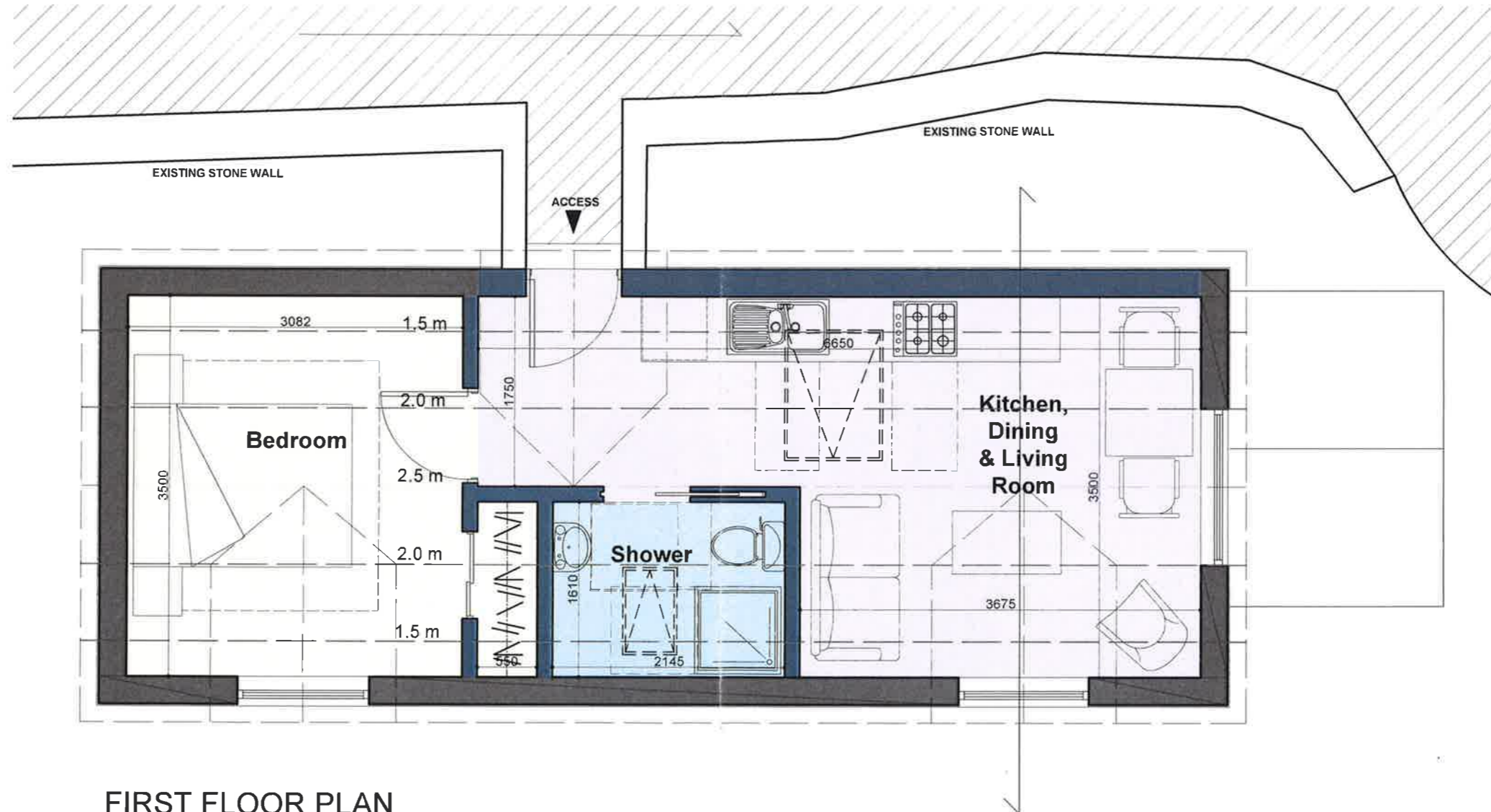
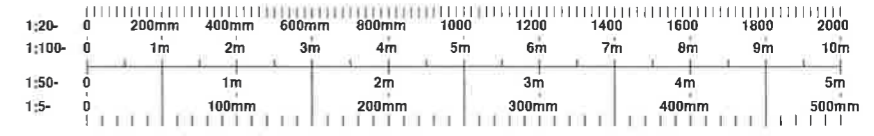
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CONTRACTOR TO VERIFY ALL  
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LEGEND	AREAS (net)
Kitchen, Dining, Living	18 m <sup>2</sup>
Shower	3.45 m <sup>2</sup>
Bedroom	12.05 m <sup>2</sup>
<b>FIRST FLOOR ACCOMMODATION AREA (Gross) = 33.5m<sup>2</sup></b>	

FIRST FLOOR PLAN

Argyll and Bute Council  
 Planning and Regulatory  
 Services

Application ref no: 19/01801/PP  
 Date received: 5/9/19

Plan no: 7 of 8  
 P.O. Initials: AB

ARGYLL AND BUTE COUNCIL  
 REFUSED by PLANNING AUTHORITY

Relative to Application No: 19/01801/PP

*[Signature]*  
 Head of Development and Economic Growth  
 Date: 13/01/2020

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MR A. TOMKINSON

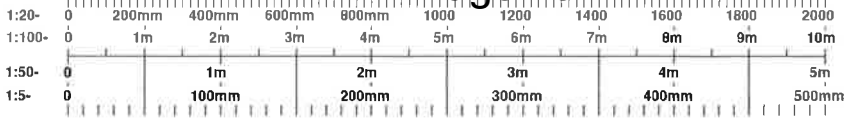
PROPOSED STAFF ACCOMMODATION  
 1 ARGYLL TERRACE, TOBERMORY  
 ISLE OF MULL

PROPOSED FIRST FLOOR PLAN

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proj no: 19-135	Dwg no: 201	REV: -	

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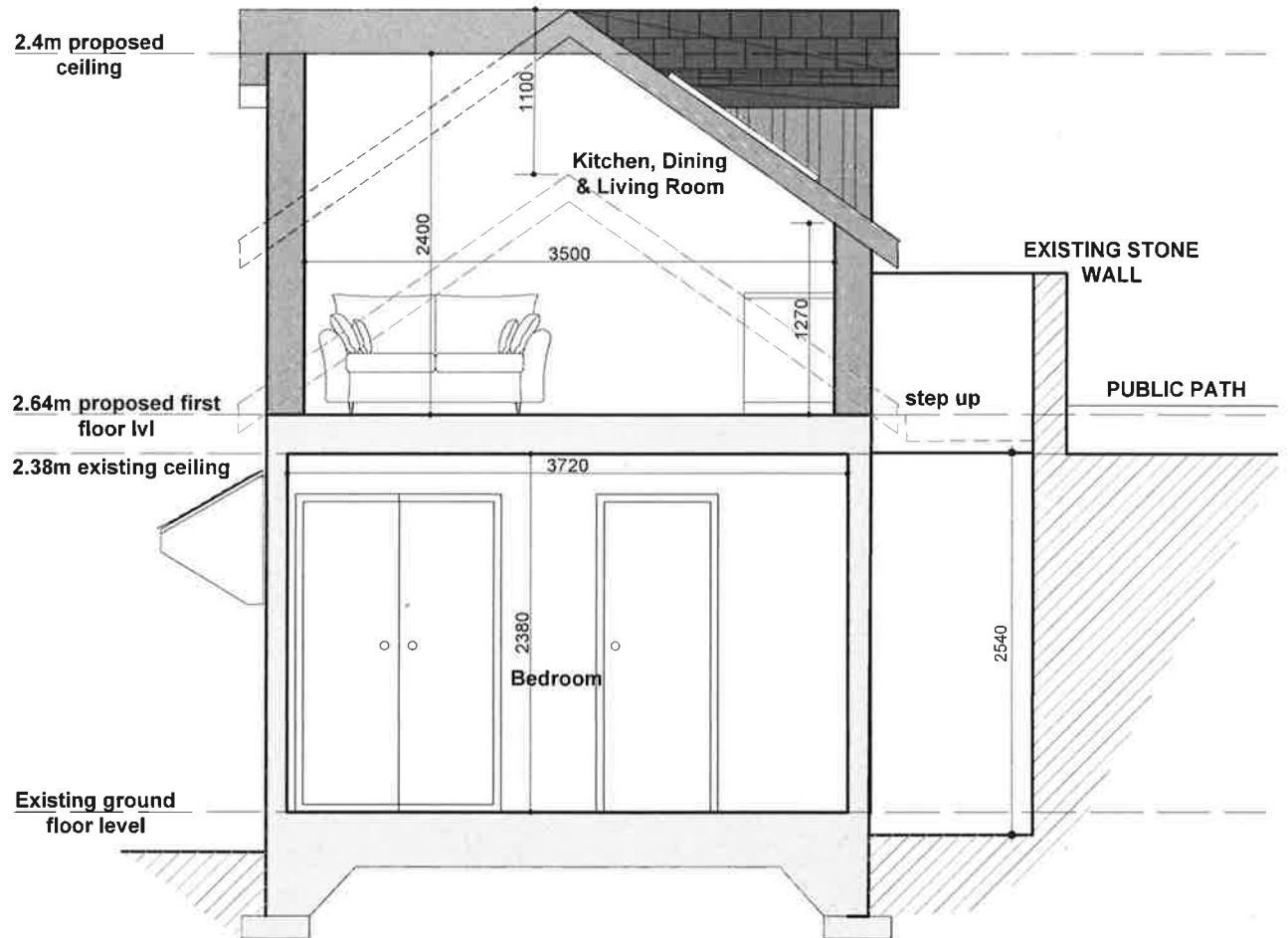
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**ARGYLL AND BUTE COUNCIL**  
 REFUSED by PLANNING AUTHORITY

Relative to Application No. 19/01801/PP

Head of Development and Economic Growth  
 Date: 13/01/2020



**SECTION B-B**

- EXISTING WALLS
- PROPOSED WALLS
- DOWNTAKINGS

**Argyll and Bute Council**  
**Planning and Regulatory Services**

Application ref no: 19/01801/PP  
 Date received: 5/9/19

Plan no: 8 of 8  
 P.O. Initials: AB

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MR A. TOMKINSON  
 PROPOSED STAFF ACCOMMODATION  
 1 ARGYLL TERRACE, TOBERMORY  
 ISLE OF MULL  
 PROPOSED SECTION A-A

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194

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**GENERAL**

1. The development shall be implemented in accordance with the details specified on the application form dated 28<sup>th</sup> August 2019 and the approved drawings listed in the table below unless the prior written approval of the Planning Authority is obtained for an amendment to the approved details under Section 64 of the Town and Country Planning (Scotland) Act 1997.

<b>Plan Title.</b>	<b>Plan Ref. No.</b>	<b>Version</b>	<b>Date Received</b>
Existing Site Plan	19-135 100	A	
Existing Site Plan	19-135 100	B	
Proposed Site Plan	19-135 101	A	
Proposed Site Plan	19-135 101	B	
Existing Plan, Section, Elevations	19-135 200	A	
Proposed Elevations	19-135 300		
Proposed First Floor Plan	19-135 201		
Proposed Section A-A	19-135 400		

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

Note to Applicant:

- 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).]
- In order to comply with Sections 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. Failure to comply with this requirement constitutes a breach of planning control under Section 123(1) of the Act.

- 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.

### **USE**

2. Occupation of the residential accommodation hereby approved is limited to a person(s) solely or mainly employed at the guesthouse 1 Argyll Terrace, Tobermory, Isle of Mull, PA75 6PB.

*Reason: To define the permission on the basis of the Planning Authority's assessment of the use applied for. Furthermore, the proposal would be unsuitable as an independent property due to its lack of curtilage and adverse impact on privacy with the host building.*

### **EXTERNAL FINISHING MATERIALS**

3. Notwithstanding the provisions of Condition 1, no development shall commence until written details of the type and colour of the proposed external roof covering, wall cladding, windows and doors and rainwater goods have been submitted to and approved in writing by the Planning Authority. The development shall thereafter be completed 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 in accordance with Policy LDP 9 of the adopted Argyll and Bute Local Development Plan 2015.*

Argyll and Bute Council  
Comhairle Earra Gháidheal agus Bhóid



## Development and Infrastructure Services

Director: Pippa Milne

**Development & Infrastructure Services**  
**Jackson Quarry, Mill park Road, Oban, PA34 4NH**

**Tel:** (01631) 567983

**e mail :** James.jackson@argyll-bute.gov.uk

**Website:** www.argyll-bute.gov.uk

To Whom It May Concern

**Ask For:** James Jackson

**Our Ref:** 20/0005/LRB

**Your Ref:**

**Date:** 9<sup>th</sup> June 2020

Dear Sir/Madam

### **LOCAL REVIEW BODY CASE 20/0005/LRB**

### **1 ARGYLL TERRACE, TOBERMORY ISLE OF MULL PA75 6PB**

- 1) From the roads department, confirmation of which road the access to the property is from and whether there is scope for public parking on Victoria Street.

Access to 1 Argyll Terrace is from Argyll Terrace. There has been no historic vehicular access to the property therefor the dwelling has been served by the use of on street parking.

There is no scope for public parking on Victoria Street due to the narrowness of the road, the relatively steep gradient of the road and the need to keep its junctions with Argyll Terrace, Back Breadalbane Street and Breadalbane Street clear for 10m on both sides of these junctions for visibility.

It should also be noted that a roadside open drainage ditch adjacent to 1 Argyll Terrace running parallel to Victoria Street has been culverted without permission, Roads will be seeking to reinstate to an open drainage ditch and will require unrestricted access for maintenance and upkeep.

James C Jackson

Traffic and Development Officer



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1 July, 2020

To: Argyll and Bute Council

From: Richard Payne and Susan Wood  
4 Breadalbane St  
Tobermory, Isle of Mull  
PA75 6PE

Re: Local Review Body Reference: 10/0005/LRB  
1 Argyll Terrace, Tobermory, Isle of Mull

We are writing to respond to the comments provided by the Roads Department and by the Planning Staff regarding consideration of this expansion and development.

In response to the Roads Department memo, we agree that there is “*no scope for public parking on Victoria Street due the narrowness of the road, the relative steep gradient of the road, and the need to keep its junctions with Argyll Terrace, Back Breadalbane St and Breadalbane St clear...*”. We note that in addition there is not adequate parking available on Argyll Terrace or Breadalbane St either, particularly in a normal tourist season. As mentioned in our earlier objections, the traffic survey presented by the applicant for a previous application is entirely inadequate as it was done during midwinter several years ago, and is inconsistent with our experience of the need for parking in the area both for residents and the Church.

In response to the Planning staff memos, we agree with the points made in the “Further information” memo.

With regard to Point 1, the concerns raised by planning staff *reflect the need to protect both the Conservation area and the prominence of the Church*. No conditions placed on the application would address these very serious concerns about the cumulative impact that the continual incremental growth and development at this site are having on the Conservation Area.

We agree with Point 2, that *no conditions would address the concerns by the Roads Dept regarding parking*.

We also agree with Point 3 regarding the existing unlawful holiday accommodation “Rose Cottage” within the same building, *and that approval of expansion would be condoning that misuse of the property*. We note that *neighbors have raised concerns about this unlawful accommodation at each stage* of this and previous applications, but this has not been addressed.

We urge the Local Review Body to support the decision to refuse planning permission for this property.

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