

**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*

1 December 2020

**NOTICE OF MEETING**

A meeting of the **ARGYLL AND BUTE LOCAL REVIEW BODY** will be held **BY SKYPE** on **TUESDAY, 8 DECEMBER 2020** at **4:00 PM**, which you are requested to attend.

Douglas Hendry  
Executive Director

**BUSINESS**

1. **APOLOGIES FOR ABSENCE**
2. **DECLARATIONS OF INTEREST**
3. **CONSIDER NOTICE OF REVIEW REQUEST: TIGH NA TORRAN, LOCHGAIR, LOCHGILPHEAD (REF: 20/0013/LRB)**
  - (a) Notice of Review and Supporting Documentation (Pages 3 - 20)
  - (b) Comments from Interested Parties (Pages 21 - 36)
  - (c) Comments from Applicant (Pages 37 - 96)

**Argyll and Bute Local Review Body**

Councillor Mary-Jean Devon  
Councillor Richard Trail

Councillor David Kinniburgh (Chair)

Contact: Fiona McCallum Tel: 01546 604392

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Ref:  
AB1

## ARGYLL AND BUTE COUNCIL

[WWW.ARGYLL-BUTE.GOV.UK/\\*\\*](http://WWW.ARGYLL-BUTE.GOV.UK/**)

OFFICIAL USE

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		(2) AGENT (if any)	
Name	Iain Torrance	Name	Kathryn MacDonald
Address	Craegen Gorm	Address	Bowman Stewart
	Inverneill		1 Victoria Buildings
	Lochgilphead		34 Union Street Lochgilphead
Postcode	PA30 8ES	Postcode	PA31 8JS
Tel. No.	<del>07748 932568</del>	Tel. No.	01546 606067
Email	<del>iaintorrance@outlook.com</del>	Email	Kathryn@bowmanstewart.co.uk

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

(4) (a) Reference Number of Planning Application 20/00898/PP

(b) Date of Submission 25 May 2020

(c) Date of Decision Notice (if applicable) N/A

(5) Address of Appeal Property

(not an Appeal – a Determination)  
Tigh na Torran  
Lochgair  
Lochgilphead  
PA31 8SD

(6) Description of Proposal

Demolition of rear extension, erection of rear (1 ½) and front (1 ½) extension

(7)

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

The Planning Application was accepted by the Council on 25 May 2020 with a determination date two months later. In view of COVID impacting the work of the Council I agreed to a Planning Department request that the determination date be extended by a month.

A decision on the Application has not been made by the Planning Officer and after an email exchange with Fergus Murray, Head of Planning, I was advised I had the right to have the application determined by the Local Review Body.

I therefore now request the Review determination.

I note that the Guidance Notes to this Form refer to a "deemed refusal" for this circumstance. However, I draw attention to Scottish Government Planning Circular 3/2013, Development Management Procedures s4.88 and I believe the Review should be correctly treated as requested by virtue of "non-determination".

I would welcome your clarification.



(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
	No documents are submitted in respect of supporting the request for the Review as there is not considered to be necessity or benefit to doing so (per Guidance Notes to this Form) as this is a requested Review is by virtue of non-determination of the Application - the date of the Application and the non-determination being matters of public record.
2	
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10	
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If insufficient space please continue on a separate page. Is this is attached?  (Please tick to confirm)

Submitted by  
(Please Sign)

  
XXXXXXXXXXXXXXXXXXXXXXXXXXXX

Dated 25th Oct 2020

**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/](http://www.argyll-bute.gov.uk/)
4. If in doubt how to proceed please contact 01546 604392/604269 or email [localreviewprocess@argyll-bute.gov.uk](mailto:localreviewprocess@argyll-bute.gov.uk)
5. Once completed this form can be either emailed to [localreviewprocess@argyll-bute.gov.uk](mailto: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.

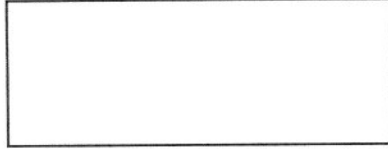
If you have any queries relating to the completion of this form please contact Committee Services on 01546 604392/604269 or email [localreviewprocess@argyll-bute.gov.uk](mailto:localreviewprocess@argyll-bute.gov.uk)

---

**For official use only**

Date form issued

Issued by (please sign)

A simple rectangular box with a thin black border, intended for a signature. It is positioned to the right of the text 'Issued by (please sign)'. The box is empty.

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Central Validation Team at Argyll and Bute Council 1A Manse Brae Lochgilphead PA31 8RD Tel: 01546 605518 Email: [planning.hq@argyll-bute.gov.uk](mailto:planning.hq@argyll-bute.gov.uk)

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE      100258643-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

## Description of Proposal

Please describe accurately the work proposed: \* (Max 500 characters)

Demolition of existing rear extension and erection of front and rear two storey extensions.

Has the work already been started and/ or completed? \*

No    Yes - Started    Yes – Completed

## Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant    Agent

## Agent Details

Please enter Agent details

Company/Organisation:	Bowman Stewart		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Kathryn	Building Name:	1 Victoria Buildings
Last Name: *	Macdonald	Building Number:	
Telephone Number: *	01546 606 067	Address 1 (Street): *	34 Union Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Lochgilphead
Fax Number:		Country: *	UK
		Postcode: *	PA31 8JS
Email Address: *	info@bowmanstewart.co.uk		

Is the applicant an individual or an organisation/corporate entity? \*

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *	Iain	Building Number:	14
Last Name: *	Torrance	Address 1 (Street): *	Basing Close
Company/Organisation		Address 2:	Thames Ditton
Telephone Number: *		Town/City: *	Surrey
Extension Number:		Country: *	UK
Mobile Number:		Postcode: *	KT7 0NY
Fax Number:			
Email Address: *	info@bowmanstewart.co.uk		

## Site Address Details

Planning Authority:

Argyll and Bute Council

Full postal address of the site (including postcode where available):

Address 1:

TIGH NA TORRAN

Address 2:

LOCHGAIR

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

LOCHGILPHEAD

Post Code:

PA31 8SD

Please identify/describe the location of the site or sites

Northing

690463

Easting

192451

## Pre-Application Discussion

Have you discussed your proposal with the planning authority? \*

Yes  No

## Trees

Are there any trees on or adjacent to the application site? \*

Yes  No

If yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

## Access and Parking

Are you proposing a new or altered vehicle access to or from a public road? \*

Yes  No

If yes, please describe and show on your drawings the position of any existing, altered or new access points, highlighting the changes you proposed to make. You should also show existing footpaths and note if there will be any impact on these.

## Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? \*

Yes  No

## Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? \*

Yes  No

Is any of the land part of an agricultural holding? \*

Yes  No

## Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

## Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: Kathryn Macdonald

On behalf of: Mr Iain Torrance

Date: 21/05/2020

Please tick here to certify this Certificate. \*

## Checklist – Application for Householder Application

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

- a) Have you provided a written description of the development to which it relates? \*  Yes  No
- b) Have you provided the postal address of the land to which the development relates, or if the land in question has no postal address, a description of the location of the land? \*  Yes  No
- c) Have you provided the name and address of the applicant and, where an agent is acting on behalf of the applicant, the name and address of that agent? \*  Yes  No
- d) Have you provided a location plan sufficient to identify the land to which it relates showing the situation of the land in relation to the locality and in particular in relation to neighbouring land? \*. This should have a north point and be drawn to an identified scale.  Yes  No
- e) Have you provided a certificate of ownership? \*  Yes  No
- f) Have you provided the fee payable under the Fees Regulations? \*  Yes  No
- g) Have you provided any other plans as necessary? \*  Yes  No

Continued on the next page

A copy of the other plans and drawings or information necessary to describe the proposals (two must be selected). \*

You can attach these electronic documents later in the process.

- Existing and Proposed elevations.
- Existing and proposed floor plans.
- Cross sections.
- Site layout plan/Block plans (including access).
- Roof plan.
- Photographs and/or photomontages.

Additional Surveys – for example a tree survey or habitat survey may be needed. In some instances you may need to submit a survey about the structural condition of the existing house or outbuilding.  Yes  No

A Supporting Statement – you may wish to provide additional background information or justification for your Proposal. This can be helpful and you should provide this in a single statement. This can be combined with a Design Statement if required. \*  Yes  No

You must submit a fee with your application. Your application will not be able to be validated until the appropriate fee has been Received by the planning authority.

## Declare – For Householder Application

I, the applicant/agent certify that this is an application for planning permission as described in this form and the accompanying Plans/drawings and additional information.

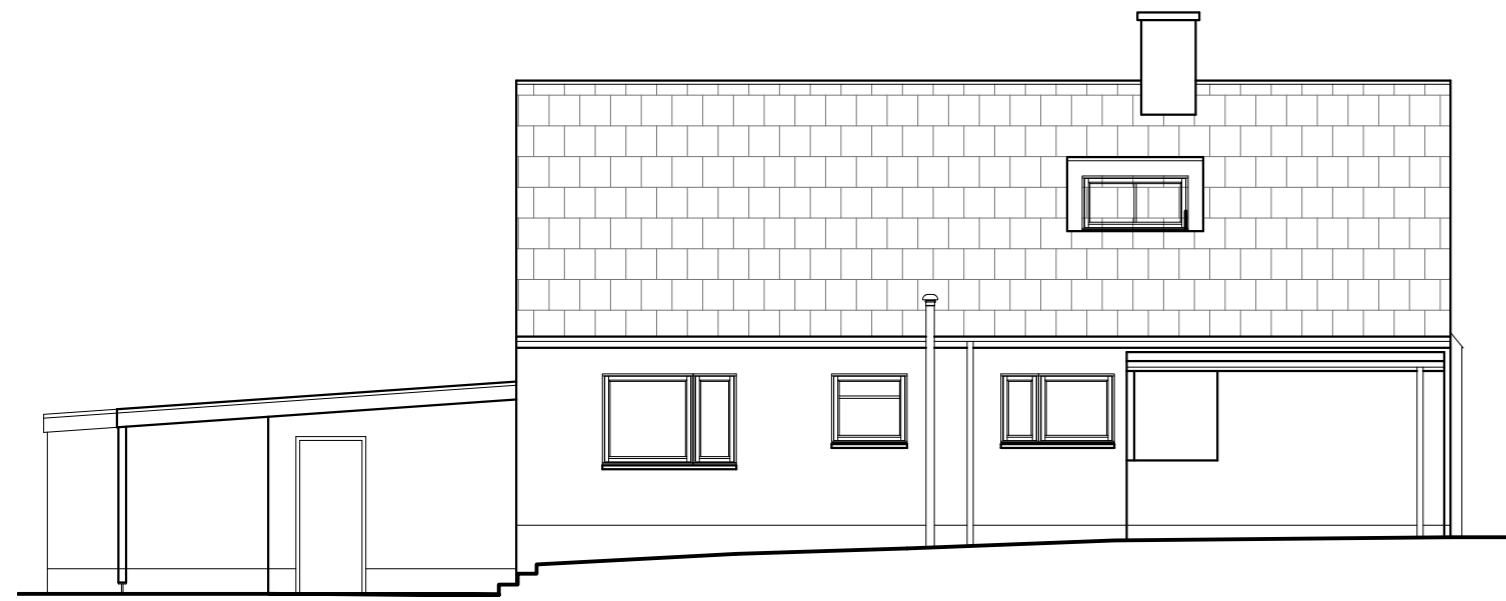
Declaration Name: Mrs Kathryn Macdonald

Declaration Date: 21/05/2020

**Payment Details**

Pay Direct

Created: 22/05/2020 10:36



5 WEST ELEVATION

Scale: 1:100



6 SOUTH ELEVATION

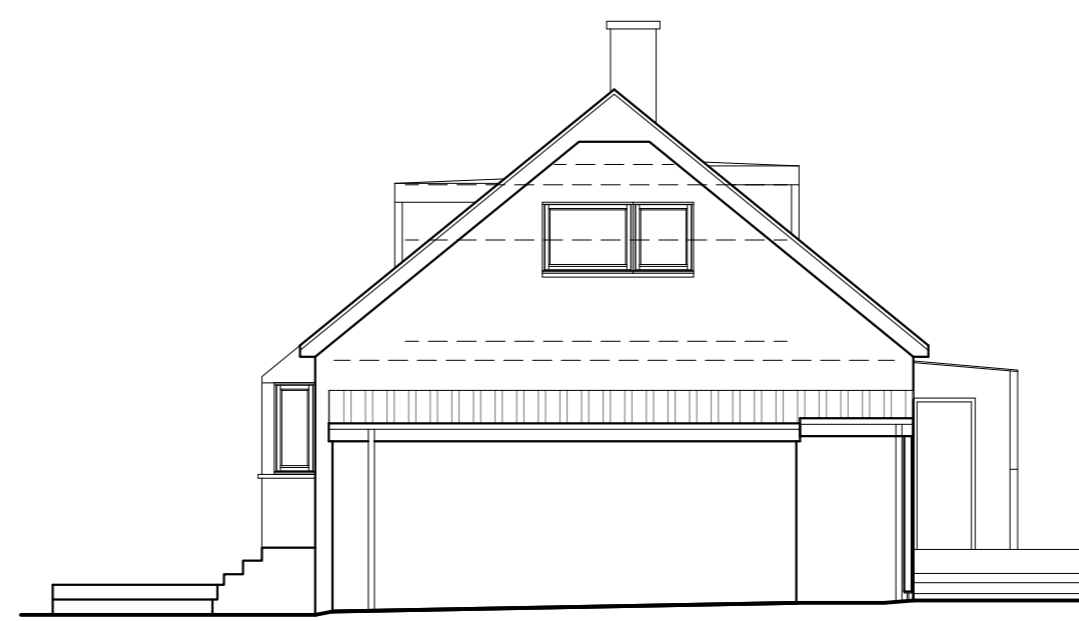
Scale: 1:100



3 EAST ELEVATION

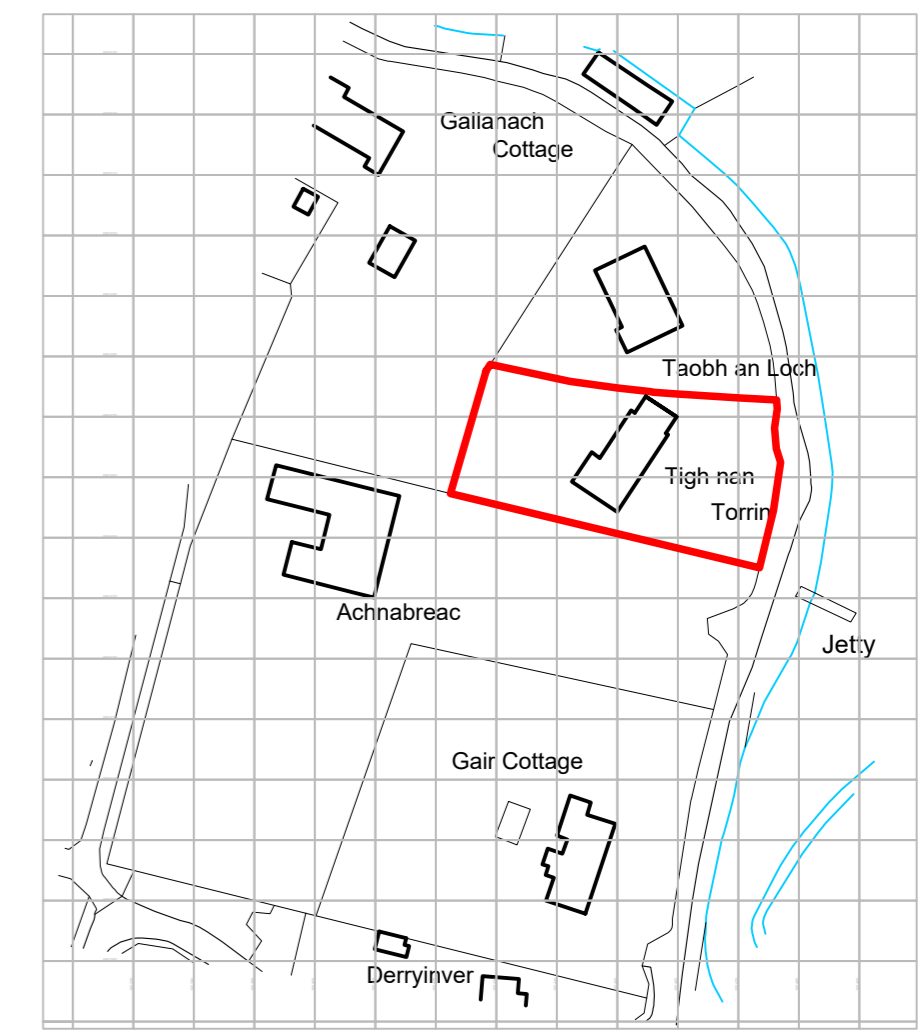
Scale: 1:100

**EXISTING FINISHES**  
 Walls - Dry dash render  
 Roof -  
 • Dwelling - Concrete tiles, Dark grey,  
 • Extension - corrugated metal sheet  
 Windows - PVCu framed, White  
 Rainwater goods - cast iron and PVCu, White



4 NORTH ELEVATION

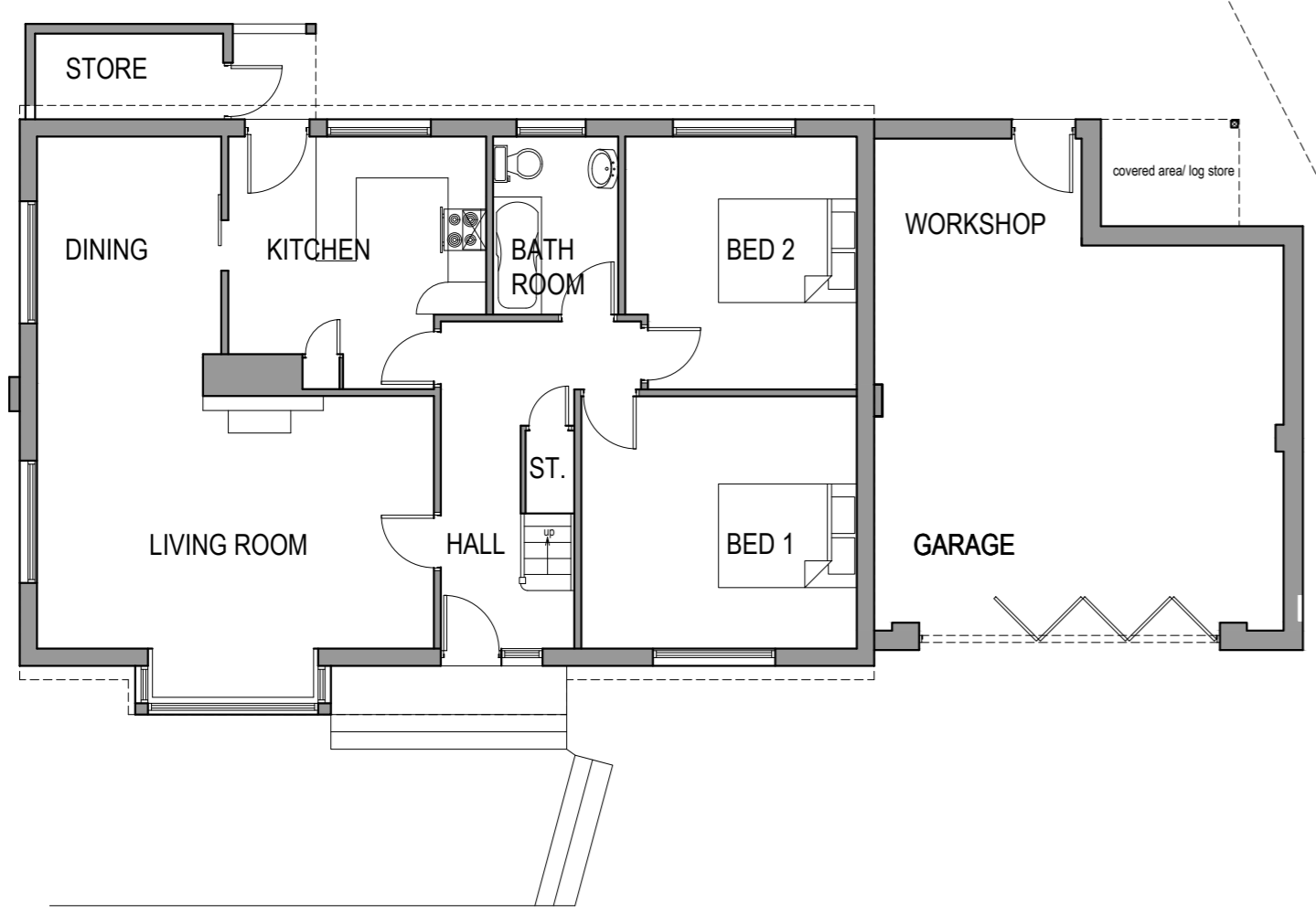
Scale: 1:100



Ordnance Survey, (c) Crown Copyright 2020. All rights reserved. Licence number 100022432

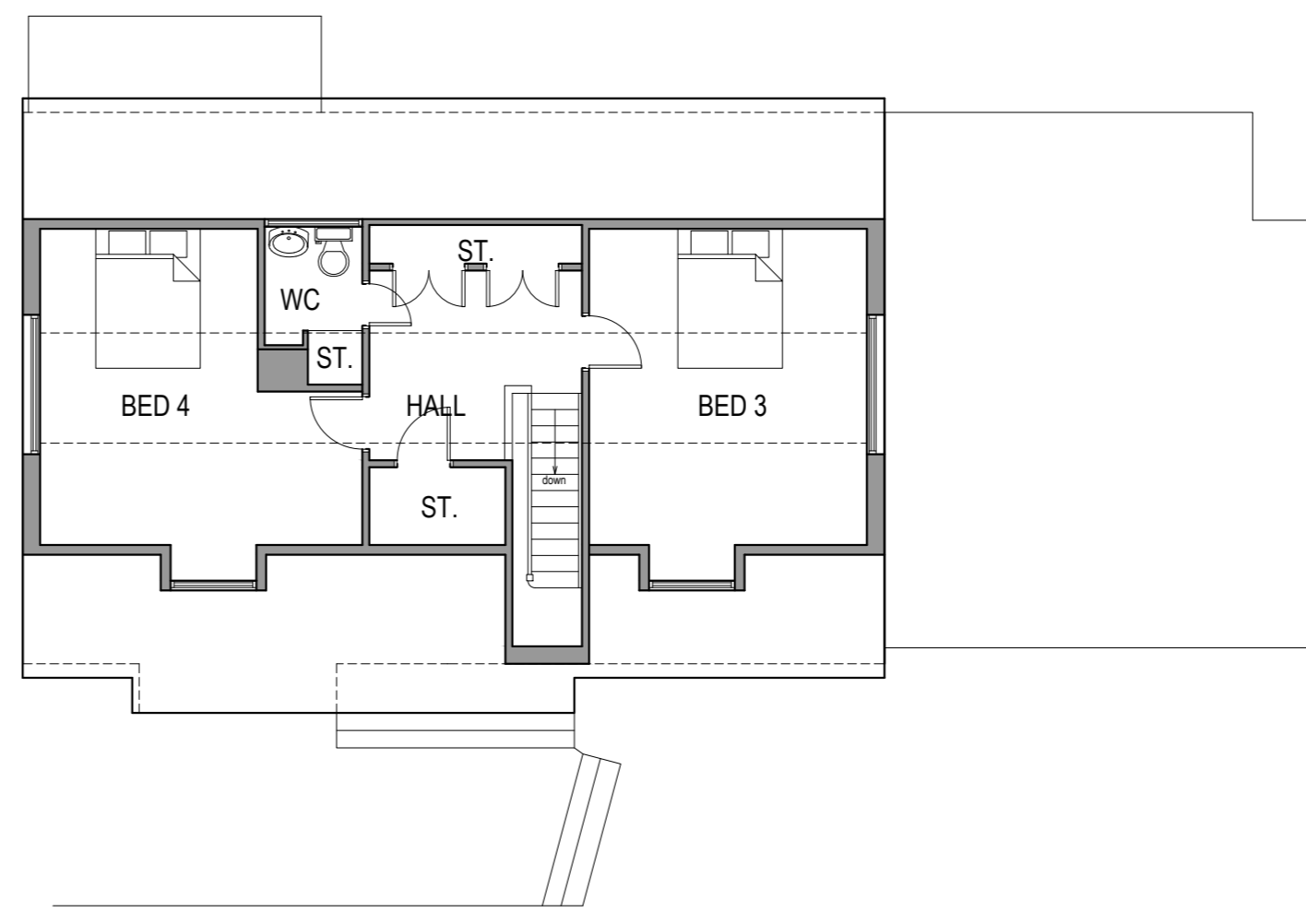
7 LOCATION PLAN

Scale: 1:1250



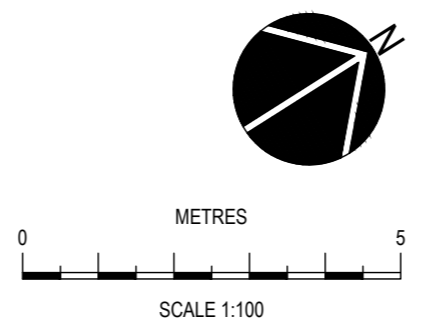
1 GROUND FLOOR PLAN

Scale: 1:100



2 FIRST FLOOR PLAN

Scale: 1:100



PLANNING		
CLIENT	Mr Iain Torrance	
PROJECT	Tigh-na-Torran, Lochgair, Argyll	
DRAWING	Plans and Elevations as Existing	
DATE	May 2020	SCALE 1:100 @ A2
DRAWN BY	KM	DRAWING NUMBER 19-2653-P-01
		REVISION -

**Bowman Stewart**  
 CHARTERED SURVEYORS, ARCHITECTS & ENGINEERS

1 Victoria Buildings 34 Union Street Lochgilphead PA31 8JS  
 01546 606 067 www.bowmanstewart.co.uk info@bowmanstewart.co.uk

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Rev	Revision note	Date	Initials
-	Original distribution.	20.05.20	KM
A	Finishes updated.	27.10.20	KM



5 WEST ELEVATION

Scale: 1:100



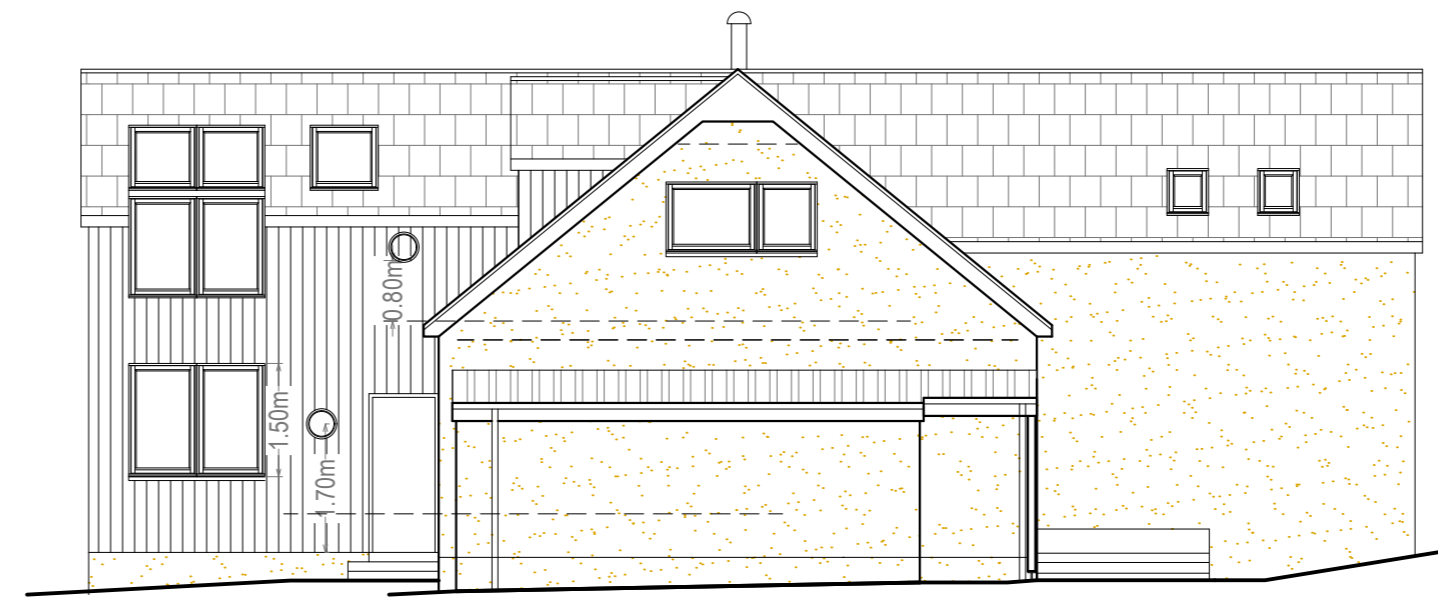
6 SOUTH ELEVATION

Scale: 1:100



3 EAST ELEVATION

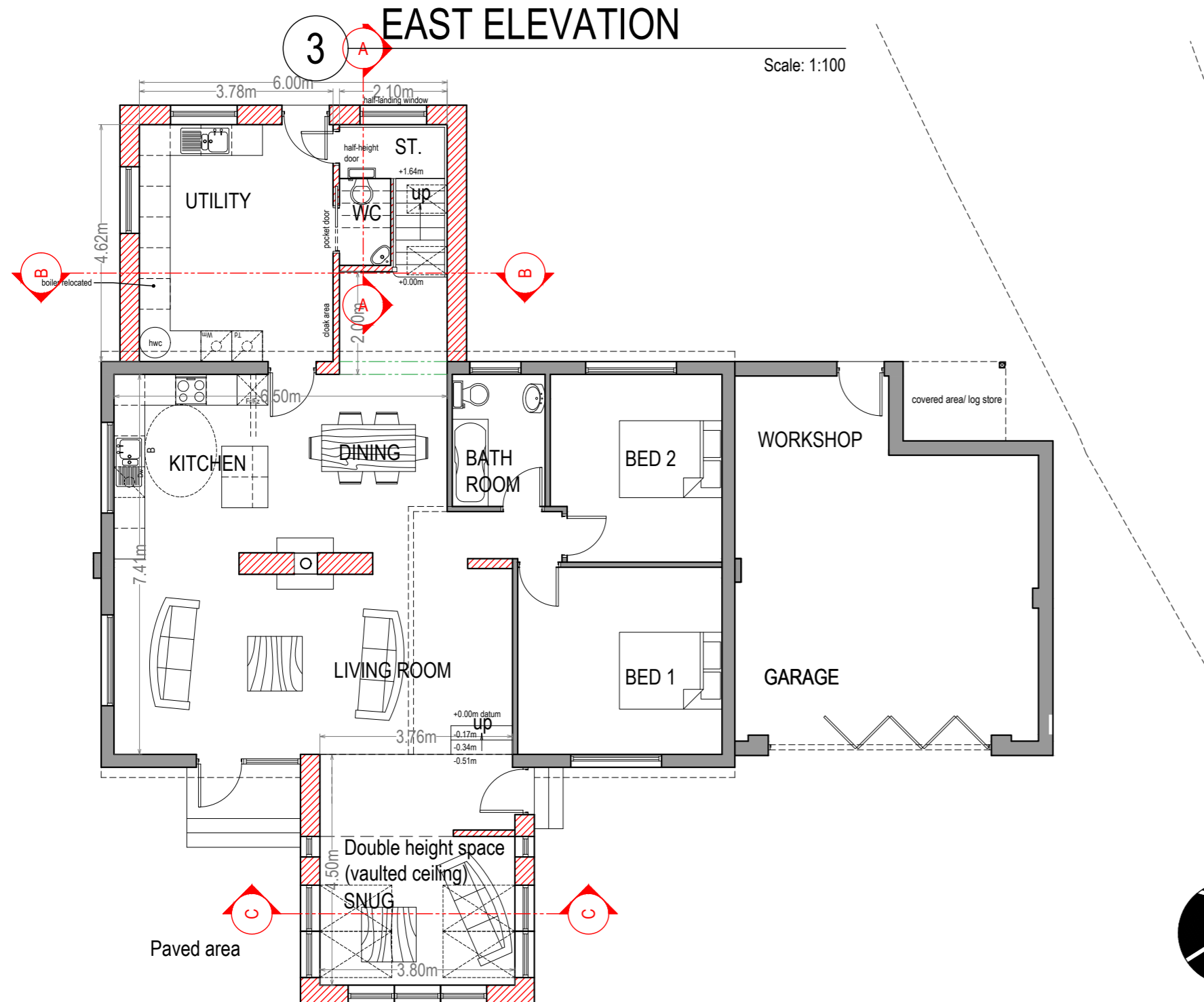
Scale: 1:100



4 NORTH ELEVATION

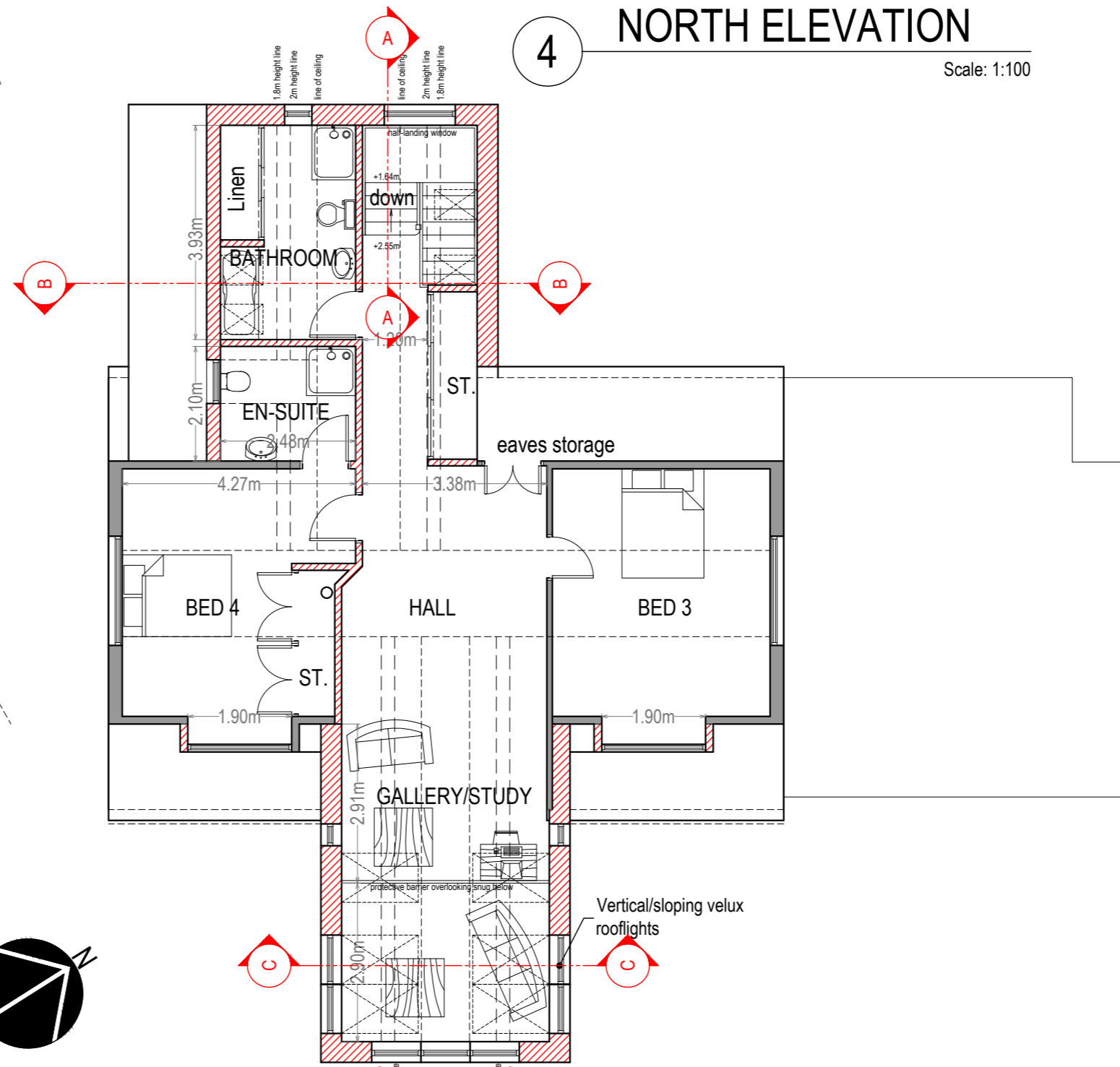
Scale: 1:100

**PROPOSED FINISHES**  
 Walls - White wet dash render, untreated Larch cladding  
 Roof -  
 • Dwelling, Front and back extensions - Spanish Slate  
 Windows - PVCu framed, White  
 Rainwater goods - PVCu, White



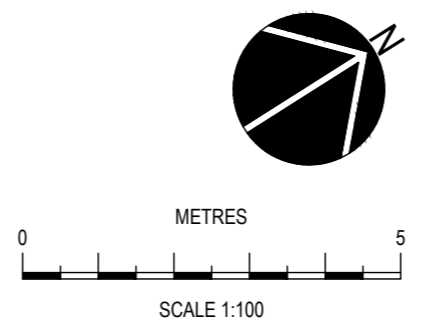
1 GROUND FLOOR PLAN

Scale: 1:100



2 FIRST FLOOR PLAN

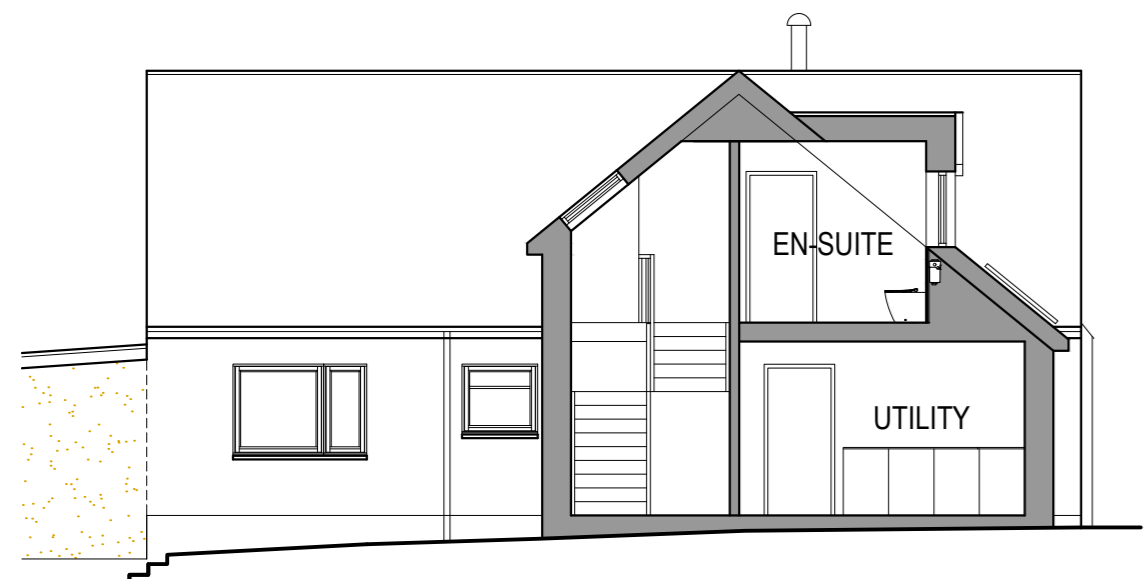
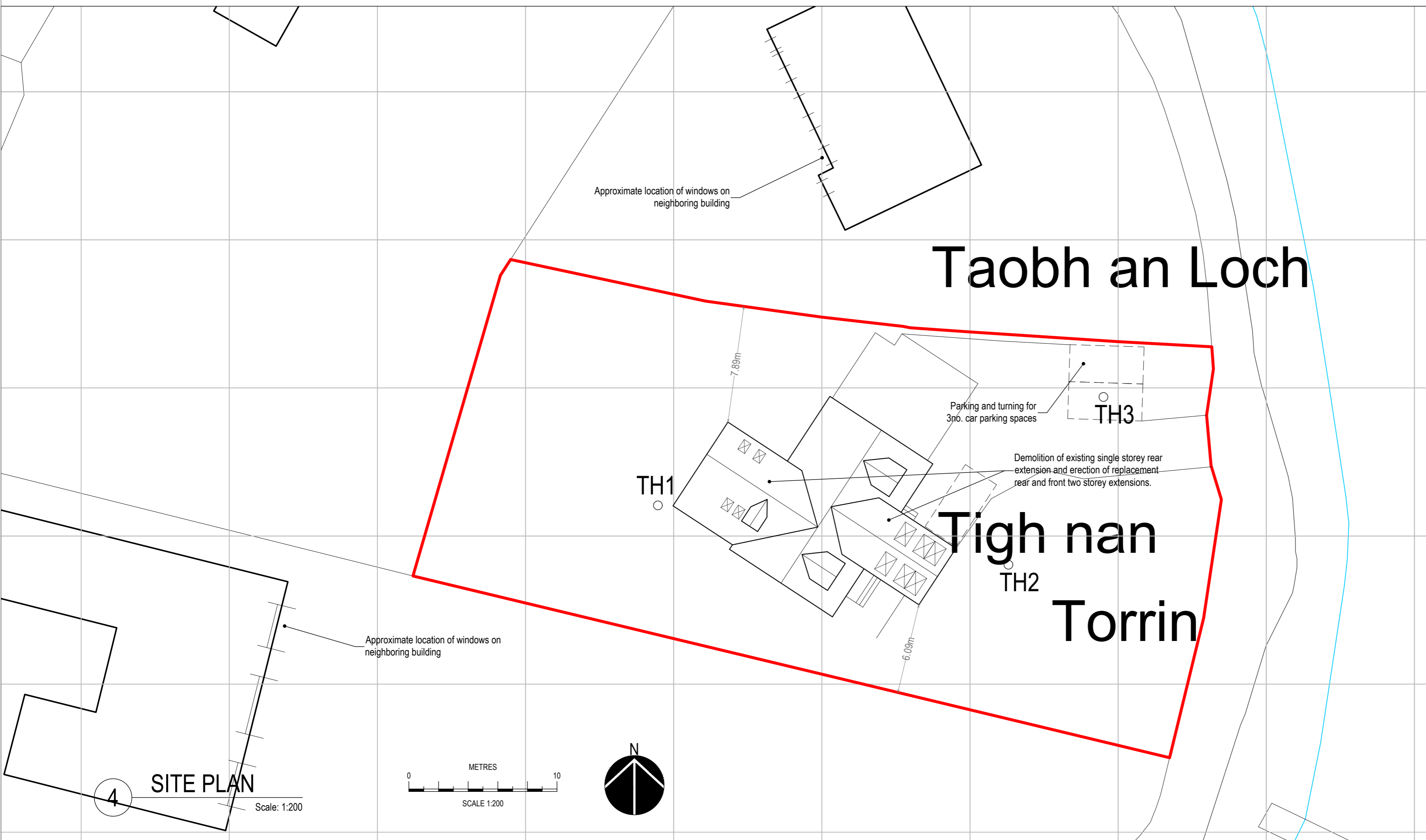
Scale: 1:100



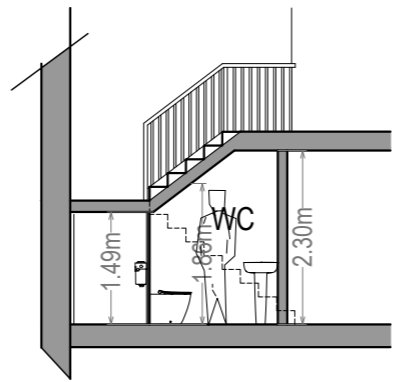
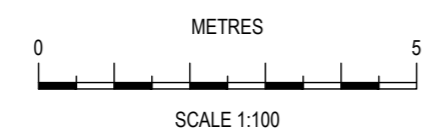
PLANNING		
CLIENT	Mr Iain Torrance	
PROJECT	Tigh-na-Torran, Lochgair, Argyll	
DRAWING	Plans and Elevations as Proposed	
DATE	May 2020	SCALE 1:100 @ A2
DRAWN BY	KM	REVISION A
	DRAWING NUMBER 19-2653-P-02	
<small>CHARTERED SURVEYORS, ARCHITECTS &amp; ENGINEERS</small>		
<small>1 Victoria Buildings 34 Union Street Lochgilphead PA31 8JS        01546 606 067 www.bowmanstewart.co.uk info@bowmanstewart.co.uk</small>		
<small>© THIS DRAWING IS COPYRIGHT AND MUST NOT BE AMENDED OR COPIED IN WHOLE OR PART</small>		

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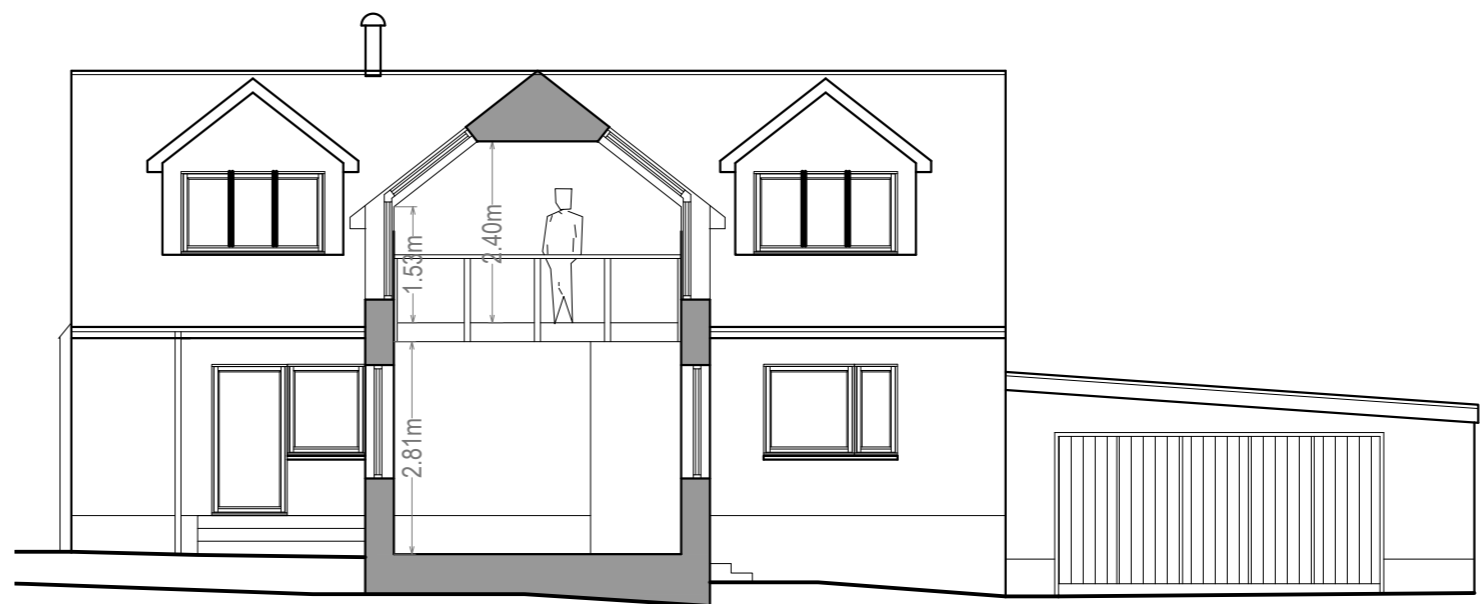
Rev	Revision note	Date	Initials
-	Original distribution.	21.05.20	KM
A	Parking spaces shown on site plan.	20.10.20	KM



1 SECTION B-B  
Scale: 1:100



2 SECTION A-A  
Scale: 1:100



3 SECTION C-C  
Scale: 1:100

PLANNING		
CLIENT	Mr Iain Torrance	
PROJECT	Tigh-na-Torran, Lochgair, Argyll	
DRAWING	Sections and Site plan as proposed	
DATE	May 2020	SCALE 1:100, 1:200 @ A2
DRAWN BY	KM	REVISION A
	DRAWING NUMBER 19-2653-P-03	

**Bowman Stewart**

CHARTERED SURVEYORS,  
ARCHITECTS & ENGINEERS

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**Argyll and Bute Council  
Development & Economic Growth**

**Delegated Planning Application Report and Report of Handling as required by Schedule 2 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 relative to applications for Planning Permission or Planning Permission in Principle**

---

**Reference No:** 20/00898/PP  
**Planning Hierarchy:** Local  
**Applicant:** Mr Iain Torrance  
**Proposal:** Demolition of rear extension and erection of front and rear two storey extensions  
**Site Address:** Tigh Na Torran, Lochgair, Lochgilphead, Argyll And Bute PA31 8SD

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### **DECISION ROUTE**

Sect 43 (A) of the Town and Country Planning (Scotland) Act 1997

---

#### **(A) THE APPLICATION**

**(i) Development Requiring Express Planning Permission**

- Erection of front and rear extensions
- Formation of 2 no. dormer additions on the front elevation
- Alterations to existing parking and turning area
- External alterations to existing house

**(ii) Other specified operations**

- Demolition of extension and dormer on rear elevation and 2no. dormers on front elevation
  - Alterations to internal layout
- 

#### **(B) RECOMMENDATION:**

That planning permission be refused for the reasons set out in this report

---

#### **(C) CONSULTATIONS:**

Area Roads – 29<sup>th</sup> May 2020 – Recommend deferral of determination pending submission of a plan drawing showing parking and turning for 3 no. vehicles within the application site to the satisfaction of the Council's Roads and Amenity Services.

SEPA - 1<sup>st</sup> June 2020 - Refer to SEPA standing advice for planning authorities and developers on development management consultations.

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#### **(D) HISTORY:**

No relevant planning history.

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**(E) PUBLICITY:**

Neighbour notification expired 19th June 2020.

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**(F) REPRESENTATIONS:**

**(i) Representations received from:**

Michael Reid, Westhome, Gallanach, Lochgair (3/11/20)\*

*\* The above representation was received after submission of the notice of review however it does not raise any additional issues which have not been addressed in my assessment. It is included here for completeness.*

**(ii) Summary of issues raised:**

- General support for the proposal in design terms and consider it best to allow the development to proceed to simply upgrade the current house.

*Comment: Noted. The assessment section provides a thorough response to this comment.*

---

**(G) SUPPORTING INFORMATION**

Has the application been the subject of:

- |  |    |
|--|----|
| <b>(i) Environmental Statement:</b>  | No |
| <b>(ii) An appropriate assessment under the Conservation (Natural Habitats) Regulations 1994:</b>  | No |
| <b>(iii) A design or design/access statement:</b>  | No |
| <b>(iv) A report on the impact of the proposed development eg. Retail impact, transport impact, noise impact, flood risk, drainage impact etc:</b> | No |
- 

**(H) PLANNING OBLIGATIONS**

Is a Section 75 agreement required: No

---

- (I) Has a Direction been issued by Scottish Ministers in terms of Regulation 30, 31 or 32: No**
-

**(J) Section 25 of the Act; Development Plan and any other material considerations over and above those listed above which have been taken into account in the assessment of the application**

**(i) List of all Development Plan Policy considerations taken into account in assessment of the application.**

**'Argyll and Bute Local Development Plan' Adopted March 2015**

LDP STRAT 1 – Sustainable Development

LDP DM 1 – Development within the Development Management Zones

LDP 3 – Supporting the Protection Conservation and Enhancement of our Environment

LDP 9 – Development Setting, Layout and Design

LDP 11 – Improving our Connectivity and Infrastructure

**'Supplementary Guidance to the Argyll and Bute Local Plan 2015' (Adopted March 2016)**

**Landscape and Design**

SG LDP ENV 13 – Impact on Areas of Panoramic Quality (APQs)

**Sustainable Siting and Design**

SG LDP Sustainable – Sustainable Siting and Design Principles

**Transport (Including Core Paths)**

SG LDP TRAN 6 – Vehicle Parking Provision

**(ii) List of all other material planning considerations taken into account in the assessment of the application, having due regard to Annex A of Circular 3/2013.**

- Scottish Planning Policy
- Argyll and Bute Proposed Local Development Plan 2 November 2019
- Supporting information submitted by the applicant
- Consultee responses
- All representations on material land-use planning considerations received within relevant consultation periods

---

**(K) Is the proposal a Schedule 2 Development not requiring an Environmental Impact Assessment: No**

---

**(L) Has the application been the subject of statutory pre-application consultation (PAC): No**

---

**(M) Has a sustainability check list been submitted: No**

---

**(N) Does the Council have an interest in the site: No**

---

(O) Requirement for a hearing: No

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(P) **Assessment and summary of determining issues and material considerations**

Proposed Development

The proposed development comprises a series of alterations, additions and extensions to an existing, shore front house within the small settlement of Lochgair. Proposed development includes extensions to the front and rear elevations and formation of two dormer windows (to replace 2 no. existing smaller dormers) on the front elevation.

LDP Spatial Strategy

The proposals relate to an existing residential property located within the minor settlement of Lochgair as identified in the Argyll and Bute Local Development Plan – 2015 (LDP). As such the principle of a domestic residential extension is consistent with the LDP Settlement and Spatial Strategy as established by policy LDP DM1.

Flood Risk

Having regard to SEPA standing advice for planning authorities and developers, I am satisfied that the proposed development to extend an existing house falls within one of the low flood risk categories set out in that advice, and as such will not give rise to unacceptable flood risk issues.

Siting, Scale, Massing, Form, Materials and Design Details

The siting, scale, massing, form, material finishes and detailed design of the proposed development fall to be assessed under policy LDP 9 of the LDP as well as associated supplementary guidance (SG LDP) on “Sustainable Siting and Design Principles.”

Paragraphs 8.1 and 8.2 of the above supplementary guidance give specific policy guidance on “Alterations, Extension, Conversions.” As such this guidance will be given significant weight in this assessment. The LDP policy can be considered in full on the Council’s web-site, however excerpts have been reproduced below for convenience.

Para. 8.1 acknowledges the value of carefully designed extensions going on to state that:

*“...care needs to be taken to ensure that the design, scale and materials used are appropriate in relation to the existing house and neighbouring properties.”*

Para 8.2 continues: -

*“Alterations and extensions should be in scale and designed to reflect the character of the original dwellinghouse so that the appearance of the building and the amenity of the surrounding area are not adversely affected. The following criteria will be taken into account when considering house extensions:*

- 1) Extensions should not dominate the original existing building by way of size, scale, proportion or design;*



2) *External materials should be complimentary to the existing property.”*

There is no dispute that the property would benefit from sensitive extension and alterations which would result in an improvement in its appearance and benefit to the visual amenity of the locality.

However, this is not incompatible with the adopted policy requirement that extensions should reflect the character of existing houses and should not dominate the original existing house. In other words, the planning authority is fully supportive of investment and proposed extension of this house in principle. It is considered that the detailed design proposals, specifically the relatively large and prominent front extension, will not be consistent with relevant LDP policy.

The existing local built development pattern is characterised by detached houses fronting onto a public road which runs along the edge of the loch. There is a variety of house styles however one important common feature is that they have a generally rectangular plan and volumetrically simple pitched roof form oriented such that the line of the main roof ridge runs generally parallel with the public road. This predominantly rectangular building footprint and simple roof form presenting the front roof slope to the principle elevation (and gables to the end elevations) reflects the traditional Scottish house typology.

The proposed front extension is sited symmetrically about the centreline of the principal elevation of the existing house. The front (east elevation) of the proposed extension is 4.56 metres wide and it will project 4.65 metres in front of the front wall of the principal elevation of the house. The ridge of the roof is the same height as that of the existing house and it is orientated at 90° relative to the existing house such that it presents a gabled elevation to the front elevation.

As a result, the proposed development will obscure a significant proportion of the existing front elevation. Taking into account the effects of perspective (where nearer objects appear larger and take visual precedence over objects behind) and prevailing ground levels, the strong gabled form of the front extension will dominate the traditional simple form and character of the existing house behind. In particular, the apex of the gabled roof to the extension will appear significantly higher than the height of the original house. Whilst of arguably lesser relative significance than siting, scale, massing and height, the higher eaves level of the proposed extension relative to the original house will accentuate the dominance of the proposed development relative to the existing house.

The principal public elevation of a house is by nature, the most sensitive to change, and as such there is a general planning principle that the most appropriate siting for extensions to a house is to the rear or to the side. Front extensions are generally limited to porches or considerably more modest 'bay' windows.

The simple roof form of this house, with ridge orientated generally in line with the line of the front boundary is a strong element of its character. The replacement of 2 no. existing dormers with enlarged dormers on the front elevation (in of themselves) reflect the form of the house, on balanced assessment. Having the height of the dormer roof ridges set even slightly below that of the ridge would be a significant improvement, however, taking into account the benefits of positive improvements to this property, then the dormers can be supported notwithstanding these concerns. However, the further addition of a relatively large gabled extension occupying almost the full width of existing roof plane remaining between the dormers will introduce an

inappropriately dominant and 'cluttered' form of development at first floor/roof level at odds with the simple, tradition form and character of the house, and that of nearby development.

This resultant combined form with its more complex intersecting roof forms and T-shaped plan with central forwardly projecting gable-ended wing does not reflect the volumetrically simple formal language of Scottish houses. It does not relate to the form and character of nearby houses. As such it would result in an incongruous intervention into the existing development character to the detriment of the visual amenities of this sensitive lochside area, contrary to the relevant provisions of the adopted Local Development Plan policies.

### Comments on Applicant's Supporting Statement

In response to the case officer's concerns, the agent submitted (on 20<sup>th</sup> October) several examples of nearby houses with a view to establishing a case in favour of the proposed development.

On 27<sup>th</sup> October the applicant submitted a letter of support which also responded to the concerns raised in my e-mail correspondence with the applicant's agent. This letter was received after the submission of the notice of review.

The supporting comments from agent and applicant are available for inspection in full on the Council's we-site, however for convenience, I will summarise the contents and respond to them briefly as follows:-

- My original reference to the existing property as "a single storey house with rooms in the roof" (relative to a proposed 1  $\frac{3}{4}$  storey front extension) in correspondence was inaccurate and undermined my assessment.

*Comment: - Whether the existing house is "a 1  $\frac{1}{2}$  storey house" or "a single storey house with rooms in the roof space" did not affect my assessment. However I did acknowledge that a "1  $\frac{1}{2}$  storey house" is a more technically appropriate term.*

- The existing building has a step in the eaves line over a projecting bay window and across the front door. This justifies a step up of 1.4 metres between the eaves of the existing house and the proposed front extension.

*Comment: - The existing step down in eaves is formed by the downwards extension of the existing roof plane to extend over a small bay window projection. In my view it integrates successfully with the overall character of the house. This existing modest feature is completely different in terms of scale, massing, form, height and design relative to the proposed extension and as such does not support the proposed development of a significantly larger front extension which will have a much greater impact on the existing house.*

- The forward-projecting design was partly to allow for south facing windows to increase solar gain in interests of energy efficiency.

*Comment: - Energy efficient design in principle is supported, including the installation of solar panels on the rear extension. No objections have been raised with regard the solar panels on the proposed rear extension. However, the introduction 2 no. south facing windows to benefit from thermal gain is not*

*of significant weight, in my assessment, to warrant supporting a proposed development which has been assessed as being contrary to other LDP policies and Supplementary Guidance.*

- On 22<sup>nd</sup> October, the agent advised that there had been a slight error in describing the proposed finishes. The applicant preferred the walls to be “white wet-dash render, untreated larch cladding” (the original drawings showed walls to be timber cladding) and existing & proposed roofs to be clad in Spanish slate. Timber cladding would give a modern contrast to the existing (white rendered) house and would ‘be sympathetic to the timber garage doors. There is a precedent for using timber in the area e.g the porch on the property to the north and timber boat sheds.

Comment:- The proposed external material finishes, whilst appropriate in of themselves, do not reflect the character of the original building. If timber cladding was to be used for an extension which has an appropriately subordinate relationship with the original house and maintained the original house as the dominant element then timber cladding could be appropriate. However, its use to clad a relatively large new addition with the aim of contrasting with the white painted and rendered cottage behind will re-inforce the dominant impact of the new extension contrary to policy. The modestly-scaled porch at “Taobh an Loch” or the more modest front extension at the house in Tayvallich (submitted by the applicant) are good examples of the scale of front additions which can be clad in timber. For reference, the cubic volume of the proposed extension subject of this application is over five times that of the example submitted at Tayvallich.

- In the applicant’s letter (submitted after the notice of appeal) he sets out his personal aspirations for the property and states that investment into the somewhat ‘run-down’ condition will result in an enhancement to local visual amenity.

Comment:- *The planning authority is wholly supportive of investment in the property and has indicated support for improvement works, including extensions, in principle.*

*However, the proposed front extension is considered to be contrary to LDP policy by reason of a combination of siting, scale, massing, form and design.*

*Rather than refuse the application on these grounds, the planning authority sought to negotiate an amended design in respect of the front extension in order to support the investment into the property, For example, a front addition of similar scale, massing and form to the precedent at Tayvallich submitted by the applicant, or at “The Old Manse, Lochgair” is likely to have been supported had the applicant sought to negotiate a revised design as opposed to submitting a notice of review.*

- The agent’s e-mail of 20<sup>th</sup> October, and the applicant’s post-review letter of 27<sup>th</sup> October include in the region of eight properties within the local area, and one in Tayvallich, submitted as precedents of development similar to that proposed.

Comment: - *I do not accept that any of these examples are reasonably comparable to the proposed front extension, particularly with regard to scale*

*and massing. The extension at Tayvallich is arguably the most similar in nature to the proposed development. It is noted that the cubic volume (or massing) of the proposed extension at "Tigh na Torran" is in the region of five to six times larger than the example submitted at Tayvallich. One of the fundamental considerations required by policy is the scale and massing of the development in relation to the original house. Given such a significant difference in scale, the example at Tayvallich is not considered to be a helpful comparison to support the current application. Development at all of these properties (with the exception of the house at Tayvallich and "The Old Manse" at Lochgair have been thoroughly assessed in relation to the proposed development prior to my initial e-mail of 18th October. It is considered that none of these examples are similar in terms of siting, scale, massing, form and design to the proposed extension. The precedents submitted show examples of much smaller front additions to original houses, or new houses designed with additive forms, where those extensions or additive forms are of an appropriately subordinate scale and design relative to the original house or the main volumetric form of the house. However, none of these examples come close to the scale and massing of the proposed front extension and as such cannot be accepted as an appropriate comparison.*

*It is important to note that a revised design (at "Tigh na Torran ") of similar scale, massing, form, height and general design to those examples put forward by the applicant at Tayvallich; "The Old Manse", "Gair Cottage" and "Taobh an Loch" (all in Lochgair) are likely to have been supported by the planning authority without need for a review had the dialogue not been stopped by the applicant. Likewise, a shallow projecting bay feature of very similar dimensions and design to that at "Achnabraec", Lochgair (again submitted by the applicant as a precedent) would also have been very likely to have been supported by the planning authority. This was made clear to the agent during negotiations.*

- The applicant disagrees with the assessment of the proposed development in relation to surrounding properties.

Comment – *It is not accepted that the planning authority's assessment of impact upon the existing house and local visual amenity with regard to adopted policy guidance is flawed in any way. Not one of the examples submitted bears reasonable comparison to the proposed development in relation to its impact on the existing house. As stated above, the example at Tayvallich is arguably closest in character to the proposed development and even then it is around 1/5<sup>th</sup> the size of the proposed development. It follows that a front extension over 5 times the cubic volume of the precedent submitted at Tayvallich will have a significantly greater impact upon the character of the existing house. The planning authority would have been supportive of revised designs similar to many of the precedent examples without the need for a review.*

*It is noted that the applicant has failed to identify a single property which has been extended to the principal elevation by the scale and mass as that currently proposed.*

#### On-site Parking and Turning

18<sup>th</sup> October - the agent was advised that the Area Roads Engineer had deferred assessment pending receipt of a layout plan demonstrating adequate on-site parking and turning space for 3 cars.

20<sup>th</sup> October - the agent submitted a revised parking/turning layout for comment.

21<sup>st</sup> October- the agent was advised that the Area Roads Engineer had been informally consulted for his comments on the revised drawing prior to submission of a formally revised drawing. It was advised that the Area Roads Engineer was unavailable until 27<sup>th</sup> October but that he would try to respond soon as possible upon his return.

25<sup>th</sup> October – Notice of Review submitted by applicant.

26<sup>th</sup> October - The Area Roads Engineer commented informally that the revised layout was unacceptable as there is insufficient room to manoeuvre.

As a result of the notice of review being submitted prior to potential resolution of the car parking and turning provision, a technical reason for refusal is recommended on the basis that the application has failed to demonstrate the provision of adequate parking and turning for 3 no. vehicles to the satisfaction of the Council's Roads and Amenity Services contrary to policies LDP 11 and SG LDP TRAN 6.

For clarity, the reason for refusal relating to inadequate parking and turning is of a technical nature. The planning authority does not dispute that the application site has adequate capacity to provide an acceptable layout to serve 3 no. vehicles however acting on the advice of the roads engineer, a revised plan demonstrating this was sought prior to determination. Discussions were instigated to secure a revised plan to allow the Area Roads engineer to make a recommendation, however the applicant submitted a notice of review prior to resolving this issue. As such, on the basis of the Area Roads Engineer consultee response at the time of the notice of review, there is no option other than to include a technical reason for refusal with regard to inadequate parking and turning. This issue could have been resolved by the applicant prior to submitting a notice of review.

### Process and Timescales

It should be recorded that the case officer indicated support in principle for alterations and extensions to this house in order to improve both the quality/volume of accommodation and the external condition and appearance of the existing property and local visual amenities.

Albeit that the planning authority's initial response was later than would normally have been expected objections were clearly set out with reference to adopted LDP policy. Rather than proceeding to determine the application with a recommendation for refusal, the case officer 'held-off' determination to give the applicant the opportunity to engage in positive and open discussions to move towards a revised design. Unfortunately, before discussions could reach a conclusion the applicant chose to submit a notice for review.

The existing property has a neglected appearance and as such I am fully supportive in principle of improvements and extensions which will increase the standard and level of accommodation to a contemporary standards and that would enhance the appearance of the property.

To these ends, the proposed rear extension comprising large utility area and new stairs on the ground floor with a bathroom, an en-suite and landing above is considered to successfully reflect the character of the original house. The applicant has been advised that these element of the works could have been supported.

Additionally, I have indicated support for the proposed replacement of 2 no. small flat-roofed dormers on the front elevation by larger dormer additions to increase usable space in bedrooms 3 and 4.

Finally, I have also indicated support in principle for a central additive 'bay' form on the front elevation subject to design. I instigated positive design negotiations with the agent on 18<sup>th</sup> October indicating a willingness to engage positively in co-operative and open discussions regarding potential design amendments prior to determining the application. Positive exchanges of correspondence, including a detailed telephone conversation, took place over the following days, the latest of which was my e-mail 23<sup>rd</sup> October 2020, culminating in a request that the applicant advise how he wished to proceed in order to make a determination.

No response was received to this e-mail. Instead, a notice of review dated 25<sup>th</sup> October was submitted without further reference to the case officer.

#### Conclusion and Recommendation

There is an adopted and clear policy assessment that extensions should be carefully designed to have an appropriate relationship with the character of the existing development and should not dominate it.

By reason of siting across the front and centre of the existing principal elevation; comparatively large scale and massing relative to the original house; assertive gabled elevation composition; projection 4.65 metres in front of the wall of the front elevation of the existing house, the proposed development will obscure much of the existing house from public view and will visually dominate it. This would be clearly contrary to established policy to the detriment of the visual amenities of the local area. No supporting information has been received which demonstrates an exceptional case to support a departure from policy.

The applicant submitted several precedent examples of front additions which by reason of scale and design, do successfully respect the character of the original houses. However they do so principally because they are considerably smaller than the extension proposed. As such they cannot support a comparatively much larger extension. The local planning authority has always been open to exploring a revised design however the applicant chose to submit a notice of review instead. It is likely that a revised design similar to several of the examples submitted e.g at Tayvallich and "The Old Manse" would have been supported without need for a review. The planning authority actively sought to explore a revised design. This opportunity was declined by the applicant and he submitted a notice of review instead.

It has not been demonstrated that adequate parking and turning provision can be provided to support the demand generated by the proposed development.

Having regard to all material considerations, it is therefore recommended that the application be refused as contrary to the relevant policies of the Local Development Plan.

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**(Q) Is the proposal consistent with the Development Plan: No**

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**(R) Reasons why Planning Permission or Planning Permission in Principle Should be Refused:**

It is recommended that the application be refused as being inconsistent with Local Development Plan policy.

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**(S) Reasoned justification for a departure to the provisions of the Development Plan**

Not applicable

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**(T) Need for notification to Scottish Ministers or Historic Environment Scotland:**  
No

---

**Author of Report:** Norman Shewan

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

**Reviewing Officer:**

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

A handwritten signature in black ink, appearing to read 'Fergus Murray', with a horizontal line underneath the name.

**Fergus Murray**  
**Head of Development and Economic Growth**

**APPENDIX TO DECISION REFUSAL NOTICE**

Appendix relative to application **20/00898/PP**

- (A) Has the application been the subject of any “non-material” amendment in terms of Section 32A of the Town and Country Planning (Scotland) Act 1997 (as amended) to the initial submitted plans during its processing. **Yes**

**A revised site layout plan showing parking and turning for 3 no. vehicles has been submitted. (The Area Roads Engineer has advised that this revised layout is not acceptable.)**

- (B) The reasons why planning permission has been refused:

- 1) **By reason of siting, scale, massing, form, material finishes and detailed design, the proposed development will not reflect the character of the existing house, but will result in an overly dominant extension relative to the existing property and as such will have an unduly detrimental impact upon local visual amenity contrary to Local Development Plan policy LDP 9 and Supplementary Guidance on Sustainable Siting and Design Principles.**
- 2) **The application has failed to demonstrate adequate provision for parking and turning of 3 no. vehicles within the application site to the satisfaction of the local planning authority in consultation with the Council’s Roads and Amenity Services to potential detriment to public road safety and the free flow of traffic on the public road contrary to Local Development Plan policy LDP 11 and SG LDP TRAN 6.**





**Location Plan Relative to planning application: 20/00898/PP**



1:1,250

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From: roadsconsniki  
Sent: 09 November 2020 18:07  
To: maki, planning  
Cc: Love, David; Shewan, Norman; McCallum, Fiona  
Subject: RE: Intimation of Receipt of Notice of Review Reference  
20/0013/LRB (Planning Ref: 20/00898/PP - Tigh na Torran,  
Lochgair, Lochgilphead, PA31 8SD [OFFICIAL]  
Attachments: 20.00898.PP.pdf

Classification: OFFICIAL

Hi Fiona,

I have attached a copy of my previous response for info. The applicant submitted a plan showing parking and turning for three vehicles at the same time as this appeal came in. The parking layout didn't work but the issue can be resolved.

To confirm. The applicant will be able to provide parking and turning within the site edged red.

Regards

James

Development and Infrastructure - Roads and Amenity Services

**OBSERVATIONS ON PLANNING APPLICATION**

Grid Reference 192451 690463 Dated

Applicant Mr Iain Torrance  
Proposed Development Demolition of rear ext. erection of new extensions  
Location Tigh Na Torran, Lochgair  
Type of consent Detailed Permission  
Drawing Refs.

Application No. **20 00898 PP**  
Contact James Ross  
Tel. 01546-604655  
Received 27/05/2020  
Return By Date 17/06/2020  
Call By Date  
District Mid-Argyll  
**Recommendation**  
**Defer Decision**

**Comments**

**Conditions/Reasons for refusal/deferment**

***REASON FOR DEFERMENT***

- 1. Applicant to submit a plan showing turning and parking for 3 vehicles within application site. For approval by Roads & Infrastructure Services.***

**Notes for Intimation to Applicant**

- (i) Construction Consent (S21)\*
- (ii) Road Bond (S17)\*
- (iii) Road Opening Permit (S56)\*
- (iv) No surface water discharge\*

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

Signed: J. Ross Date 29/05/2020 ID 5712  
Actual Return Date 29/05/2020 Replied

**Bowman Stewart Reference:** 2635 **Date:** 20 November 2020

**Project:** Erection of extension and renovation to Tigh nan  
Torran, Lochgair, Argyll

**Planning Application Ref:** 20/00898/PP

## Comments on Report of Handling

### Background

The existing property is a 1.5 detached dwellinghouse along the existing single-track road Shore Road, which is accessed from the A83. It is positioned along this road with a Westerly aspect. The existing dwelling is sited approximately 25m from the public road and faces the Loch beyond.

The applicant proposals wish to develop this existing dwelling to allow more comfortable accommodation to both the ground floor and first floor by having a more open plan style as well as taking advantage of the Loch side views available to this property. Externally our intention is to alter the dwelling to a more traditional Argyll style and allow a more modern approach to the extension to the front via the use of a higher quality of materials.

### Proposals

The proposals include altering the existing property materials to a white wet dash render, slate roof, PVCu windows in a white colour and PVCu rainwater goods in a white colour.

The double garage is to have a sliding field door finished in an untreated Scottish Larch finish.

Demolition of the existing single storey rear extension, which was in a poor state of repair and replacement with a 1.5 storey rear extension allowing for a new utility room and WC. This would be finished externally in the same finish as the main dwelling.

Erection of a 1.5 storey extension to the front of the property to be finished in a Scottish Larch cladding to match the garage doors and to give a more modern contrast to the existing dwelling. This extension will therefore be sympathetic to the existing garage giving balance and with consistency of building materials and compliant with SG LDP on Sustainable Siting and Design Principles 8.2. It is the design intention to have as much glazing as possible to the front extension to firstly take advantage of the views across the Loch but also to make the

---

1 Victoria Buildings, 34 Union Street, Lochgilphead, Argyll, PA31 8JS  
01546 606 067 info@bowmanstewart.co.uk www.bowmanstewart.co.uk

**Directors:** Ewan Stewart, BSc PGDip MRICS C.Build E MCABE Martin Stewart, BSc MSc CEng MICE **Associate:** Kathryn Macdonald, BSc PGDip PGDE RIAS  
Martin C Stewart Ltd. Registered in Scotland. 233629 Registered Office: Lochawe House, Barmore Road, Tarbert, PA29 6TW

extension appear as lightweight as possible while also creating a useful, usable space internally.

The neighbouring property (Taobh an Loch) has an existing timber clad extension, therefore there is a precedent of using timber clad extensions in the area, as well as the approved proposals for Gallanach Cottage that specified Cedral cladding, which is a timber composite cladding. We therefore felt that using this precedent and using high quality sustainable Scottish Larch would be encouraged.

This front extension has pitched roof with the ridge meeting the ridge of the existing dwelling. We did consider a lower ridge height for this front extension however we did feel that there was capacity for this to meet the existing ridge in this case. The ridge height for this extension would not be higher than the existing house and the roof pitch of the existing property is reflected in this front extension. Also, this dwelling house is one of the smaller properties along this road and therefore it is felt that this extension would not be overbearing or dominant, as can be seen from the clients report and images of the neighbouring properties.

The planner noted an objection to the step in eaves line that we are proposing, however the existing property has an existing step in the eaves line of 6.34m long, looking at the front façade, whereas by creating this front extension, our step in eaves line would only be a width of 4.56m, therefore reducing this break in eaves line from what is currently in place.

We therefore feel that our current proposals meet the SG LDP on Sustainable Siting and Design Principles and LDP 9 as we feel that the building has been designed to increase the desirability of the existing dwelling and therefore the surrounding area and elements of this design also reflect components of the existing dwellings in the surrounding neighbouring properties and therefore is in keeping character with this area. We are also encouraging sustainability and energy efficiency in the development by our material choice and solar thermal panels and allowing for South facing windows, to allow as much solar gain as possible into the property to increase energy efficiency.

### Access

We understand there is a concern from the road department regarding the parking provision, but as can be seen from James Ross's comments to the Local Review appeal alongside his objection, the site plan and the photographs there is ample space for parking and turning of three vehicles.

We have therefore been in discussion with the James Ross, from the roads department and they have agreed an alternative layout, as can be seen from the attached drawing 19-2653-P-03B. I have also shown the email received from the road department confirming that this meets their standards below:

RE: 2653 - Tigh an Torran parking layout (PP Ref: 20/00898/PP) [NOT PROTECTIVELY MARKED]



Ross, James <James.Ross@argyll-bute.gov.uk>  
To: Kathryn Macdonald

You replied to this message on 15/11/2020 16:36.

Reply Reply All Forward ...  
Sat 14/11/2020 17:05

**Classification: NOT PROTECTIVELY MARKED**

Hi Kathryn,

I can confirm that the layout appears to work as you have sufficient space for turning.

Are you going to submit this layout to go along with the review info ?

Regards

James

James Ross  
Traffic & Development Officer MAKI  
Argyll & Bute Council  
Roads & Infrastructure Services  
1A Manse Brae  
Lochgilphead  
Argyll  
PA31 8RD  
Tel. 01546 604655  
e mail. [james.ross@argyll-bute.gov.uk](mailto:james.ross@argyll-bute.gov.uk)

**From:** Kathryn Macdonald <[kathryn@bowmanstewart.co.uk](mailto:kathryn@bowmanstewart.co.uk)>  
**Sent:** 13 November 2020 15:11  
**To:** Ross, James <[James.Ross@argyll-bute.gov.uk](mailto:James.Ross@argyll-bute.gov.uk)>  
**Subject:** 2653 - Tigh an Torran parking layout (PP Ref: 20/00898/PP)

Hi James,

It was good to speak with you a few days ago. I hope you are still well.

I have taken another look at the parking layout for Tigh an Torran and I wonder if you could cast your eyes over this amended plan and see if this would be a parking layout that may be acceptable at all?

I look forward to hearing from you in due course.

Kind Regards,  
Kathryn

Mrs Kathryn Macdonald BSc PgDip PGDE RIAS  
Director and Chartered Architect

Approved Certifier of Design (Energy)

**Bowman Stewart**  
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W [www.bowmanstewart.co.uk](http://www.bowmanstewart.co.uk)



Kathryn Macdonald,  
Bowman Stewart

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**Submission to Local Review Body**

**by**

**Iain Torrance**

**In respect of non-determination of Planning Application 20/00898/PP**

**for**

**Demolition of rear extension and erection of front and rear two storey  
extensions**

**at**

**Tigh na Torran, Lochgair, PA31 8SD**

## Introduction

This is a submission to the Local Review Body in respect of the request to make a determination of Planning Application 20/00898/PP (“the Application”) on the basis of non-determination by Planning within the prescribed period for determination of the Application.

I will leave it to the LRB’s Legal and Regulatory Support to comment to the LRB on the “Refusal” by the Planning Department after the Notice of Review had been accepted.

I summarise in Section 1 what I consider to be the salient points and then consider each of these points in greater detail in Section 2. In Section 3 the relevant comparator properties are considered with conclusions on the pattern of development and planning history.

The parking matter as a ground for refusal has been resolved. I make an additional submission of a letter dated 20 November from my Architect and Agent, Bowman Stewart, that gives their views with a revised parking layout approved by Roads Department.

## Section 1 – Summary

### 1. The Report of Handling (“The Report”)

I view The Report as less than comprehensive and it fails to address the 2017 Planning Approval for Gallanach Cottage, which is a direct comparator. The Report of Handling for Gallanach Cottage varies greatly from The Report both in the consideration and identification of the relevant issues. The report also fails to properly analyse whether the new extension ‘dominates’ the existing property.

The matters at issue with The Report are detailed in Section 2.

### 2. Property Improvement

LDP 9 references the benefits of property improvement and this should be weighed in the judgement. It is my position that insufficient weight has been given to the benefit to the community of making the property habitable (it is on the Empty Homes Register) and improving the appearance of a run-down and very dated property.

In deciding to relocate to a rural area I chose Argyll for its natural beauty. I chose Lochgair, in particular, as it offered high speed internet connection. In purchasing the house, I considered that there was the potential to modernize and extend the property to become a properly functioning family with a study to facilitate working from home. The plot size is restricted, so extending to the side or rear (i.e. in addition to the proposed rear utility room and stairs) was not possible. Accordingly, the extension to the front was the only possible design solution to achieve a properly functioning family home that can be used to work from home.

I am firmly of the view that the impact of the Application and my ability to work from a home office in Lochgair aligns, all be it on a small scale, with the many of the key objectives of the LDP. I consider this in detail at Section 4. In that context I strongly believe that the Council should support Applications such as this that (1) modernise and bring back into use residential property, (2) provide properly functional family living space and (3) create a proper environment for working from home.

The determination of whether a development has a detrimental impact has to take as the starting point the now existing position. It is my view, and the view of the Lochgair community, that the current condition and appearance of the property is a negative to the visual amenity of Lochgair. I also strongly believe the Application results in a significant improvement to the function and appearance of the property and enhances the visual amenity of area.

### **3. Local Opinion**

Since the date of serving the Notice of Review the Plans have been posted on the Lochgair Association website. The plans have been viewed 61 times by members of the Association, with three positive postings and other supportive emails were received. There were no adverse comments. The comments focus on the proposal being an improvement to the area and the need for flexibility in planning decisions

In addition, Councillor Dougie Philand supports the Application, see email at Appendix A.

The Lochgair Association also supports the Application, see email at Appendix A:

I have been asked by the chair of The Lochgair Association (SCIO) to pass on to you the support of our members for your planning application. The consensus of members is that plans to improve the look of Tigh na Torran would be warmly welcomed. It, along with neighbouring houses overlooking Loch Gair. are very distinct architecturally, and therefore an extension to the property would not adversely affect the amenity aspect of the village.

I suggest local opinion should be a positive factor that should be taken into account by the LRB. Indeed, I would go further and suggest that the best judges of local visual amenity are the Lochgair residents themselves.

### **4. Recommendation for Refusal - LDP 9**

The Recommendation in The Report is to refuse permission under LDP 9.

*By reason of siting, scale, massing, form, material finishes and detailed design, the proposed development will not reflect the character of the existing house, but will result in an overly dominant extension relative to the existing property and as such will have an unduly detrimental impact upon local visual amenity contrary to Local Development Plan policy LDP 9 and Supplementary Guidance on Sustainable Siting and Design Principles.*

#### 'Domination' & Visual Impact on Amenity

In Section 2, in my response to The Report, I show that the new extension does not dominate the existing property. In all public views of the property the extension is subservient, and it is subservient on all calculations. It is my position, supported by local opinion, that the extension and the changes will have a positive impact on the local visual amenity.

The judgment of the 'impact' should hold in the balance the existing property against the outcome were the Application to be approved; taken in the context of the local area and planning history. It is my position that The Report fails to properly consider these matters.

## Material finishes

These were selected to be in the Argyll style rather than those of the existing 1960s kit house. However, I am open to other finishes as a Planning Condition as noted in Section 2

## Design

The design is very similar to that approved for Gallanach Cottage and is broadly similar to many designs throughout Argyll. I therefore hold that Application has some precedent and is appropriate for the property. The degree of flexibility seemingly shown in planning approvals along Shore Road has resulted in a mix of property types. The consideration of the Application should reflect and accept that fact, not require an impossible exact precedent.

## **5. Conclusion**

I consider that the Application not only fully meets the planning requirements, indeed I consider the proposal exceeds the requirements and is positive for the property and the local area. The Application was carefully prepared by a reputable local architect with a design brief to improve and modernise the property and move the overall appearance towards the 'Argyll style'. The views of my Architect in respect of the design, and conformity with planning policy, is an additional submission.

The starting point of a run-down 1960s kit house was challenging but the outcome is successful and improves the property and the visual amenity of Shore Road. The extension comfortably passes the test of not dominating the existing property.

It is demonstrated in this submission that considerable flexibility has been shown in planning approvals along Shore Road. I had expected the application to be welcomed. I did not expect there to be no communication of the Planning Department's views for five months, and for those views to ultimately be so negative.

The local councillor and the Lochgair community clearly support the Application and judge it as an enhancement to the area. I believe that the local community are the best judges of what represents an improvement to the amenity of their own area.

I therefore ask that the LRB approve the Application, acknowledging local opinion, thereby bringing a property back into use, improving the appearance and function of the property and enhancing the visual amenity of Lochgair.

## Section 2 – Detailed Comments

### 1. Report of Handling

There are a number of points in the Report of Handling that merit comment.

#### a Time to respond to the Application.

The Planning Officer has apologised that the department did not raise any concerns in writing to my Agent until some 5 months after the submission of the above application for planning permission.

#### b ‘Positive Dialogue’

The Planning Officer, in dialogue with my agent, expressed some willingness to consider a front extension. However, he maintained a position that the extension should protrude no more than 800mm (Appendix B; email of 18 October). This should be contrasted with the Gallanach Cottage approval of 1.9m where the extension elevation is in much closer proximity to the road. The position of the Planning Officer entirely defeated the design objectives of the extension, so a ‘positive dialogue’ was neither credible nor possible.

#### c Old Manse

The Report states that *“a front addition of similar scale, massing and form to the precedent at Tayvallich submitted by the applicant, or at “The Old Manse, Lochgair” is likely to have been supported”*. The Old Manse extension has a depth of 1.7m and the Tayvallich house extension has a depth of 1.6m. I struggle greatly to reconcile this comment with the view expressed in the email of 18 October - referred to above - that a maximum depth of 800mm was required. In any event the first communication of this position was in The Report; no such view was expressed to my Agent.

#### d Planning approval for Gallanach Cottage

There is no reference in The Report to the 2017 Approval (17/01879/PP) for Gallanach Cottage which I consider to be an important precedent for the Application. The relative Report of Handling and the Approved Plans for 17/01879/PP are included at Appendix C and D, respectively. My observations of The Report in comparison to Gallanach Cottage Report of Handling are;

- there is no reference to any precedent in the Gallanach report but there is an extensive review of precedents in The Report. However, The Report ignores the Gallanach precedent.
- there is no concern on sizing, massing or visual impact in the Gallanach report despite that extension being only 7m from the road, 1.9m in depth and of the same height as the existing property. Whereas the Application is for a new extension 20m from the public road.

e Domination and Impact of Perspective on 'Domination'/Property Orientation

The requirement under LDP 8.2(a) is that the extension “*should not dominate the original building by size, scale, proportion or design*” The important wording is “dominate” for which the Cambridge English Dictionary definition is: *more important, strong, or noticeable than anything else of the same type*. Hence the wording of the planning policy has a precise test - it is whether the front extension could be judged to be larger or more noticeable than the existing building. The planning policy makes no specific reference to ‘massing’, but it is cited as a reason for refusal. However, as massing is a reference to volume it seems incongruous that an extension that is 29% by volume of the existing house should be judged to ‘dominate’ the house.

The Report states that by ‘sizing’ the extension dominates the existing property – but on all calculations of size the front extension does not dominate; it is a third of the front elevation (less than a quarter of the front elevation if the garage is included) is 62% of the house depth and 29% of the existing house by volume (‘mass’); the volume calculation excludes the volumes of the rear extension and the garage.

However, The Report attempts to make a case that domination results from the view of the property. It makes a generalised reference to the impact of perspective “*Taking into account the effects of perspective (where nearer objects appear larger and take visual precedence over objects behind) and prevailing ground levels, the strong gabled form of the front extension will dominate the traditional simple form and character of the existing house behind*”. However, what is not stated in this explanation of perspective is that the greater the distance of the objects from the viewer the less the visual precedence of the near object.

Further in my opinion, the conclusion on domination is entirely wrong as the Report does not consider the particular circumstances of the property:

- the property orientation with respect to Shore Road,
- the distance of the property from Shore Road,
- prevalent view, and
- the topography of the site.

My comments on each of these points are:

(i) Property Orientation

The Report states “*There is a variety of house styles however one important common feature is that they have a generally rectangular plan and volumetrically simple pitched roof form oriented such that the line of the main roof ridge runs generally parallel with the public road*” [Author’s underlining]. The Report also states “*The simple roof form of this house, with ridge orientated generally in line with the line of the front boundary is a strong element of its character*”

The Report is inaccurate in that Tigh na Torran is not orientated in parallel to the road, it is differentiated from other Shore Road properties in this regard. This is clearly shown from the Location Plan that was appended to The Report.

(ii) Prevalent View

The orientation of the property, noted above, results in the prevalent view of the property being from the junction of the access drive and the public road.



In this above prevalent view the near corner of the new extension would be at 21m distance and the corner of the house is nearer at 20m, the garage corner (to boundary) is closer still at 17m. Accordingly the roof ridge of the new extension would appear no higher than the roof ridge of the house. The double garage front elevation is clearly visible in the view thereby further reducing any domination concern. I note that the photographs attached to the DM Site Assessment Check Sheet were taken when the garage was demolished. Therefore, it is possible that there was not the opportunity for a proper consideration of the visual impact of the new garage.

In addition the side elevations of both the house and garage are visible in the above view, the side elevation of the house is nearer and the depth of the house side elevation is greater than that of the extension, even further reducing the domination issue – indeed making the new extension entirely subservient.

If (after the building of the front extension) the passer-by was to walk along Shore Road the far front elevation of the house would come increasingly into view, until at the other boundary of the property the view is effectively a straight on view of the property, as per the plans.



It is accepted that in this perspective the front roof point of the new front extension would be slightly higher than the ridge of the house - acknowledged to be slightly accentuated by the upward sloping ground - but the front extension would not dominate. Indeed, as noted elsewhere, the distance from the public view to the front elevation of the new extension (at 20m) reduces the relative elevation of the new extension with respect to the roof line of the existing house.

The combined areas of the visible flanking front elevations, roof planes and dormers would be more than twice the area of the facing front elevation of the front extension (see also application plans). The garage frontage further supports the subservience of the new extension in this view.

Hence the report's assertion that "*the proposed development will obscure much of the existing house from public view and will visually dominate it*" is entirely incorrect. No view of the house from the public road can achieve this. The prevalent perspective (or indeed any public perspective) simply does not result in domination, it results in subservience of the new extension.

### (iii) Distance of Property from Shore Road

The property is set back 25m from Shore Road and the front elevation of the new front extension would be 20m from Shore Road. There is no mention of this in The Report's consideration of perspective. As noted above although the text, regarding perspective, in The Report is accurate what is not noted is that the greater the distance of the objects from the viewer the less the visual precedence of the near object.



Hence the 20m and 25m distances to the Shore Road is a material consideration

I am concerned at the absence of a balancing of the comment by reflecting on the distance of the extension from the road. In addition, the greater proximity of the approved Gallanach Cottage extension to the road would result in far greater 'dominance', by this perspective argument, than the Application for the front extension for Tigh na Torran. However, the Report of Handling for the Gallanach extension does not consider that issue.

Additional local context is given by the stair tower for Lochview in the view from the Shore Road.



It can be seen the roof ridge of the protruding tower appears higher than the main ridge of the house. If the passer-by were to walk down the loch side of the road the far house elevation would be obscured by the protrusion. Therefore, it puts into context the importance of the angle of view and distance from the object.

(iv) Topography

The ground slopes across the site; downwards towards the garage. This results in there being increasingly more visible wall footings visible on the front elevation of the house nearer the garage.



The white wall footings in the above photograph are 110cm adjacent to the garage and 45cm at the far corner of the front elevation.

This further increases the domination of the house; especially in the prevalent view, but also in all other views.

In addition to the above, the Report does not consider the benefit of the glazing reducing the visual impact of the extension, in particular the vertical/sloping velux roof lights on each side elevation of the new extension.

It is therefore clear that on all public views of the property the new extension would be subservient to the existing property.

## **2. Property Improvement**

LDP 9 references the benefits of property improvement and this should be weighed in the judgement.

I acquired the property a year ago and I had intended the property to be a family home and to work/live at Tigh na Torran by the end of 2020 but the delay in a planning decision have prevented that. The development is constrained by the plot size, so extending to the side or rear (i.e. in addition to the proposed rear utility room and stairs) was not possible. Accordingly, the extension to

the front was the only possible design solution to achieve a properly functioning family home that can be used to work from home. I had looked forward to returning to an area where I spent many happy holidays as a child growing up in Scotland and also looked forward to contributing to the Lochgair and Argyll community.

I would also mention that Tigh na Torran is on the Council's Empty Property Register. It is not fit for proper habitation as it requires at a minimum a new heating system, internal works, woodworm treatment and rewiring. The roof is sagging and leaking, so it requires replacing. However, my personal favourites are the exploded back boiler and the corroded and leaking copper mains water supply pipe.

The works envisioned in the Application would represent a material investment. Indeed, investment has already been made at the property with the works to the demolition of single garage and building of new double garage now largely completed. The opinion of neighbours and the Lochgair community is very unfavourable towards the existing property – it being viewed as not only 'rundown' but also of inappropriate design for its location.

I am firmly of the view that the impact of the Application and my ability to work from a home office in Lochgair aligns, all be it on a small scale, with a considerable number of the key objectives of the LDP. I consider this in detail at Section 4.

It is my position that insufficient weight has been given to the benefit to the community of making the property habitable (it is on the Empty Homes Register) and of improving the appearance and function of a run-down and very dated property.

As evidenced at 3. below the Application is very much supported by the Lochgair community and the design is considered by the community as an improvement both to the property itself and the area.

### **3. Local Opinion**

No objection was filed in relation to the Application.

Since the date of serving the Notice of Review I have taken active steps to notify the Lochgair community of the position and to seek views on the Application.

The Plans have been posted on the Lochgair Association website. The posting and plans have been viewed 61 times members of the Association, with three positive postings.

In addition, I asked the Association to email the text of the posting and the plans directly to all members of the Association. In addition, there were seven positive emails, all supported the Application. There were no adverse comments. The comments focus on the Application being an improvement to the property and the area and the need for flexibility in planning decisions

In addition, Councillor Dougie Philand supports the Application (see Appendix A).

Importantly the Lochgair Association also supports the Application (see Appendix A).

I strongly advocate that local opinion should be a positive factor that should be taken into account by the LRB. Indeed, I would go further and suggest that the best judges of local visual amenity are the local residents themselves.

The text of the postings and all the emails received are at Appendix A.

## **4. Design & Context**

### **a Design**

The existing house is a 'kit house' built in the mid 1960s. The overall design brief was to achieve an appearance of a traditional Argyll house to be more in keeping with the older properties on Shore Road of Gair Cottage and Gallanach Cottage. In achieving that design brief I consider the Application sits very comfortably with the design of Achnabreac and Lochside; these being more modern houses but also echoing the traditional Argyll style. It will also resonate with the Old Manse.

The brief was challenged by the shallow pitch of the roof which necessitated a positioning of the eaves of the extension which has not found favour with the Planning Officer. However, it is considered that the overall outcome is a significant improvement to the property. I advocate that the issues raised in the Report with respect to the eaves are more a matters of architectural taste than matters of true planning substance under LDP 9. The inclusion of vertical/sloping velux roof lights on each side elevation of the new extension also mitigates the concern.

The flat roofed dormers have been repositioned and their flat roofs changed to pitched roofs. They will accordingly give a balance to the front elevation. It is noted that design element is supported in The Report.

The single brick layered garage has been demolished and replaced with a double garage built to modern standards that will have larch clad vertically folding doors. The larch cladding would balance the use of larch on new extension and dormer facings. This garage also effectively extends the front elevation reducing the relative visual impact of the front extension.

### **b Context**

As noted above I consider the design also needs to be seen in the context of the local architecture particularly the residential properties on Shore Road. I particularly note that general theme of the properties is the Argyll style of house with three traditional Argyll Houses (Gair Cottage, Gallanach Cottage and 6 Gallanach) and two more modern houses (Lochside and Achnabreac).

It appears there was considerable flexibility in the approvals for three comparator properties:

#### **Lochside**

This property was known locally as the 'Tin House'. The approval for the effective redevelopment included a change to slate roof, more traditional harling, a stair tower facing the road, a bay window overhanging the loch and octangular 'viewing tower. I also understand, from local residents, that the property has a higher ridge than the original house. The outcome was a considerable change from the original building with architectural forms without any precedent in the village.

#### **Gallanach Cottage**

This property has been extended from the original cottage which has lengthened the front elevation. The building is parallel to the Shore Road, being set back some 9m. The planning permission (17/01879/PP) for the front extension (replacing the existing entrance extension) was granted in 2017. There was no precedent in the village for this design although, like the Application, it is of common form in Argyll.

## Achnabreac

This property has been considerably changed and expanded from what I understand to have been a similar house to both Tigh na Torran and Taobh nan Loch. I also understand, from local residents, that the property now has a higher ridge than the original house. It also now has a front extension protruding on approximately a third of the front elevation. The form of design is frequently seen in new build properties in Argyll, although there is no precedent on Shore Road.

Photographs and further details of these three properties are at Section 3 below.

Having regard to the approvals for the above properties I suggest that a strict adherence to a requirement for an exact planning precedent for the Application would be inconsistent to previous planning decisions in the area. In addition, the outcome to the planning decisions is a variety of building forms along Shore Road and the Application should be appropriately considered in that context.

The design of the new extension is very similar to that approved for Gallanach Cottage and is broadly similar to many designs throughout Argyll. In addition, Achnabreac and Derryinver on the Shore Road have protruding living space on the front elevations. I content that the visual impact of the Gallanach Cottage approval is greater than the proposal due the nearer proximity of the Gallanach Cottage extension to the road. The design of the front extension was also constrained by the shallow roof pitch, typical of a 1960s kit house.

The Report infers that it is a necessary condition that there has to be a direct comparator in size and design. I believe this is an unreasonable position. Indeed had that planning constraint been applied to Lochside, Achnabreac or Gallanach Cottage they would not have been approved as there is (was) no such direct comparator for those approvals.

It is my position that the design is a positive change and that the requirement under LDP 9 that *“the appearance of the building or amenity of the area is not adversely impacted”* is more than met. That is also the view of all local opinion, for example, *“Every house in Lochgair is different, particularly along the stretch of road from Gallanach to the footbridge, and I see your proposed plans as adding to the surrounding area rather than being out of keeping with it. We walk past the house every day and have no objection to your proposals”* ( Appendix A, email from Jennifer Swanson).

## c Material Finishes

The requested finishes are white harling to existing walls, Scottish larch cladding to front extension and faces of dormers and black slate for the roof. The current materials of pebbledash wall and concrete tiles do not sit comfortably with the vast majority of houses on Shore Road (the exception being the neighbouring sister property of Taobh an Loch

It is my position that the use of larch for the extension is consistent with 8.2(b) as it complements and appropriately balances the larch cladding on the vertically folding garage doors and white harling on the garage walls. In addition, the choice of larch is consistent with the Council’s sustainability objectives and there is precedent for wood cladding on Shore Road.

It is accepted that the choice of materials are at variance to the existing ‘house materials’ but it is my position that the choice of materials are consistent with those of a traditional Argyll House and positively impact on the amenity of the area. Nevertheless, I would be open to a planning condition for alternative materials. I note that ‘cedral’ timber cladding was approved in respect of Gallanach Cottage or a white harling finish would be another alternative.

### SECTION 3 - Comparator Properties and History

It is generally useful when evaluating a planning application to consider the planning history of the area and how the planning decisions associated with those properties have come into existence.

I consider therefore the properties to consider are those on the Shore Road as well as Old Manse and Red House. Therefore, a summary of each property and history is relevant;

#### Old Manse

This property is not situated on the Shore Road but it is on the shore in a prominent position. It is considered here by virtue of the extension which although on the rear elevation of the property is very visible from Shore Road. I consider the extension is very similar to that in the Application and the Planning Officer notes in The Report he is 'sympathetic' to an extension of this nature being approved. The extension has a depth of 1.7m.



The Old Manse, Lochgair Shoreline – has a protruding elevation with broken eaves line, white harling, black slates, pitched roof dormers

**‘Fishermans Cottages’**

These are two single storey, wood clad, metal roofed, properties situated directly on the shore and with their edge immediately adjacent to the shore road and with no front garden. They have never been occupied as residential properties, one having previously been the village shop. They are noted for their use of wood cladding in the context of Scottish larch cladding being proposed in the Application.



**6 Gallanach**

This is an old single story house with white harling and tiled roof. One elevation of the property is immediately adjacent to the road, indeed that elevation has been curtailed in order to permit proper vehicular use of Shore Road

**Gallanach Cottage**

This is a 1½ Victorian cottage with white harling and black slate roof and flat roofed dormers. The house is situated parallel to the road, set back some 9m. The property has been extended from the original cottage.



Historic photograph of Lochgair, the original Gallanach Cottage on left, white elevation of 6 Gallanach in middle ground, Tin House (Lochside) at right foreground

The extension lengthened the front elevation from the original cottage. The building is parallel to the Shore Road, being set back some 9m



Current view of Gallanach Cottage, the Approved extension demolishes the existing forward extension and replaces with full height front extension on approximately a third of the front elevation



The planning permission (17/01879/PP) for the extension to the front extension (replacing the existing 'lean to' entrance shown in the photograph) was granted in 2017. The Approved depth of the extension was 1.9m and the Approval included the use of 'cedral' timber cladding.

### **Lochside**

This property on this site was previously known as the 'Tin House' – planning permission was granted for the current property in 1998. It has not been possible to view the planning permission online but it is understood from local residents that Lochside is considerably larger than the Tin House with a higher ridge line, greater massing on the site, and a disrupted eaves line. The property is on a very restricted site footprint; constrained by the loch on one side and shore road on the other side. The design results in an outcome of significant visible massing.

The overall design of the property is at variance to all the properties in the village. The particular features that contrast with other properties are the height of the property, the use of a stair tower and an angulated viewing tower. These contrasts are particularly noticeable as it is in a prominent position on the shoreline and the only house on the loch side of the road. The prominent position is accentuated from being positioned directly adjacent to the shore road – on a curve in that road.

However, it is not contested that the overall design does work well, but it appears that considerable latitude was given by the Planning Officer in approving this property.



Historic photograph of Lochgair showing Tin House (Lochside) in centre middle ground



Lochside -There is no precedent in the area for the stair tower or the viewing tower. Ridge height is understood to be higher than the original property The Old Manse is in background

### **Taobh an Loch**

Taobh an Loch is almost identical to Tigh na Torran as a 1 ½ Macleod Kit House built in c. 1964. It is understood that these houses were built as managers' houses for the hydro-electric scheme. Taobh an Loch is pebble dashed on the facades with a concrete tiled roof. The two houses are very much out of keeping with other houses on the shore line and the opinion of villagers is that both houses negatively impact the shore line.

Notably, when walking along Shore Road, the first view of Taobh an Loch is more 'lateral' than that for Tigh na Torran. The difference results from Taobh an Loch being closer to the road and the route of the road relative to the property.



Lastly the porch is in wood cladding so the use of Scottish larch cladding in the Application would reflect the material choice of the neighbouring property.

### **Tigh na Torran (subject of the Application)**

Tigh na Torran is almost identical to Taobh an Loch as a 1½ Macleod Kit House built in c. 1964. It is understood that Tigh na Torran and Taobh an Loch were built as managers' houses for the hydro-electric scheme. Tigh na Torran is pebble dashed on the facades with a concrete tiled roof. The two houses are very much out of keeping with other houses on the shore line and the opinion of villagers is that both houses negatively impact the shore line. Tigh na Torran is situated approximately 25m from the shore road, being further set back from the road than Taobh an Loch due to the curvature of the road.

The single garage was very similar to that Taobh an Loch, but it has been demolished and a new double garage is in the final phase of construction. Photographs are included in Section 2.

**Achnabreac**

This property has been the subject of a number of planning consents and it is understood it was originally similar to Tigh na Torran and Taobh an Loch. It has not been possible to view the planning permission online but it is understood that the overall size and of the property has been greatly increased with a higher and steeper ridge line and significant forward protrusion on front elevation. The property has a black slate roof and pale coloured harling.



The design is not considered to be in keeping with any comparable property so again it is considered that considerable latitude was given by the Planning Officer in approving this property. The visual impact of the protrusion on the front elevation is comparable to that in the Application. Achnabreac is estimated to be set back some 60m from the shore road and is in an elevated position relative to the neighbouring property Tigh na Torran.

**Gair Cottage**

Gair Cottage is a 1 ½ Victorian house in the Argyll style with white harling and black slate roof with pointed dormers. The property is estimated at being set back 7m from Shore Road. The property has been extended; lengthening the front elevation. A small porch has been added to the front.



**Derryinver**

Derryinver is a bungalow thought to have been built in the 1970s and has a forward protruding elevation. It is generally not in keeping with other houses on the Shore Road but it should be viewed as in keeping with other houses (presumably built at the same time) on the continuation of Shore Road as it progresses up the hill. The front elevation is set back 12m from Shore Road.



**Red House**

Red House is a single storey house that has resulted from the combination of two cottages and a barn. It has white harling and a black slate roof. It is positioned on the track beyond the ford and is visible from the village. Notably Red House is the only property with a facing view on the front elevation of Tigh na Torran, but that view is from the garden on the shore side of the track. The owner of Red House is in favour of the Application and views the existing property as somewhat of an eyesore.

### House at Tayvallich

A photograph of 'House at Tayvallich' is also included in this section as it is referenced in The Report



House extension at Tayvallich, shows a larch clad extension, with a broken eaves line.

The Planning Officer states in The Report he is 'sympathetic' to an extension of this nature being approved. There are design similarities with the Application but it should be mentioned that the above original property has a higher ridge height and steeper roof pitch than Tigh na Torran. Accordingly the visual impact of the extension on this property is stronger than the Application for Tigh na Torran, particularly noting the proximity to the public road.

### Concluding Observations

The pattern of development along the shore line (Lochside, Taobh an Loch, Tigh na Torran, Achnabreac and Derryinver) has shown very little planning consistency with the older established comparator properties (Old Manse, Unknown, Fishermen's Cottages, 6 Gallanach, Gallanach Cottage, Gair Cottage and Red Roof Cottage). Accordingly, I believe that a degree of planning flexibility is appropriate to the design in Planning Applications for this location but consistent with the objectives of enhancing the amenity of the area and an improving the housing stock.

The location of properties along Shore Road is generally very close to that road. There are three properties directly on Shore Road (Fishermen's Cottages, 6 Gallanach and Lochside) and four positioned at 12m or less (Gallanach Cottage, Toabh an Loch, Gair Cottage and Derryinver) and only two at greater than 12m from the road; Tigh na Torran at 25m and Achnabreac at 60m.

## SECTION 4 – Alignment with LDP Key Objectives

### KEY OBJECTIVE A

*To make Argyll and Bute's Main Towns and Key Settlements increasingly attractive places where people want to live, work and invest;*

*The Key Challenge we face...*

*There is an urgent need to reverse static or falling populations in some of our smaller rural communities by making them better places to live particularly for economically active families.*

**I'll be investing in the local economy by rebuilding the house. I can re-locate from London and use a home office and work in Lochgair. The development to a family property that facilitates home working will make the property an attractive asset to the community for use in the longer term for sustaining population in Lochgair**

### KEY OBJECTIVE B

*To secure the economic and social regeneration of our smaller rural communities;*

*The Key Challenge we face...*

*That we can adequately respond to the very different and changing needs of our communities throughout Argyll and Bute.*

**Undoubtably the ability to maintain and improve our quality of life is being affected by the impact COVID is having on working trends, the economy and housing needs. The planned changes to the house incorporate a modern properly equipped and functioning home office within the family home**

### KEY OBJECTIVE C

*To work in partnership with local communities in a way that recognises their particular needs to deliver successful and sustainable local regeneration;*

*The Key Challenge we face...*

*That we can create the best possible environment for competitive businesses, entrepreneurship and innovation to thrive without undermining our future potential in delivering economic growth.*

**I have reached out to the local community and have received complete and comprehensive support for my planned changes to the house. The development of the property to a work from home functionality is fully aligned with successful and sustainable regeneration**

### KEY OBJECTIVE D

*To support the continued diversification and sustainable growth of Argyll and Bute's economy with a particular focus on our sustainable assets in terms of renewables, tourism, forestry, food and drink, including agriculture, fishing, aquaculture and whisky production;*

*The Key Challenge we face...*

*That we can successfully accommodate sustainable economic growth without harming our outstanding environment.*

**The nature of my work in the financial services industry provides some diversification to the traditional Argyll and Bute industries without harming the environment. The planned changes to the house will be carried out by local contractors.**

### KEY OBJECTIVE E



*To ensure the outstanding quality of the natural, historic and cultural environment is protected, conserved and enhanced;*

*The Key Challenge we face...*

*That we can deliver all our housing needs in places where people want to live.*

**Feedback from the local community is supportive of the changes to the house and are viewed as an improvement and enhancement to the existing uninhabited structure. The design intent is to improve the property by modifying a 1960's kit house to achieve an appearance of a traditional style Argyll house. The new design will be more in keeping with older properties on Shore Road, thus protecting, conserving and enhancing Lochgair's Shore Road.**

*KEY OBJECTIVE F*

*To meet our future housing needs, including affordable, throughout Argyll and Bute;*

*The Key Challenge we face...*

*That our transport infrastructure is made easier and more appealing to use and we, at the same time, embrace the use of new technologies to reduce the need to travel.*

**The nature of my work in the financial industry allows me to use new technologies that reduce the need to travel and enables me to work 'remotely' from home.**

*KEY OBJECTIVE G*

*To continue to improve Argyll and Bute's connectivity, transport infrastructure, integration between land use, transportation and associated networks;*

*The Key Challenge we face...*

*That the cost of resources will continue to rise and that the provision of infrastructure in challenging economic conditions will be increasingly difficult to deliver.*

**N/A – but it is noted that the provision/availability of fibre internet is a key determining factor for the property to be used as a work location.**

*KEY OBJECTIVE H*

*To optimise the use of our scarce resources, including our existing infrastructure, vacant and derelict land and reduce consumption;*

*The Key Challenge we face...*

*That we can mitigate and adapt to the growing impacts of climate change in an affordable way at a local level.*

**The house is vacant and is on the Councils Empty Property Register and is not fit for proper habitation. The planned changes to the house will improve the property and change the status from vacant to occupied. The plans include energy efficiency improvements.**

*KEY OBJECTIVE I*

*To address the impacts of climate change in everything we do and reduce our carbon footprint;*

**The use of a home office reduces travel. The plans include energy efficiency improvements.**

## Appendix A - Local Opinion

### 1. Email from Councillor Douglas Philander

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**From:** [Philander, Dougie](#)

**Sent:** 13 November 2020 12:52

**To:** [Iain Robert Torrance](#)

**Subject:** RE: Tigh na Torran, Lochgair - Planning Application [OFFICIAL]

**Classification:** OFFICIAL

Dear Iain, many thanks for your e mail and its contents. Having viewed the information lodged on the planning portal for proposed application 20/00898/PP I am of the view to support your application.

Particularly in view of the recent application lodged for Gallanach Cottage Lochgair which was of a similar design. It is important that renovating the property to a standard which improves the local vista is essential and I do believe given the previous decision at Gallanach Cottage the Planning department has set a precedence for such a design that you are proposing.

I have not been approached by any members of the local community nor the community council objecting to this application and therefore I would wish to register my support for your application.

Hope this is of assistance to you.

Kind Regards

Dougie

### 2. Email from The Lochgair Association

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**From:** [Lochgair Association](#)

**Sent:** 22 November 2020 23:28

**To:** [Iain Robert Torrance](#)

**Subject:** Re: IAIN TORRANCE sent you a new message

Hi Iain

Apologies for emailing you so late. I completely forgot to check mail today.

The following are two separate supporting responses posted on the Lochgair website:

- I agree with Michael Reid's recorded positive endorsement of the proposed development.
- I have examined the plans in question and fully support this application. This house is probably the least attractive in the village and the proposals would enhance both its utility and appearance. The design seems to me to fit well with the extensively altered house next door.

I have been asked by the chair of The Lochgair Association (SCIO) to pass on to you the support of our members for your planning application. The consensus of members is that plans to improve the look of Tigh na Torran would be warmly welcomed. It, along with neighbouring houses overlooking Loch Gair, are very distinct architecturally, and therefore an extension to the property would not adversely affect the amenity aspect of the village.

Good luck with presenting your case

Marion Lacey, on behalf of The Lochgair Association (SCIO)

### 3. Postings on the Forum of the Lochgair Association

I posted the plans and explanation on the Forum Page of the Lochgair Association Website and invited comment:

iaintorrance

Nov 1  
Tigh na Torran

Hi

I bought Tigh na Torran from Robert Duncan just over a year ago and this is my first post on the site.

The works on the garage at Tigh na Torran are nearly completed (after many delays from COVID) with the vertical folding larch clad doors hopefully fitted soon. In May this year I submitted a planning application for the house, the main changes being; white harling, black slate, pointed roof dormers, larch clad extension to the front of 4.65m. I thought the overall changes were an improvement but after five months was told by planners they disagreed and would not support, Therefore I have asked for a decision by Local Review Body.

I accept all are entitled to their opinion and I think it would be helpful if the Local Review Body had the benefit of local opinion. I would therefore be grateful if any comments on the plans could be posted here. I will attempt to upload the plans, but will need any comments in the next two weeks!

I am currently using Tigh na Torran as an office in the day, so if you want to see the plans in paper form do drop by and I will gladly show them to you - observing Covid protocols !!

Best wishes to all, stay safe

Iain

The above posting was viewed by [51] Forum Members and the following comments were made on the Forum:

Michael Reid

I think that the plans for the house are fine and not out of context. Achnabreac next door used to be similar and has been extended more. The proposed design is not unlike what was approved for Gallanach Cottage and is of a style that is common in

other parts of Argyll and the highlands. The house is currently tired and dated and I support the application to modernise it and bring it back into regular use.

Reply

S  
Y

stephenm

We at Gallanach Cottage gained permission for something akin to what you are wanting, albeit we decided to scale back the plans so never implemented the bigger design. Can't see how they would object to a 60's kit house being modernised. They should approve.

Reply

Y

duncancampbell40

The demographics of Argyll mean that growing the population is vital. It is crucial therefore that planning is flexible and responsive to this end. We have no objections to these plans and hope they will be dealt with in a timely and positive way.

Duncan and Wilma Campbell

[*Lochside*]

#### 4. Emails received from the Lochgair Community

The Lochgair Association forwarded the plans to Association members with an email similar to my posting. I received the following emails:

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**From:** [Barry Meredith](#)  
**Sent:** 14 November 2020 14:18  
**To:** [Iain Robert Torrance](#)  
**Subject:** Re: Planning

Hi Iain,

Really like the plans. We think it would improve the look of that part of the village. You have our full support on this. What is your next move?

Regards Barry & Vivienne Meredith

---

**From:** [Jennifer Swanson](#)  
**Sent:** 14 November 2020 09:44

**To:** [iaintorrance@outlook.com](mailto:iaintorrance@outlook.com)

**Subject:** planning application

Hello Iain,

Marion forwarded your email and I wanted to let you know that I'm supportive of your planning proposal. I can't see the most up-to-date documents online but the original application looked good and it's nice to see something being done with the house. Every house in Lochgair is different, particularly along the stretch of road from Gallanach to the footbridge, and I see your proposed plans as adding to the surrounding area rather than being out of keeping with it. We walk past the house every day and have no objection to your proposals.

Good luck!

---

On 14 Nov 2020, at 09:40, gordon.swanson <[gordon.swanson@btinternet.com](mailto:gordon.swanson@btinternet.com)> wrote:

Hi Iain

I am happy to support your appeal for the proposed changes to Tigh na Torrance. The plans don't clash with any of the other houses in the village and would actually sit well on the site. Given that you are seeking to improve the amenity and appearance of a nondescript bungalow I would regard your proposals as an improvement to the area.

Hope this is of use.

All the best

Gordon Swanson  
1 Upper Lochgair.

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**From:** [Deirdre Bruce](mailto:Deirdre Bruce)

**Sent:** 11 November 2020 11:04

**To:** [iaintorrance@outlook.com](mailto:iaintorrance@outlook.com)

**Subject:** Planning

Dear Iain

Do the council have specific reasons why they do not agree with the plans you have submitted or have they just disagreed with you.

I think that anything that would enhance the house should be passed and as far as I am concerned I would totally support your plans for this work to be carried out.

Yours sincerely

Fred Bruce

Waterford Lochgair

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**From:** [Douglas Murray](#)  
**Sent:** 31 October 2020 12:10  
**To:** [Iain Robert Torrance](#)  
**Subject:** Re: Tigh na Torran - Planning Application

Dear Iain,

Many thanks for sending plans of the proposed alteration and extension to your house in Lochgair.

My wife and I have no objection to these proposals and wish you success with your application.

Kind regards,

Douglas Murray

(Redhouse, Lochgair)

**APPENDIX B**

**Correspondence with Planning Department**

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**From:** [Shewan, Norman](#)  
**Sent:** 28 October 2020 12:06  
**To:** '[Iain Robert Torrance](#)'  
**Cc:** [Kathryn Macdonald](#)  
**Subject:** RE: 20/00898/PP - Tigh na Torran, Lochgair, PA31 8SD [OFFICIAL]

**Classification: OFFICIAL**

Dear Mr. Torrance,

Thank you for your e-mail of 27<sup>th</sup> October and attached statement in respect of the above.

Firstly, I do appreciate your disappointment that I did not set out my concerns in writing to your agent until some 5 months after the submission of the above application for planning permission. This was partly due to COVID related working restrictions but I fully accept that this issue does not entirely justify the regrettable delay beyond the agreed extension of the determination period. Please accept my genuine and sincere apologies for this delay and for the inconvenience and frustration which this has caused you.

The review process has notified me of the submission of your notice of review dated 25<sup>th</sup> October and invited me to submit any statement of case on behalf of the Development Management Service.

My representations to the review process will include my report of handling and will address all material considerations including the original application documents and all relevant supporting information submitted to the planning authority prior to your notice of review on 25<sup>th</sup> October. My representations will also address any additional information or supporting statements which has been submitted through the review process.

Provided that your latest statement (e-mailed to me on 27th) forms part of your submitted notice of review then I will have the opportunity to comment on the salient points as required through the review process.

By submitting a notice of review you have effectively terminated determination of the planning application by the Development Management Service as of 25<sup>th</sup> October. Since your latest statement has been submitted after that date, I must advise you that it cannot now form part of my report of handling and that it would not be procedurally correct or helpful to comment on it outside of the review process. I assure you that I would have been more than happy to comment fully on your statement (and to continue dialogue) if it had been submitted prior to the notice of review.

Procedure now requires that any further comments by the Development Management Service regarding this case be made through the review process according to the relevant regulations.

Please contact the Local Review process directly if you have any further enquiries with regard to the review.

It's not a significant issue but for the benefit any further correspondence, my surname is spelled "Shewan."

Best Regards,

Norman

**Norman Shewan**  
Planning Officer  
MAKI Team  
Development Management  
Development and Economic Growth  
Argyll and Bute Council





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**From:** [Iain Robert Torrance](#)  
**Sent:** 27 October 2020 21:13  
**To:** [Norman.Shewan@argyll-bute.gov.uk](mailto:Norman.Shewan@argyll-bute.gov.uk)  
**Cc:** [Kathryn Macdonald](#)  
**Subject:** 20/00898/PP - Tigh na Torran, Lochgair, PA31 8SD

Dear Mr Shewen

I email to advise that I have requested the Application for Tigh na Torran be considered by the LRB.

I attach a letter which responds to your email correspondence with Bowan Stewart.

Yours faithfully

Iain Torrance

**From:** Shewan, Norman <[Norman.Shewan@argyll-bute.gov.uk](mailto:Norman.Shewan@argyll-bute.gov.uk)>  
**Sent:** 23 October 2020 10:57  
**To:** Kathryn Macdonald <[kathryn@bowmanstewart.co.uk](mailto:kathryn@bowmanstewart.co.uk)>  
**Subject:** RE: 20/00898/PP - Tigh na Torran, Lochgair [OFFICIAL]

**Classification: OFFICIAL**

Kathryn,

Thanks for your phone call yesterday. I thought that it was a very helpful discussion.

I acknowledge receipt of your subsequent e-mail clarifying the proposed external material finishes as white wet-dash render walls with some untreated larch cladding and slate roof.

However, the fundamental objections relate to the siting of the proposed extension on the principal elevation fronting the road in conjunction with its scale, height and form (1 ¾ storey form) relative to the existing house. In these regards my assessment is that the extension will fail to reflect or respect the character and appearance of the existing building and that this will be detrimental to the character of the original house and its local setting.

The materials are a much more secondary issue, if I can put it that way, and the use of materials to match the original house is superficial to an extent without the principal issues of siting, scale and form being addressed.

As such my previous assessment and advice still stands notwithstanding clarification of material finishes.

Please advise me how your client would like to proceed.

Best Regards,

Norman

**From:** Kathryn Macdonald [<mailto:kathryn@bowmanstewart.co.uk>]

**Sent:** 22 October 2020 15:01

**To:** Shewan, Norman <[Norman.Shewan@argyll-bute.gov.uk](mailto:Norman.Shewan@argyll-bute.gov.uk)>

**Subject:** RE: 20/00898/PP - Tigh na Torran, Lochgair [OFFICIAL]

Hi Norman,

Further to our discussions and my discussion with my client, I wished to confirm that there was a slight error by me in my drawing when I describe the proposed finishes.

My client would instead prefer these to be as follows:

Walls – White wet dash render, untreated Larch cladding

Roof - Dwelling, Front and back extensions – Spanish slate

Windows - PVCu framed, White

Rainwater goods - PVCu, White

It was therefore our intention to allow these extensions to allow this 1.5 storey 1960's prefabricated house have more of a traditional Argyll cottage style appearance along with having an honest and contrasting front extension.

Do you believe that these alterations and our design intention may allow the application to be determined favourably at all, and if so please let me know if you would wish me to update my drawing to show these finishes instead?

I look forward to hearing from you.

With kind regards,  
Kathryn

Dear Norman,

Thank you for your email detailing your concerns. Regarding your first point, please see attached the updated site plan showing the parking and turning area as requested.

Regarding your second point, I'm not sure if you have analysed this correctly as the existing dwelling house was designed as a 1 ½ storey dwelling, as can be seen from the attached document showing the existing photographs. This document also shows the photographs of the neighbouring property (Toabh an Loch), which indicates that both of these properties were perhaps built at the same time as they are almost identical in design, apart from Toabh an Loch already having a small timber clad front extension. The photographs also show that they were designed as 1 ½ storey dwelling houses by their dormer windows and gable windows being in the same positions.

You also note that altering the proposal to retain the eaves line would be acceptable, however the existing dwelling already has an interrupted eaves line to the front façade and I would therefore argue that the introduction of this front extension would actually be more desirable than the existing dwellinghouse and also have a more positive impact on the character of the surrounding area as it would reflect a similar style of design that is seen in the neighbouring buildings, as seen from my attached photographs. It reflects the property at Lochside, with a pitched roof and broken eaves facing the road, Achhabereac with a pitched front gable, Gair Cottage with a pitched roof dormers and broken eaves line, and Derryinver with larger pitched roof gable end facing the road. Therefore I

would say that this extension is in fact in keeping with the local areas character along this single track road.

I acknowledge your concern over the front extension being a 1 ¾ storey extension, and in one of our earlier sketches we did look at a lower ridge height for this front extension however we did feel that there was capacity for this to meet the existing ridge in this case. The ridge height for this extension would not be higher than the existing house and the roof pitch of the existing property is reflected in this front extension. Also this dwelling house is one of the smaller properties along this road and therefore it is felt that this extension would not be overbearing or dominant, as can be seen from the attached photographs of neighbouring properties.

I also note that the design of the front extension was to encourage views across the shore but also allows for South facing windows, to allow as much solar gain as possible into the property, which will in turn increase the energy efficiency of the property somewhat along with the implementation of solar thermal panels to the rear extension.

Regarding the materials for the front extension, this is proposed to be untreated Larch cladding, to give a more modern contrast to the existing dwelling. The neighbouring property (Taobh an Loch) has an existing timber clad extension, therefore there is a precedent of using timber clad extensions in the area, we therefore felt that using this precedent but producing a better example of this by using high quality sustainable Scottish Larch would be encouraged.

We therefore feel that our current proposals actually do meet the SG LDP on Sustainable Siting and Design Principles and LDP 9 as we feel that the building has been designed to increase the desirability of the existing dwelling and therefore the surrounding area and elements of this design also reflect components of the existing dwellings in the surrounding neighbouring properties and therefore is in keeping character with this area. We are also encouraging suitability and energy efficiency in the development by our material choice and solar thermal panels.

**From:** Shewan, Norman <[Norman.Shewan@argyll-bute.gov.uk](mailto:Norman.Shewan@argyll-bute.gov.uk)>

**Sent:** 18 October 2020 18:46

**To:** Kathryn Macdonald <[kathryn@bowmanstewart.co.uk](mailto:kathryn@bowmanstewart.co.uk)>

**Subject:** 20/00898/PP - Tigh na Torran, Lochgair. [OFFICIAL]

**Classification: OFFICIAL**

Kathryn,

Please accept my apologies for the delay in contacting you with regard to this application however there are several issues which require addressing in order that we can move forward towards a favourable recommendation.

1. Access and parking

The Council's Roads and Amenity Services has deferred making comment on this application pending receipt of a block plan demonstrating that parking and turning for 3 vehicles can be provided within the site. Can you submit a revised site plan at a minimum scale of 1:200 showing parking spaces and turning.

2. Design

The design, in terms of siting, scale, massing, form, design and materials, relative to the existing house and the local development pattern, has been assessed as being inappropriate with regard to planning policy and supplementary guidance including LDP 9 and SG LDP on Sustainable Siting and Design Principles, particularly paragraphs 8.1 & 8.2 – "Alterations, Extensions, Conversions,"

The alteration of an existing single-storey bungalow (with dormer windows) by constructing a 1 ¾ storey style addition projecting some 4.65 metres in front of the principle elevation of the existing house will be unduly dominant in relation to the principle elevation does not reflect the character of the original dwelling house. Such a visually dominant and prominent extension will adversely affect the appearance of the building and the amenity of the surrounding area. The proposed development cannot therefore be supported in its present form.

I appreciate your clients aspiration to open up internal views out towards the loch and would be supportive of a highly glazed bay with eaves level that lines through with existing; roof pitch matching the main house; and a ridge height which is substantially below that of the original cottage. A bay window would normally project some 600-800mm in front of the front wall of the principle elevation. This would result in the loss of a ground floor 'snug' (unless this can be provided in an alternative location) and the double height space above it. A smaller gallery/study on the 1<sup>st</sup> floor hallway may still be possible although it would be more intimate.

I would be grateful if you could advise whether your client is prepared to amend the design in relation to the alterations on the front elevation along the lines of the above advice or whether he would like to proceed with the application as submitted. In the latter instance, it is very likely that the application will not be supported.

Best Regards,

Norman

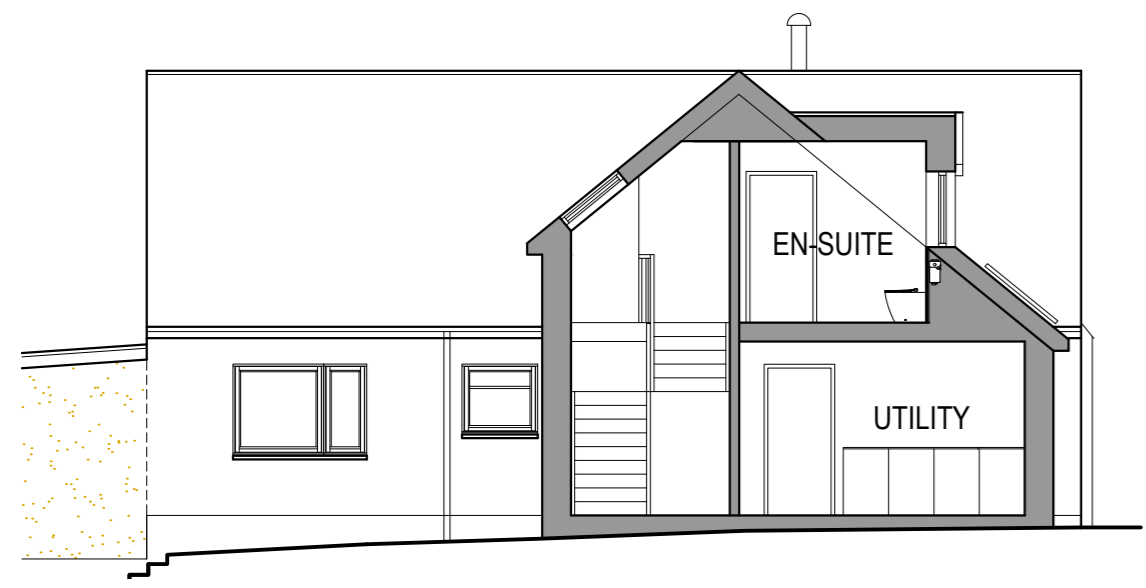
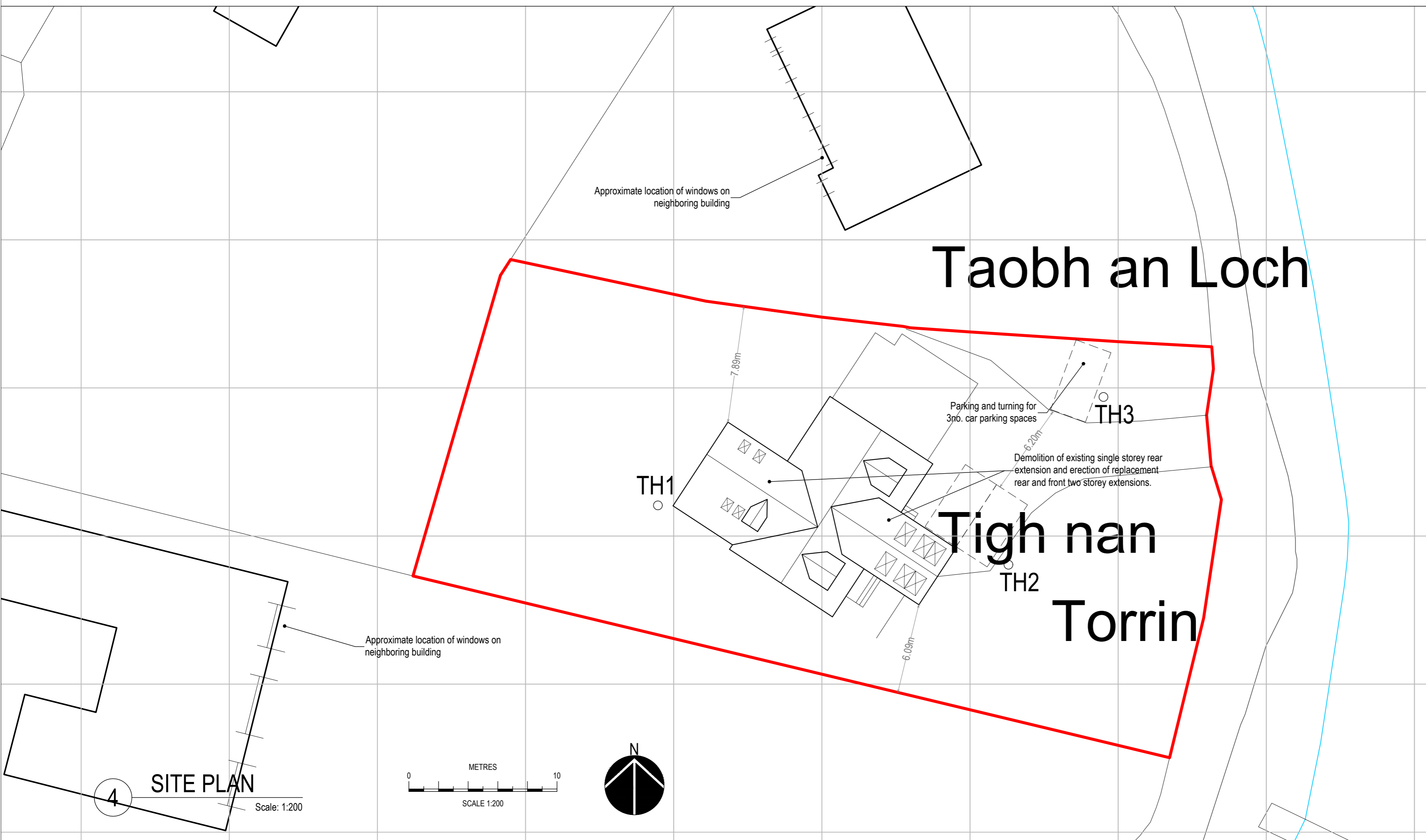
**Appendix C – Report of Handling for Gallanach Cottage (17/01879/PP)**

**Appendix D – Approved Plans for Gallanach Cottage (17/01879/PP)**

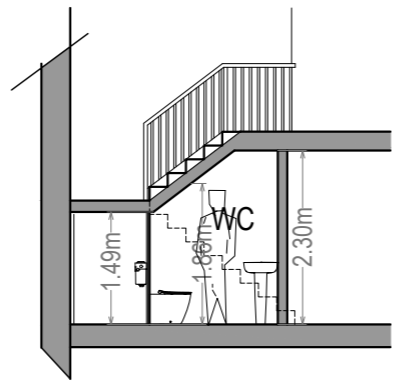
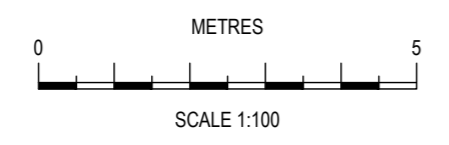
**Appendix E – Comment Submitted to Planning by Michael Reid**

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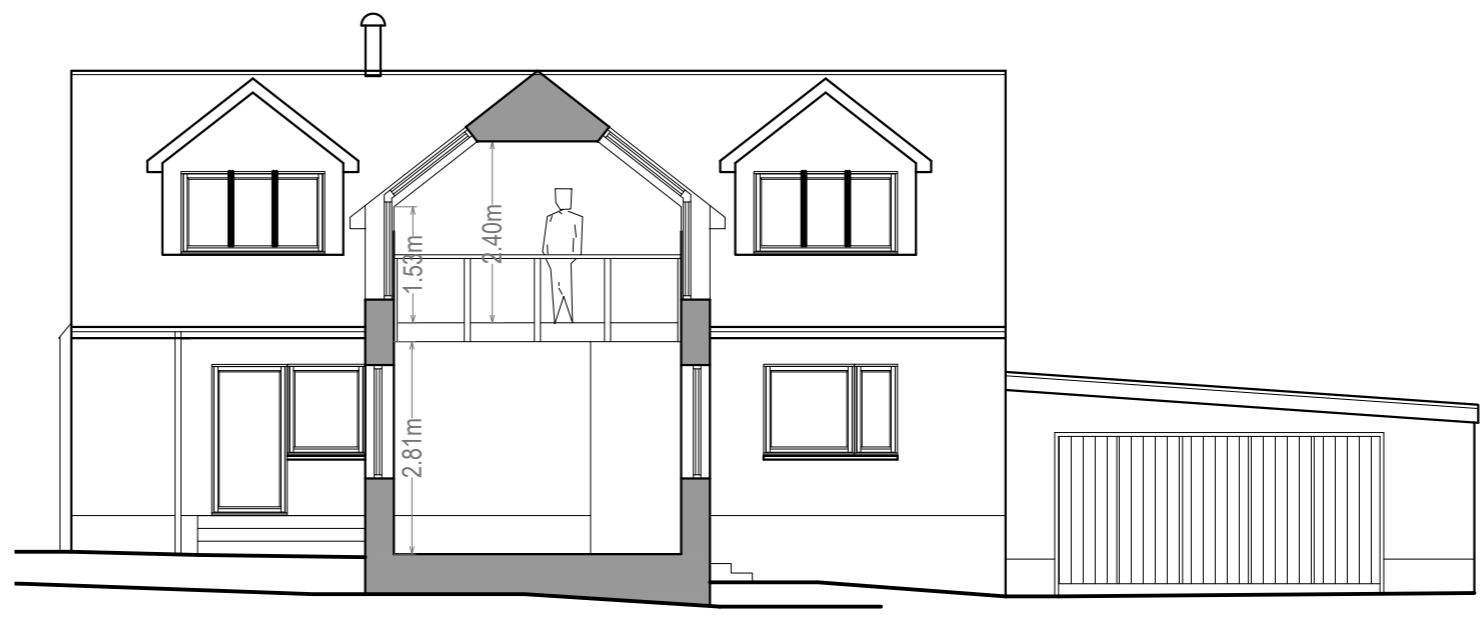
Rev	Revision note	Date	Initials
-	Original distribution.	21.05.20	KM
A	Parking spaces shown on site plan.	20.10.20	KM
B	Parking layout altered	13.11.20	KM



**1 SECTION B-B**  
Scale: 1:100



**2 SECTION A-A**  
Scale: 1:100



**3 SECTION C-C**  
Scale: 1:100

PLANNING		
CLIENT	Mr Iain Torrance	
PROJECT	Tigh-na-Torran, Lochgair, Argyll	
DRAWING	Sections and Site plan as proposed	
DATE	May 2020	SCALE 1:100, 1:200 @ A2
DRAWN BY	KM	REVISION B
	DRAWING NUMBER 19-2653-P-03	

**Bowman Stewart**

CHARTERED SURVEYORS,  
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Argyll and Bute Council  
Development & Infrastructure Services

**Delegated Planning Application Report and Report of Handling as required by Schedule 2 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 relative to applications for Planning Permission or Planning Permission in Principle**

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**Reference No:** 17/01879/PP  
**Planning Hierarchy:** Local  
**Applicant:** Mr and Mrs Stephen Mitchell  
**Proposal:** Change of use from dwellinghouse to form 2 self-catering cottages. Including; erection of car port with solar panelled roof, erection of replacement sun room and enlargement of existing extension and formation of new vehicular access.  
**Site Address:** Gallanach Cottage, Gallanach, Lochgair, Argyll.

---

**DECISION ROUTE**

Sect 43 (A) of the Town and Country Planning (Scotland) Act 1997

---

**(A) THE APPLICATION**

**(i) Development Requiring Express Planning Permission**

- Change of Use from dwellinghouse to form two self-catering units
- Formation of new access
- Erection of car port with solar panelled roof (18 panel solar array)
- Demolition of existing sunroom and erection of replacement sunroom
- Alteration of existing extension from one to one and a half storeys
- Alteration of dormer windows on north and south elevation from sloped to pitched roofs.
- Alteration to width of window openings and replacement of majority of ground floor windows on north elevation and alteration to length and replacement of windows on east elevation.

**(ii) Other specified operations**

- None
- 

**(B) RECOMMENDATION:**

Recommended for approval subject to attached conditions and reasons.

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**(C) CONSULTATIONS:**

Argyll and Bute Council Roads and Amenity Services – No objection subject to conditions. Responded 18.07.17.

Scottish Environmental Protection Agency (SEPA) – No objection subject to conditions. Responded 13.09.2017.

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**(D) HISTORY:**

17/01412/PP - Demolition of conservatory, erection of extensions to dwellinghouse, erection of car port with roof mounted solar panels and formation of new vehicular access. Application withdrawn 14.07.17.

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**(E) PUBLICITY:**

Regulation 20 Advert – Expired 18.08.17

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**(F) REPRESENTATIONS:**

**(i) Representations received from:**

Morag Buchanan – Tobah An Loch, Lochgair, Lochgilphead.  
James Buchanan – Tobah An Loch , Lochgair, Lochgilphead.  
Helen J McCartan – Tigh Na Tobar, Lochgair, Lochgilphead.  
Duncan Campbell – Lochside, Lochgair, Lochgilphead.

**(ii) Summary of issues raised:**

**Access and Impact on Road Safety and Amenity**

The following objections have been raised in regard to access:

*'As an immediate neighbour I would like to make clear to planning department that I do not agree to the access roadway in from the site being the route as it will impact on our property.'*

*'The creation of a new, additional access road onto an already restricted road would reduce highway safety, create noise and disturbance from use and have insufficient adequacy for turning and manoeuvring of vehicles.'*

*'We are concerned about the proposed vehicular access to the proposed property as is partly opposite our car park which is directly onto the single track road. We fear there is a safety issue as vehicles entering and exiting the single track road could in conflict, also a risk to pedestrians and cyclists. As the grounds of Gallanach Cottage have the potential for further development if permitted the flow of traffic could be increased accordingly. Moving the access to Gallanach Cottage a short distance west would make the situation much safer and moving the proposed access does not seem to concern the applicants.'*

**Comment:** The proposal has been assessed in relation to road safety by the Council's Road Engineers and the proposed access is not considered to raise any significant road safety issues. Argyll and Bute Council Roads and Amenity Services have no objection to the proposal subject to the attachment of a number of conditions. It is considered that with the implementation of the recommended conditions the proposed access will not raise any significant

road safety issues. A centrally located access on the frontage will afford visibility to the required standard in either direction and will represent an improvement over the existing access which is to be close off. The site will provide adequate parking and turning facilities for up to four vehicles. In relation to the impact which the access will have in creating noise and disturbance within the surrounding residential area, the use of this large dwelling as two three bedroomed self-catering cottages is likely to have a negligible impact upon amenity in comparison to the noise and disturbance which could reasonably be expected from a dwelling of this size, as it would not be expected that traffic generation would materially increase as a result of the intended use. The speculation that land in the ownership of Gallanach Cottage could be developed further, therefore raising the prospect of additional traffic using the access is not a consideration for this application. Any further planning application would be assessed accordingly on its merits at the time, with the impact of any additional traffic being considered at that point, should it arise. The proposal therefore complies with LDP 11 – Improving our Connectivity and Infrastructure, SG LDP TRAN 6 – Vehicle Parking Provision SG LDP TRAN 4 – New & Existing, Public Roads & Private Access Regimes.

#### **Land Ownership**

The following objections were raised in regard to land ownership:

*‘Per our title deeds, as owners of part of the land which planning permission has been applied for, we do not give our permission under any circumstances to the applicants to use our property.’*

#### **Response**

Land ownership is not a material planning consideration. The applicants have completed land ownership Certificate B on the Planning Application Form and have served notice on the owners of the land included in the application site edged red and have therefore discharged their obligations in relation to regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland Regulation 2013. Any dispute between ownership interests would be a civil legal issue.

#### **Impact of solar panels on amenity**

The following objections were raised in relation to the impact of solar panels on amenity:

*‘I would like to express my concern regarding the erection of the Car Port along with an addition of 18 Solar Panels. As the panels will face my house and the road which leads to Tigh – Na – Tobar and Caberfeidh, the glare could be a concern to us and other drivers. Is it possible that the panels could be laid flatter to the roof instead of on A-frames, or indeed lower – on the ground. It does seem rather a large number of panels – more in keeping with an industrial estate than a house in a small village like Lochgair. I presume the panels would be Black and non-reflective.’*

#### **Response:**

Solar panels are an accepted feature of residential areas. The applicant has provided a detailed specification for the proposed panels. This specification confirms that they will be black and constructed of a high transmission tempered glass with anti-reflective glare. Furthermore, the solar panels will be installed on a sloped roof and will be positioned in a tiered arrangement

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with a projection of 0.5m from the roof plane. Although the car port roof will be covered in solar panels the car port is located to the south of the site away from the public road and therefore not considered to present any an impact on the safety of road users. Furthermore, the use of appropriate materials and the design of the solar panels will ensure there is not a significant impact on the residential amenity of the neighbouring dwelling houses. The proposal is therefore considered to comply with LDP 9 – Development Setting, Layout and Design, and SG LDP Sustainable – Sustainable Siting and Design Principles.

**(G) SUPPORTING INFORMATION**

**Has the application been the subject of:**

- (i) **Environmental Statement:** No
- (ii) **An appropriate assessment under the Conservation (Natural Habitats) Regulations 1994:** No
- (iii) **A design or design/access statement:** No
- (iv) **A report on the impact of the proposed development eg. Retail impact, transport impact, noise impact, flood risk, drainage impact etc:** No

**(H) PLANNING OBLIGATIONS**

**Is a Section 75 agreement required:** No

**(I) Has a Direction been issued by Scottish Ministers in terms of Regulation 30, 31 or 32:** No

**(J) Section 25 of the Act; Development Plan and any other material considerations over and above those listed above which have been taken into account in the assessment of the application**

- (i) **List of all Development Plan Policy considerations taken into account in assessment of the application.**

**‘Argyll and Bute Local Development Plan’ Adopted March 2015**

- LDP STRAT 1 – Sustainable Development
- LDP DM 1 – Development within the Development Management Zones
- LDP 3 – Supporting the Protection Conservation and Enhancement of our Environment
- LDP 5 –Supporting the Sustainable Growth of our Economy
- LDP 9 – Development Setting, Layout and Design
- LDP 10 – Maximising our Resources and Reducing our Consumption
- LDP 11 – Improving our Connectivity and Infrastructure

Local Development Plan Schedules

**'Supplementary Guidance to the Argyll and Bute Local Plan 2015' (Adopted March 2016)**

**Landscape and Design**

SG LDP ENV 13 – Impact on Areas of Panoramic Quality (APQs)

**Historic Environment and Archaeology**

SG LDP ENV 17 – Development in Conservation Areas and Special Built Environment Areas (SBEAs)

SG LDP ENV 20 – Impact on Sites of Archaeological Importance

**Support for Business & Industry: Main Potential Growth Sector: Tourism**

SG LDP TOUR 1 – Tourist Facilities and Accommodation, including Static and Touring Caravans

**Sustainable Siting and Design**

SG LDP Sustainable – Sustainable Siting and Design Principles

**Addressing Climate Change**

SG LDP SERV 7 – Flooding and Land Erosion – Risk Framework

**Transport (Including Core Paths)**

SG LDP TRAN 4 – New & Existing, Public Roads & Private Access Regimes

SG LDP TRAN 6 – Vehicle Parking Provision

(ii) **List of all other material planning considerations taken into account in the assessment of the application, having due regard to Annex A of Circular 3/2013.**

- Scottish Planning Policy
- 17/01412/PP - Demolition of conservatory, erection of extensions to dwellinghouse, erection of car port with roof mounted solar panels and formation of new vehicular access. Application withdrawn 14.07.17.

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**(K) Is the proposal a Schedule 2 Development not requiring an Environmental Impact Assessment: No**

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**(L) Has the application been the subject of statutory pre-application consultation (PAC): No**

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**(M) Has a sustainability check list been submitted: No**

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**(N) Does the Council have an interest in the site:** No

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**(O) Requirement for a hearing (PAN41 or other):** No

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**(P) Assessment and summary of determining issues and material considerations**

Planning permission is sought for 'Change of use from dwellinghouse to form 2 self-catering cottages, including erection of car port with solar panelled roof, erection of replacement sun room and enlargement of existing extension and formation of new vehicular access,' at Gallanach Cottage, Gallanach, Lochgair. Gallanach Cottage is a traditional white rendered, one and a half storey dwellinghouse located in the in the settlement of Lochgair and also within the Lochgair Special Built Environment Area (SBEA) and the West Loch Fyne (Coast) Area of Panoramic Quality (APQ). As the site is located within the Lochgair 'settlement' zone the proposal complies with LDP STRAT 1 – Sustainable Development and LDP DM 1 – Development within the Development Management Zones.

The main element of the proposal involves the change of use of the existing dwellinghouse to form two self-catering cottages, each with three bedrooms. In addition to the change of use of the property, the proposal also includes the demolition of the existing conservatory, erection of a replacement sunroom/lounge on the eastern gable, and the re-construction of the existing extension from single to one and a half storeys. The replacement sunroom/lounge will consist of 'cedral' timber cladding to the external walls, Spanish slate roof, and white PVCU or timber windows. The re-constructed extension will be wet dash roughcast painted white, with white PVCU or timber windows and a pitched roof to match the roof alignment of the existing dwellinghouse.

Other development taking place to the south of the site is the erection of a car port with 18 solar panels on the roof. The car port will be located adjacent to the existing garage and will be constructed of green oak posts, with a corrugated steel roof with black solar panels constructed of high transmission tempered anti –reflective coated glass. Other additional development works included within the proposal include the alteration of the roof pitch of the dormers on the north and south elevation from sloped to pitched roofs, alteration of the width of the window openings and replacement of the majority of ground floor windows on the north elevation, and alteration to the length and replacement of windows on the east elevation. The footprint of the dwellinghouse will therefore alter from a predominately L-shaped dwellinghouse with two projections on the north and east elevation, to one cottage with an L-shaped footprint, and one cottage with a footprint which forms the shape of inter-connected rectangles. Finally, a new vehicular access will be created on the eastern corner of the site with a 2.4m x 25m visibility splay, with the existing vehicular access at the western corner of the site being permanently closed off.

The size and scale of the proposed replacement sunroom/lounge and the reconstructed extension will be subordinate to the existing dwellinghouse. Appropriate materials such as Spanish slate for the roof, and walls in white wet dash roughcast which match the existing dwellinghouse are also to be utilised. Other alterations to the dwellinghouse, such as the alteration and replacement of windows on the north and east elevation are considered to be of a satisfactory design and utilise suitable materials. In addition, the proposed car port located to the south of the site with a solar panel array roof is of an appropriate size and scale and is of a

satisfactory design. Due to the size of the site and the location and distance between neighbouring properties, the proposal does not raise any privacy, daylight, or amenity issues. Furthermore, it is considered that the proposal satisfactorily protects the architectural and historic value of the Lochgair Special Built Environment Area (SBEA) and will not have a significant impact on the landscape character of the West Loch Fyne (Coast) Area of Panoramic Quality. The proposal therefore complies with LDP 9 – Development Setting, Layout and Design, SG LDP Sustainable – Sustainable Siting and Design Principles, LDP 3 – Supporting the Protection Conservation and Enhancement of our Environment, SG LDP ENV 17 – Development in Conservation Areas and Special Built Environment Areas (SBEAs), and SG LDP ENV 13 – Impact on Areas of Panoramic Quality (APQs).

The change of use of the dwellinghouse to form two self-catering units will provide additional small-scale tourist accommodation facilities within the settlement of Lochgair. Additional self-catering facilities will be beneficial to the tourist industry which forms an important section of the economy within Mid Argyll. As the proposal is a change of use of an existing dwellinghouse, the proposal relates well to the existing built form of the settlement of Lochgair and is of an appropriate form and scale. Furthermore, the proposal is in a suitable location and is consistent with all other relevant policies of the Local Development Plan. Public transport is also accessible from the site in the form of the bus service which runs between Glasgow and Campbeltown along the A83(T) which runs through the centre of the settlement of Lochgair. This complies with LDP 5 – Supporting the Sustainable Growth of our Economy SG LDP TOUR 1 – Tourist Facilities and Accommodation.

The site of the proposal is located within the Scottish Environmental Protection Agency (SEPA) River and Coastal Flood Zone (1:200 Year). This means the site has a 'high to medium' risk of flooding. SEPA were consulted on the proposal and have not objected to the proposal subject to the attachment of two conditions. SEPA has advised that 'the site levels remain as existing,' and 'the finished floor levels are located above the 1 in 200 year water level of 4.06m AOD with an appropriate level of freeboard.' The proposal therefore complies with LDP 10 – Maximising our Resources and Reducing our Consumption and SG LDP SERV 7 – Flooding and Land Erosion – Risk Framework.

The site of the proposal is within an archeologically sensitive area. However, West of Scotland Archaeology Service (WOSAS) have not commented on the application and therefore in the absence of adverse comment the proposal is not considered to have a significant impact on the archaeological sensitivity of the area. The proposal therefore complies with LDP 3 – Supporting the Protection Conservation and Enhancement of our Environment SG LDP ENV 20 – Impact on Sites of Archaeological Importance.

Access to the site is from the single track road which provides access to the area of Lochgair situated between the A83(T) and the foreshore of Loch Fyne to the east. The new access, which will include a 2.4m x 25m visibility splay, has been located where better visibility can be obtained from vehicles egressing from the site, which will represent an improvement in terms of road safety. The existing vehicular access at the north west extremity of the site will be closed off, and a parking and turning area within the application site will be created for 4 vehicles. Argyll and Bute Council's Roads and Amenity Services have been consulted on the proposal and have raised no objections subject to the attachment of a number conditions. Subject to these being imposed, the proposal therefore complies with LDP 11 – Improving our Connectivity and Infrastructure, SG LDP TRAN 4 – New & Existing, Public Roads & Private Access Regimes, and SG LDP TRAN 6 – Vehicle Parking Provision.

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**(Q) Is the proposal consistent with the Development Plan: Yes**

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**(R) Reasons why Planning Permission or Planning Permission in Principle Should be Granted:**

The proposal conforms to the relevant policies of the development plan, and there are no other material considerations, including matters raised by third parties, which would warrant departure from these policies.

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**(S) Reasoned justification for a departure to the provisions of the Development Plan**

Not applicable.

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**(T) Need for notification to Scottish Ministers or Historic Scotland: No**

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**Author of Report:** Fleur Rothwell **Date:** 18.09.2017

**Reviewing Officer:** Richard Kerr  **Date:** 18.09.2017

**Angus Gilmour**  
**Head of Planning & Regulatory Services**



**CONDITIONS AND REASONS RELATIVE TO APPLICATION REF. NO. 17/01879/PP**

1. The development shall be implemented in accordance with the details specified on the application form dated 12<sup>th</sup> July 2017 and the approved drawings numbered 1 - 2 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. Notwithstanding the provisions of Condition 1, the proposed access shall be formed in accordance with the Council's Roads Standard Detail Drawing SD 08/004 Rev a; and visibility splays of 2.4 metres to point X by 25 metres to point Y from the centre line of the proposed access. The access shall be surfaced with a bound material in accordance with the stated Standard Detail Drawing. Prior to work starting on site the access hereby approved shall be formed to at least base course standard and the visibility splays shall be cleared of all obstructions such that nothing shall disrupt visibility from a point 1.05 metres above the access at point X to a point 0.6 metres above the public road carriageway at point Y. The final wearing surface on the access shall be completed prior to the development first being brought into use and the visibility splays shall be maintained clear of all obstructions thereafter.

Reason: In the interests of road safety.

3. Notwithstanding the provisions of Condition 1, no development shall commence until full details of the layout and surfacing of a parking and turning area to accommodate four vehicles within the application site have been submitted to and approved in writing by the Planning Authority in consultation with the Council's Roads Engineers. The duly approved scheme shall be implemented in full prior to the development first being occupied and shall thereafter be maintained clear of obstruction for the parking and manoeuvring of vehicles.

Reason: In the interest of road safety.

4. Notwithstanding the provisions of Condition 1, no development shall commence until details for the permanent closure of the existing vehicular access to the site by physical means have been submitted to and approved in writing by the Planning Authority in consultation with the Council's Roads Engineers. The duly approved scheme shall be implemented concurrently with the approved vehicular access to the development first being brought into use and the original means of access shall remain closed to vehicular traffic thereafter.

Reason: In the interest of road safety.

5. Notwithstanding the provisions of Condition 1, a refuse collection point shall be provided adjacent to the public road prior to the development first being occupied.

Reason: In the interest of road safety and amenity.

6. Notwithstanding the provisions of Condition 1, the finished ground floor level of the development shall be above 4.06m Above Ordnance Datum plus additional free board, with existing site levels maintained unless otherwise agreed in writing by the Planning Authority.

Reason: In order to ensure appropriate mitigation for flood risk.

**NOTE TO APPLICANT**

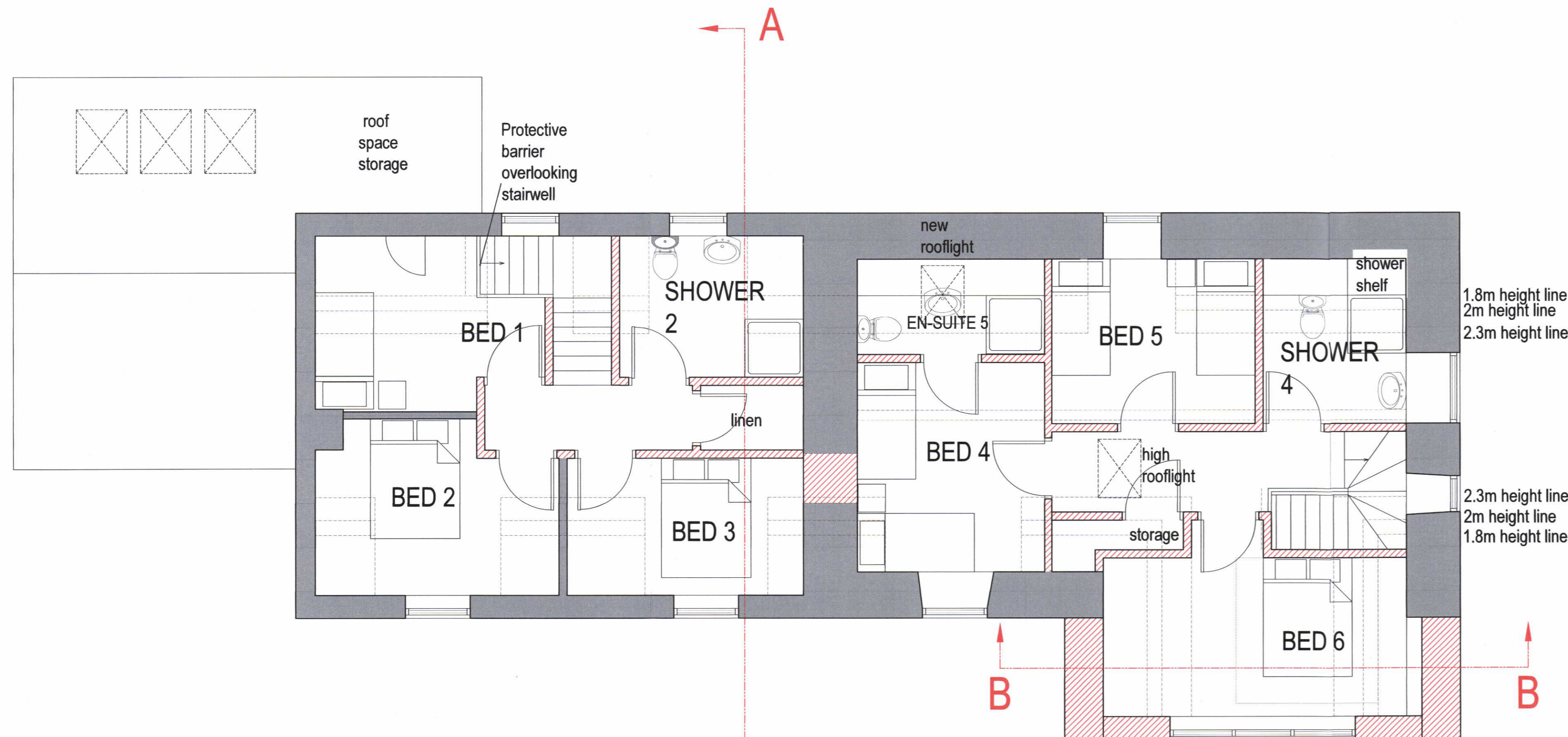
- **The length of the permission:** This planning permission will last only for **three** years from the date of this decision notice, unless the development has been started within that period [See section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended).]
- In order to comply 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.
- 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.
- A Road Opening Permit under the Roads (Scotland) Act 1984 must be obtained from the Council's Roads Engineers prior to the formation/alteration of a junction with the public road.
- The access shall be constructed and drained to ensure that no surface water is discharged onto the public road.

**APPENDIX TO DECISION APPROVAL NOTICE**

Appendix relative to application **17/01879/PP**

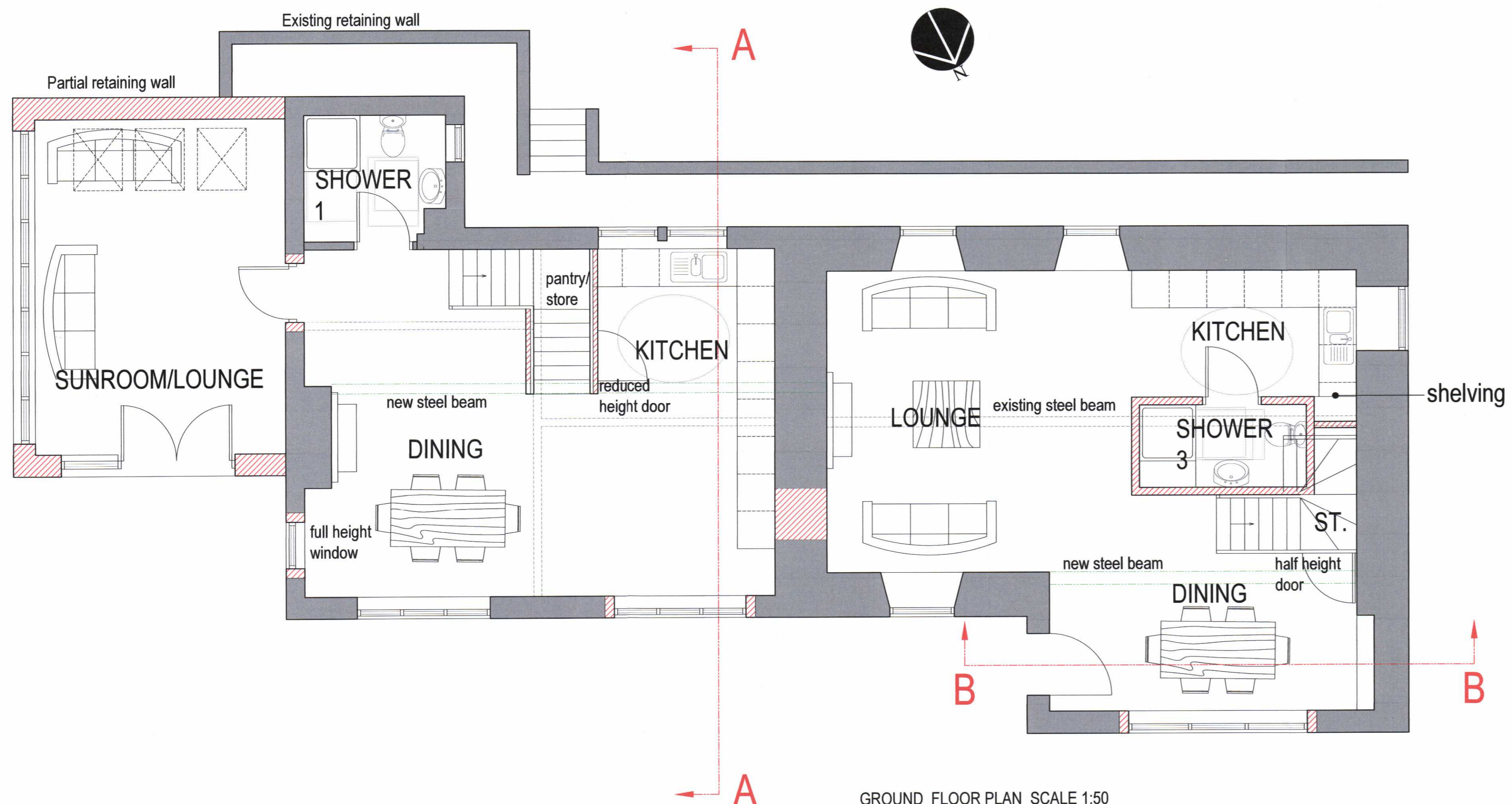
- |  |  |
|--|--|
| (A) Has the application required an obligation under Section 75 of the Town and Country Planning (Scotland) Act 1997 (as amended):   | <b>No</b>  |
| (B) Has the application been the subject of any “non-material” amendment in terms of Section 32A of the Town and Country Planning (Scotland) Act 1997 (as amended) to the initial submitted plans during its processing.     | <b>Yes – Amended Location Plan, Site Plan, and Existing Elevations submitted 28/07/17. This is to show land outside red site line in applicant’s ownership outlined in blue.</b> |
| (C) The reason why planning permission has been approved:  |  |
| <b>The proposal conforms to the relevant policies of the development plan, and there are no other material considerations, including matters raised by third parties, which would warrant departure from these policies.</b> |  |

Rev	Revision note	Date	Initials
A	Preliminary sketch	22.05.17	KM
B	Amended north point	02.06.17	KM



FIRST FLOOR PLAN SCALE 1:50

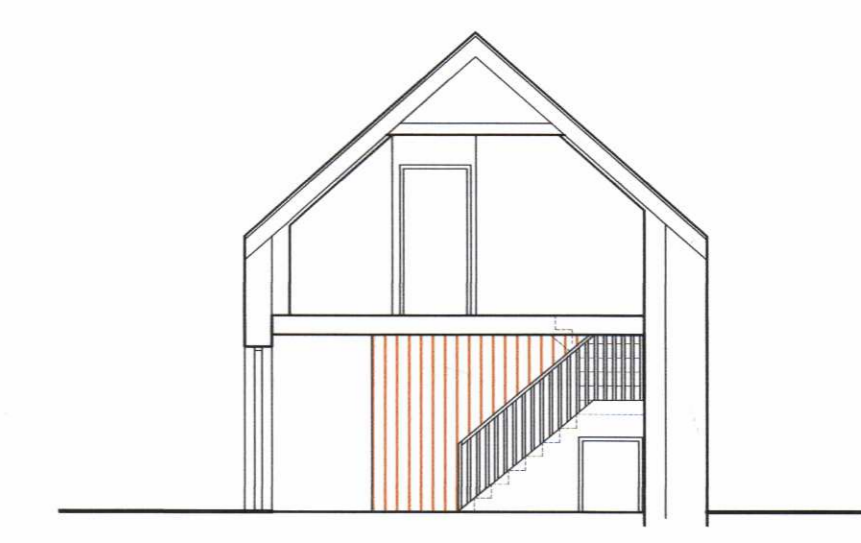
- Existing walls
- New walls
- Walls to be removed



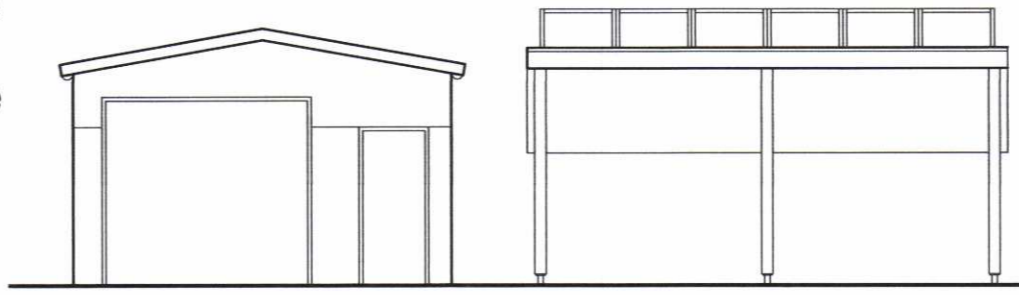
GROUND FLOOR PLAN SCALE 1:50



SECTION A-A SCALE 1:100



SECTION B-B SCALE 1:100



GARAGE AND CAR PORT NORTH ELEVATION SCALE 1:100

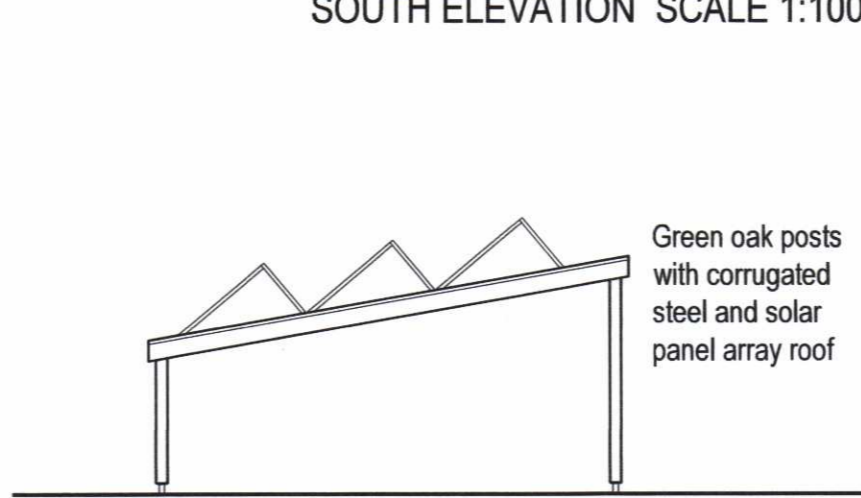
- FINISHES**
- Walls - Wet dash roughcast, colour white & Cedral cladding
  - Roof - Slate/Spanish slate
  - Windows - PVCU & timber framed, colour white
  - Rainwater goods - existing cast iron & new PVCU, colour white



NORTH ELEVATION SCALE 1:100



SOUTH ELEVATION SCALE 1:100



Car port EAST ELEVATION SCALE 1:100



WEST ELEVATION SCALE 1:100

ARGYLL AND BUTE COUNCIL  
 This plan has been APPROVED by the  
 PLANNING AUTHORITY and MUST be read in  
 conjunction with the Planning Conditions of  
 Consent No:  
17/01879/PP  
 Angus D. Gilmer  
 Head of Planning and Regulatory Services  
 Date: 18/09/17

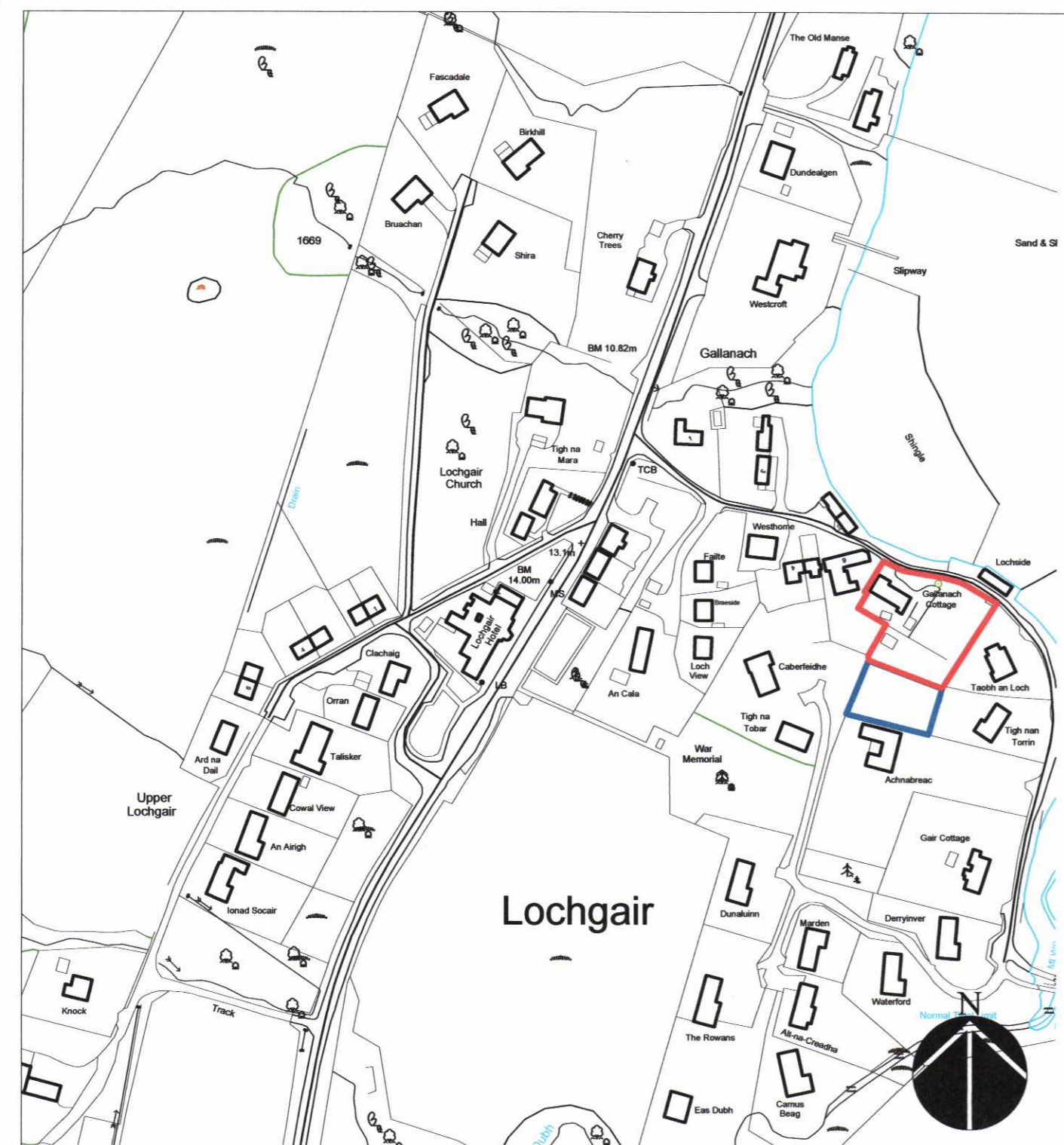
Argyll and Bute Council  
 Planning and Regulatory  
 Services  
 Application ref no: 17/01879/PP  
 Date received: 17/7  
 Plan no: 1092  
 PO Initials: KM

CLIENT	Mr and Mrs Stephen Mitchell		
PROJECT	Internal and external alterations to Gallanach Cottage, Lochgair, Argyll		
DRAWING	Plans and Elevations as Proposed @ A1		
DATE	May 2017	SCALE	1:100, 1:50
DRAWN BY	KM	DRAWING NUMBER	16-2325-P-02
		REVISION	B

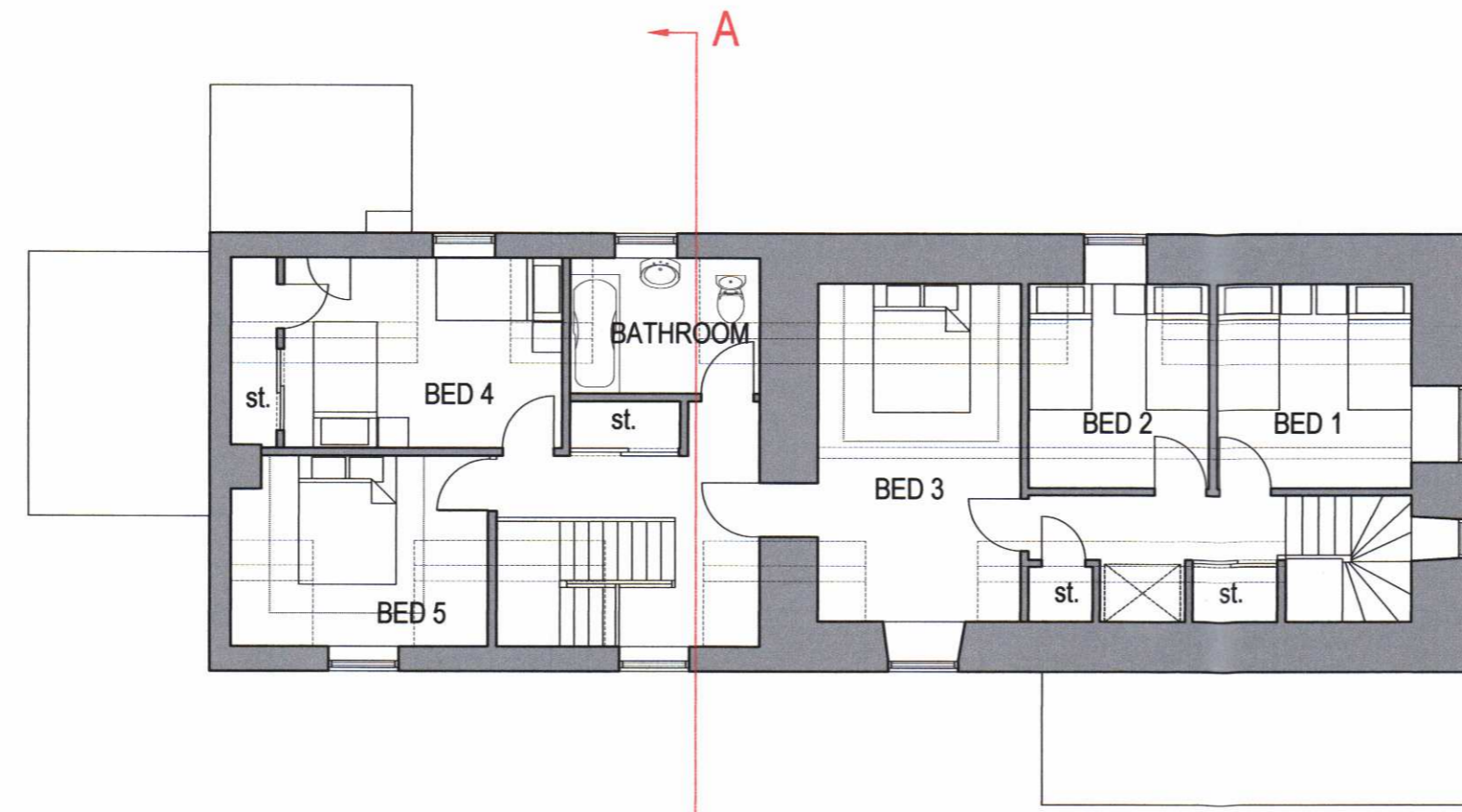
**Bowman Stewart**  
 CHARTERED SURVEYORS,  
 ARCHITECTS & ENGINEERS

1 Victoria Buildings 34 Union Street Lochgilphead PA31 8JS  
 01546 606 067 www.bowmanstewart.co.uk info@bowmanstewart.co.uk

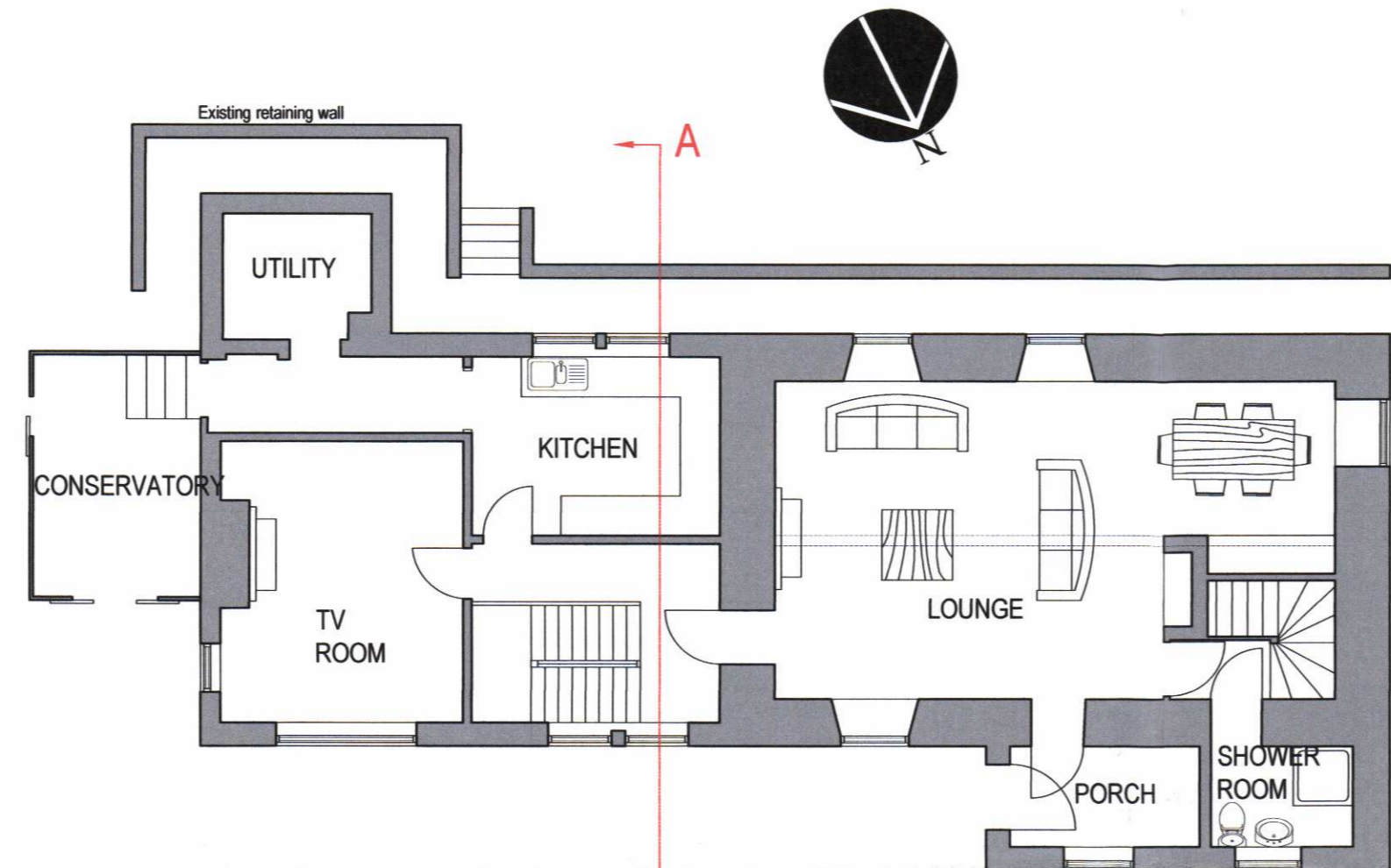
Rev	Revision note	Date	Initials
A	Preliminary sketch	22.05.17	KM
B	Amended north point	02.06.17	KM
C	Inclusion of blue ownership boundary	28.07.17	KM



LOCATION PLAN SCALE 1:2500



FIRST FLOOR PLAN SCALE 1:100

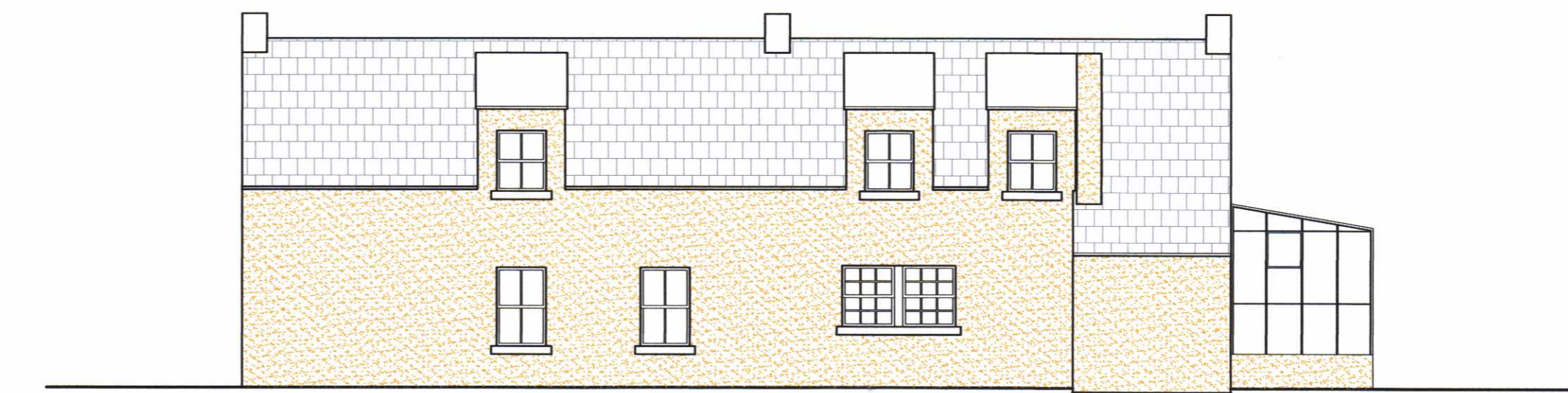


GROUND FLOOR PLAN SCALE 1:100

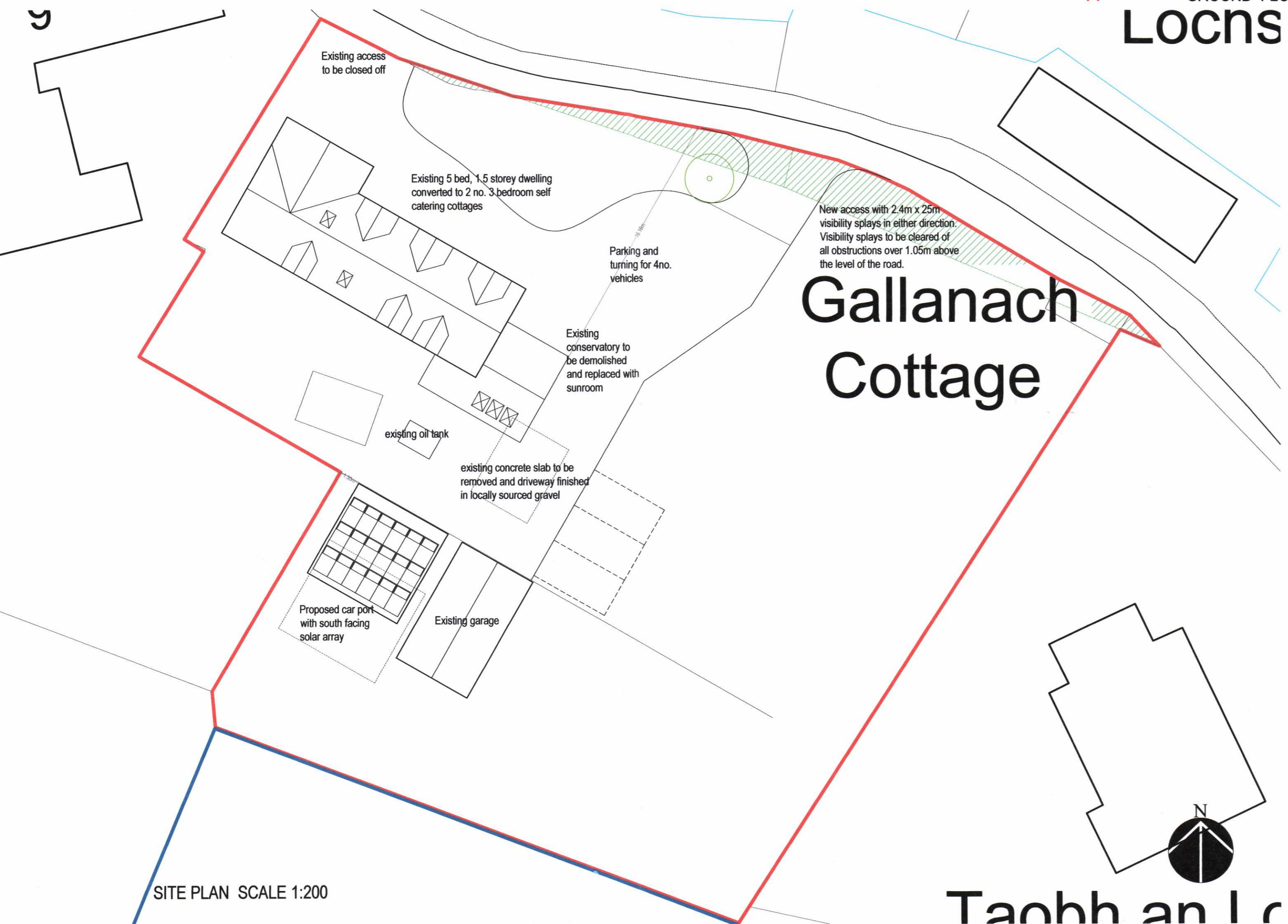
**FINISHES**  
 Walls - Wet dash roughcast, colour white  
 Roof - Slate  
 Windows - uPVC & timber framed, colour white  
 Rainwater goods - cast iron, colour white



NORTH ELEVATION SCALE 1:100



SOUTH ELEVATION SCALE 1:100



SITE PLAN SCALE 1:200

**LOCNS**

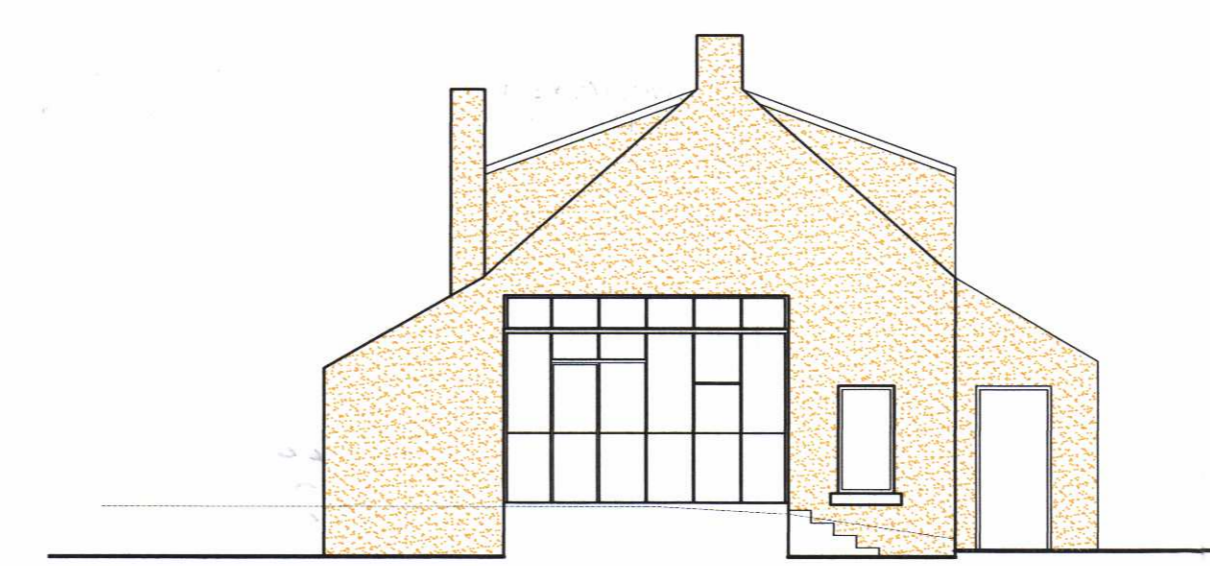
**Gallanach Cottage**

**Taobh an Ior**

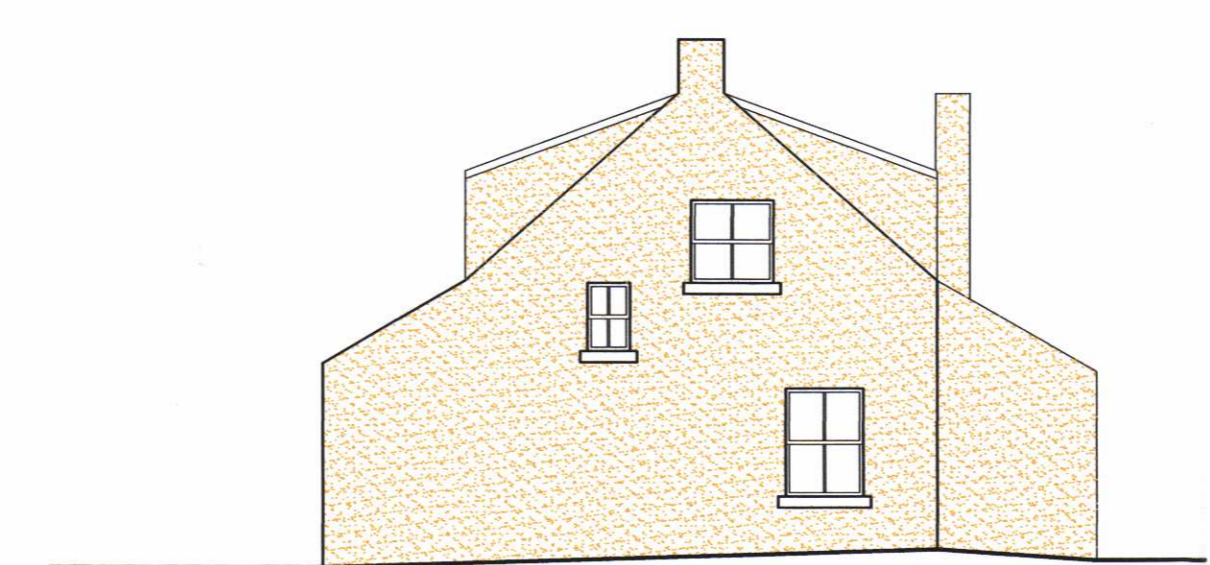
ARGYLL AND BUTE COUNCIL  
 This plan has been APPROVED by the  
 PLANNING AUTHORITY and MUST be read in  
 conjunction with the Planning Conditions of  
 Consent No. 17/01879/PP  
 Argyll J. Stewart  
 Head of Planning and Regulatory Services  
 Date: 18/09/17

**AMENDED PLAN**  
 Reference No. 17/01879/PP  
 Date Received 28/07/17

Argyll and Bute Council  
 Planning and Regulatory Services  
 Application ref no: 17/01879/PP  
 Date received: 28/07/17  
 Plan no: 2953  
 P.O. Initials: FR



EAST ELEVATION SCALE 1:100



WEST ELEVATION SCALE 1:100

<b>CLIENT</b> Mr and Mrs Stephen Mitchell	
<b>PROJECT</b> Internal and external alterations to Gallanach Cottage, Lochgair, Argyll	
<b>DRAWING</b> Location, Site Plans and Plans and Elevations as Existing @ A1	
<b>DATE</b> May 2017	<b>SCALE</b> 1:100, 1:2500, 1:200
<b>DRAWN BY</b> KM	<b>DRAWING NUMBER</b> 16-2325-P-01
	<b>REVISION</b> C

**Bowman Stewart**  
 CHARTERED SURVEYORS,  
 ARCHITECTS & ENGINEERS

1 Victoria Buildings 34 Union Street Lochgilphead PA31 8JS  
 01546 606 067 www.bowmanstewart.co.uk info@bowmanstewart.co.uk

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## Comments for Planning Application 20/00898/PP

### Application Summary

Application Number: 20/00898/PP

Address: Tigh Na Torran Lochgair Lochgilphead Argyll And Bute PA31 8SD

Proposal: Demolition of rear extension and erection of front and rear two storey extensions

Case Officer: Norman Shewan

### Customer Details

Name: Mr Michael Reid

Address: Westhome, Gallanach, Lochgair Lochgilphead, Argyll And Bute PA31 8SD

### Comment Details

Commenter Type: General member of the public.

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: The house that is the subject of this application is tired and dated and therefore detrimental to the appearance of the village.

The proposed design is modern and attractive. It is similar to designs that are commonly built in other parts of Argyll & Bute and the Highlands, and similar to a design that was recently approved for Gallanach Cottage, Lochgair. The extended house would be no larger than the neighbouring Achnabreach, which was formerly similar to this one.

The Planning Officer's Site Visit Report misjudges what would be best for the area. It would be better to upgrade the existing house to a modern attractive design like that proposed than to try to preserve the village as it currently is, which in reality is a mix of modern, traditional and dated designs.

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