NOTICE OF MEETING

A meeting of the BUTE AND COWAL AREA COMMITTEE will be held in the EAGLESHAM HOUSE, MOUNTPLEASANT ROAD, ROTHESAY, ISLE OF BUTE on TUESDAY, 6 JUNE 2006 at 10:30 AM, which you are requested to attend.

Nigel Stewart
Director of Corporate Services

BUSINESS

1. APOLOGIES

2. DECLARATIONS OF INTEREST

3. MINUTES
   (a) Minute of Area Committee of 2nd May 2006 (Pages 1 - 10)

4. CORPORATE SERVICES
   (a) Courtesy notification of a change to the public payphones service in your area (Pages 11 - 14)

5. OPERATIONAL SERVICES
   (a) A82 Tarbet - Fort William Improvements (Pages 15 - 16)
   (b) Tender for Christmas Lighting Bute & Cowal (Pages 17 - 20)
   (c) National Transport Strategy Consultation (Pages 21 - 44)
   (d) Traffic Management at Rothesay Pier - verbal report
6. DEVELOPMENT SERVICES

(a) Report on Proposed Amendments to Finalised Draft Process and Future Timescale of Local Plan Process (Pages 45 - 80)

(b) Planning Application 05/02427/DET, Mr M Lindop, 8 Crochan Road, Dunoon (Pages 81 - 92)

(c) Planning Application 05/01378/DET, Mr B Wyers & Ms M Whaley, Land Opposite 18 Crichton Road, Rothesay (Pages 93 - 102)

(d) Planning Application 05/01916/DET, Mrs Elspeth Cameron, 6 Grand Marine Court, 42 Argyle Street, Rothesay (Pages 103 - 110)

(e) Planning Application 05/02042/LIB, Mrs Elspeth Cameron, 6 Grand Marine Court, 42 Argyle Street, Rothesay (Pages 111 - 118)

(f) Planning Application 06/00267/DET, Portavadie Estates Ltd, Tigh-na-mara, Portavadie (Pages 119 - 128)

(g) Planning Application 06/00815/DET, Mr J Torrens, Land 100 metres to the south west of Ardencraig House, Rothesay (Pages 129 - 138)

(h) Planning Application 06/00307/COU, Mr Brian McDonald, Cottage 2 Ballochyle Farm, Sandbank (Pages 139 - 144)

(i) Delegated Decisions (Pages 145 - 158)

7. EXEMPT ITEMS

E1 (a) Argyll Mausoleum (Pages 159 - 168)

E2 (b) Land at Meadows Rothesay (Pages 169 - 176)

E3 (c) Land At St Catherines (Pages 177 - 196)

E4 (d) Report on Appeals Decisions (Pages 197 - 198)

E5 (e) Enforcement Report (Pages 199 - 200)

EXCLUSION OF THE PRESS AND PUBLIC
The Committee will be asked to pass a resolution in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973 to exclude the public for items of business with an “E” on the grounds that it is likely to involve the disclosure of exempt information as defined in the appropriate paragraph of Part I of Schedule 7a to the Local Government (Scotland) Act 1973.

The appropriate paragraph is:-

E1 - Paragraph 6 Information relating to the financial or business affairs of any particular person (other than the authority).
E1 - **Paragraph 8** The amount of any expenditure proposed to be incurred by the authority under any particular contract for the acquisition of property or the supply of goods or services.

E2 & E3 - **Paragraph 9** Any terms proposed or to be proposed by or to the authority in the course of negotiations for a contract for the acquisition or disposal of property or the supply of goods or services.

E4 & E5 - **Paragraph 13** Information which, if disclosed to the public, would reveal that the authority proposes-

(a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
(b) to make an order or direction under any enactment.

**BUTE & COWAL AREA COMMITTEE**

Councillor Brian Chennell (Chair)  Councillor Douglas Currie  
Councillor Robert Macintyre  Councillor Bruce Marshall (Vice-Chair)  
Councillor Gordon McKinven  Councillor James McQueen  
Councillor Len Scoullar  Councillor Isobel Strong  
Councillor Dick Walsh  

Contact: Eilidh Headrick, Area Committee Services/Information Officer
1. APOLOGIES

None

2. DECLARATIONS OF INTEREST

Declarations of interest were submitted as follows:-

Minute Item 4b - Councillors Chennell, McKinven, Macintyre and Strong declared non pecuniary interests on the grounds of membership or former membership of groups who had applied for grant assistance. They intimated they would leave the meeting during any discussion on the matter.

The Chairman advised the meeting that he had accepted an urgent item of business concerning The Argyll & Bute Council (Various Streets, Dunoon) (Traffic Management and Amendment) Order 200__.

The Committee agreed to this additional item being taken at item 5b on the agenda.
3. MINUTES

(a) MINUTE OF AREA COMMITTEE OF 4 APRIL 2006

The Minute of the Area Committee of 4 April 2006 was approved as a correct record.

(b) MINUTES OF PLANNING HEARINGS OF 30 MARCH 2006

The Minute of the Planning Hearings of 30th March 2006 were approved as correct records subject to Steven Gove’s designation being changed to Senior Planning Officer.

4. COMMUNITY SERVICES

(a) MENTAL HEALTH PLACE OF SAFETY FOR BUTE - VERBAL REPORT

The Committee heard from Mr Bertin on the history and background to Mental Health Place of Safety.

Following a full discussion on the requirements for a room to be identified, the training of staff and contractual issues, Viv Smith, Locality Manager said that they would:-

1. Commence a programme of staff training on the issue of raising awareness on the implications of place of safety.
2. Identify possible room(s) to be adapted as places of safety over the next 2/3 months.
3. Over the next 6 months identify staffing issues and negotiate where necessary.

Decision

1. The Committee thanked the team for their presentation.
2. It was agreed that there would be a further report on this matter in 3 months.
(b) EDUCATION & LEISURE DEVELOPMENT GRANTS

Councillor’s Chennell left the meeting while Kirn Gala was discussed, Councillor McKinven left while Dunoon & Cowal Youth Project was discussed, Councillor Macintyre left while Bute Agricultural Society was discussed, and Councillor Strong left while Bute Youth Project was being discussed.

The Committee considered and determined Education and Leisure Development Grants as follows:-

<table>
<thead>
<tr>
<th>Education Development Grants</th>
<th>Project Costs</th>
<th>Grant Awarded</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bute Youth Project</td>
<td>£39,500</td>
<td>£6,000</td>
</tr>
<tr>
<td>Dunoon &amp; Cowal Youth Project</td>
<td>£25,722</td>
<td>£12,500</td>
</tr>
<tr>
<td>Beachwatch Bute</td>
<td>£15,300</td>
<td>£1,000</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Leisure Development Grants</th>
<th>Project Costs</th>
<th>Grant Awarded</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kirn Gala</td>
<td>£4,535.99</td>
<td>£2,000</td>
</tr>
<tr>
<td>Bute Live</td>
<td>£17,320</td>
<td>£3,000</td>
</tr>
<tr>
<td>Bute Agricultural Society</td>
<td>£22,102</td>
<td>£1,000</td>
</tr>
<tr>
<td>Cowal Fiddle Workshop</td>
<td>£10,370</td>
<td>£500</td>
</tr>
<tr>
<td>Isle of Bute Jazz Festival</td>
<td>£64,000</td>
<td>£3,000</td>
</tr>
<tr>
<td>Cowal Europe Association</td>
<td>£15,810</td>
<td>£1,000</td>
</tr>
<tr>
<td>Bute Highland Dance Festival</td>
<td>£2,400</td>
<td>£500</td>
</tr>
<tr>
<td>Colintraive and Glendaruel</td>
<td>£2,960</td>
<td>£1,000</td>
</tr>
<tr>
<td>Community Council</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dunoon Argyll Pipe Band</td>
<td>£1,920</td>
<td>£750</td>
</tr>
<tr>
<td>Kingarth Riding Centre</td>
<td>£600</td>
<td>£300</td>
</tr>
<tr>
<td>Cowal Accordion and Keyboard Workshop</td>
<td>£2,800</td>
<td>£500</td>
</tr>
<tr>
<td>Lochgoilhead Fiddle Workshop</td>
<td>£24,680</td>
<td>£1,000</td>
</tr>
<tr>
<td>Innellan Golf Club</td>
<td>£17,613.25</td>
<td>£1,000</td>
</tr>
</tbody>
</table>

It was agreed the remaining £1778 be allocated to the Summer Playscheme activities.

(Reference: Report by the Director of Community Services dated May 2006 – submitted)

5. OPERATIONAL SERVICES

(a) ARgyll Mausoleum

The Committee heard a report on the progress in matters dealing with repairs at the Argyll Mausoleum, Kilmun

Decision

The Area Committee continued this matter to allow for further investigation into funding bodies and to enable Members to visit the site.

(Reference: Report by the Area Roads & Amenity Services Manager dated 25 April 2006 – submitted)
(b) THE ARGYLL & BUTE COUNCIL (VARIOUS STREETS, DUNOON) (TRAFFIC MANAGEMENT AND AMENDMENT) ORDER 200_

The Assistant Area Roads and Amenity Services Manager outlined a report to consider the need for a hearing under the Roads Authorities Traffic Orders (Procedures) (Scotland) Regulations 1999.

Decision

The Committee agreed to an Informal Hearing of objectors to decide if a full hearing is necessary.

(Reference: Report by the Area Roads and Amenity Services Manager dated 2nd May 2006 – submitted)
6. DEVELOPMENT SERVICES

(a) WITHDRAWAL OF ROYAL MAIL POSTBUS SERVICE BETWEEN DUNOON AND TIGHNABRUAICh

The Committee considered a report by the Head of Transportation and Infrastructure on the withdrawal of the Royal Mail Postbus Service between Dunoon and Tighnabruaich.

Decision

The Committee:
- Noted the content of the report
- Noted the Community Transport measures with the Rural Transport Grant paper.
- Authorised the Director, Development Services to inaugurate such alternative services as are possible within the current budgetary constraints.

(Reference: Report by the Head of Transportation and Infrastructure dated April 06 – submitted)

(b) RURAL TRANSPORT GRANT 2006-07

The Committee considered a report on the proposals for experimental public transport services to be funded by the Rural Transportation Grant that the Council receives from the Scottish Executive.

Decision

The Committee agreed to the recommendations in the report.

(Reference: Report by the Head of Transportation and Infrastructure dated April 06 – submitted)

(c) PLANNING APPLICATION 05/02427/DET, MR LINDOP, DALRIADA, 8 CROCHAN ROAD, DUNOON

Decision

Continued to allow for a management plan to be submitted for the control of odour, faeces and screening prior to a decision on this application being made.

Councillor Walsh left the meeting at this stage.
Motion

The application be approved subject to the additional condition that all deliveries of building materials to the site, other than by light goods vehicles, shall be taken from the A8003 in accordance with details to be approved by the Planning Authority, unless otherwise agreed in writing by the Planning Authority.

Proposed by Councillor Chennell seconded by Councillor Marshall

Amendment

The application be refused on the grounds that the massing, bulk and height represents a prominent development which does not relate to the existing bulk form and would therefore have an adverse visual impact contrary to POL H08 of the Cowal Local Plan 1993.

Proposed by Councillor Macintyre seconded by Councillor Strong.

On the matter being put to a vote 4 voted for the motion and 2 for the amendment.

Decision

The application be approved subject to the additional condition that all deliveries of building materials to the site, other than by light goods vehicles, shall be taken from the A8003 in accordance with details to be approved by the Planning Authority, unless otherwise agreed in writing by the Planning Authority.

Councillor Macintyre left the meeting at this stage.
The Area Team Leader, Development Control detailed the proposed development at this property and the reasons for the recommendation to be granted.

Decision

The application be refused on the following grounds:-

The proposed development would be detrimental to panoramically important landscapes in Argyll and Bute and therefore contrary to the following policies:

1. Argyll and Bute Structure Plan 2002 –
   Policy Strat DC8 - Landscape and Development Control
   (A) “Development which by reason of location, siting, scale, form, design or cumulative impact, damages or undermines the key environmental features of a visually contained or wider landscape or coastscape shall be treated as non-sustainable and is contrary to this policy” Outwith the National Park particularly important and vulnerable landscapes in Argyll and Bute are those associated with:
   1. National Scenic Areas.
   2. Historic landscapes and their settings with close links with archaeology and built heritage and/or historic gardens and designated landscapes.
   3. Landward and coastal areas with semi-wilderness or isolated or panoramic quality.
   (B) Protection, conservation and enhancement to landscape will also be encouraged in association with development and land use proposals.

2. Argyll and Bute Finalised Local Plan May 2005 –
   Policy LP ENV 9 “Development in or adjacent to National Scenic Areas that would have a significant adverse effect on a National Scenic Area will be refused unless it is demonstrated that: The objectives of the designation and overall integrity of the area will not be compromised… In all cases the highest standards, in terms of location, siting, landscaping, boundary treatment, materials and detailing will be required within a National Scenic Area”

   Policy LP ENV 10 – Development impact on Areas of Panoramic Quality. (extract)
   “Development in or adjacent to an Area of Panoramic Quality will be resisted where its scale, location or design will have a significant adverse impact on the character of the landscape unless it is demonstrated that:
   (A) Any significant adverse effects on the quality for which the area has been designated are clearly outweighed by social and
economic benefits of National or regional importance….

Justification – The aim of this policy is to provide panoramically important landscapes in Argyll and Bute, with adequate protection against damaging development.
(f) PLANNING APPLICATION 05/00620/OUT, MR & MRS D SMITH, LAND SOUTH WEST OF ARDENEDEN, TIGHNABRUICH

The Area Team Leader, Development Control detailed the proposed development at this property and the reasons for the recommendation to be granted.

Decision

The application be approved because the house will be set back from the road and the trees that will be affected are of no importance to its setting or to that of neighbouring properties, subject to appropriate conditions to be determined by the Head of Planning.

(g) DELEGATED DECISIONS

The Committee noted Delegated Development and Building Control Decisions made since the last meeting.

7. EXEMPT ITEMS

(a) TREE PRESERVATION ORDER

TPO 08/04 – Provisional Tree Preservation Orders were approved by the Committee.

(b) ENFORCEMENT REPORTS

Enforcement Report 05/00086/ENFOSH – Continued
Report on Enforcement of Planning Control – Noted
19th April 2006

Dear Sir/Madam

**Courtesy notification of a change to the public payphone service in your area**

The Office of Communications (OFCOM) undertook a review of universal service relating to the Telecommunications market during 2005. On Wednesday 15th March 2006, OFCOM published their findings of the review of universal service in a final statement, which may be viewed at the following website: [www.ofcom.org.uk/consult/condocs/uso/uso_statement/](http://www.ofcom.org.uk/consult/condocs/uso/uso_statement/)

The review has introduced some changes to the obligations that BT has in respect of providing public payphones. One such change is that it is no longer a requirement for BT to provide cash (coins) as a payment facility for making a telephone call in up to 30% of its public payphones. Additionally, it is no longer a requirement for BT to consult on the removal of a public payphone, if there is another public payphone within 400 metres of the one being removed. Previously, this distance was 100m.

**Our proposals for Argyll and Bute Council**

As a result of this new regulation, BT have reviewed the public payphones in Argyll and Bute Council and have identified 6 payphones that we wish to remove the cash payment facility from and 1 payphone which we wish to remove completely. Full details of these boxes are shown on the enclosed sheets which include telephone number and address on a box by box basis. We have chosen these sites as the cost of maintaining the service is excessive. This can be due to a number of reasons, for example, the payphone may have been subjected to repeated vandalism, or simply that customers do not make enough calls.
Where we are removing the cash calling facility please be assured that in every other respect the public payphone service will be the same. A ‘cashless’ payphone will allow the following types of calls: BT chargecard calls, prepaid calling card calls, 100 operator calls, 999 emergency calls and freephone i.e. 0800 calls. We are also expecting to implement a credit/debit card payment facility in the summer of 2006.

I hope that you’ll agree that merely losing the ability to pay for a telephone call by using coins at these particular locations is better than BT having to recover the kiosk altogether, which would be the alternative to closing the cash payment facility.

BT welcomes the Ofcom decision to relax the requirement to ensure cash payment at every kiosk as this gives us the opportunity to reduce the cost of maintenance, while still preserving a payphone in the more isolated sites that have little day to day usage.

Although we are not obliged to consult about the removal of kiosks that have another within 400m, and public bodies have no right of veto, we have always kept local authorities fully informed of our plans and the purpose of this communication is to advise you of our intention to remove certain payphones which meet this criteria. There is no action that you, as the local authority, need to undertake.

Work to convert or remove the boxes will commence soon.

If you have any concerns or would like to discuss the content of this notification, please quote the telephone number of the kiosk in your correspondence which should be addressed to us at BT Payphones, PP 06A21, Delta Point, 35 Wellesley Road, Croydon, CR9 2YZ or via email at btp.authorisation.team@bt.com.

Yours sincerely,

RICK THOMPSON
Project Liaison Office, BT Payphones
### Argyll and Bute Council

<table>
<thead>
<tr>
<th>Telno</th>
<th>Address</th>
<th>POST_CODE</th>
<th>Removal/Cashless</th>
</tr>
</thead>
<tbody>
<tr>
<td>01546606407</td>
<td>1pco, Lochnell St, Lochgilphead</td>
<td>PA318JN</td>
<td>Removal</td>
</tr>
<tr>
<td>01301702278</td>
<td>Pco, Succoth, Arrochar</td>
<td>G83 7AL</td>
<td>Cashless</td>
</tr>
<tr>
<td>01369703190</td>
<td>1pco, Sandhaven, Sandbank, Dunoon</td>
<td>PA23 8QW</td>
<td>Cashless</td>
</tr>
<tr>
<td>01369870212</td>
<td>1pco, Toward, Dunoon</td>
<td>PA23 7UN</td>
<td>Cashless</td>
</tr>
<tr>
<td>01436673233</td>
<td>Pco, Collins Rd, Helensburgh</td>
<td>G84 7UA</td>
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<tr>
<td>01499302272</td>
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<td>PA25 8AZ</td>
<td>Cashless</td>
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<tr>
<td>01631750273</td>
<td>1pco, Ardchattan, Oban</td>
<td>PA37 1RH</td>
<td>Cashless</td>
</tr>
</tbody>
</table>

This data is provided free of charge, as a one off and will not be updated on a regular basis.

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ARGYLL & BUTE COUNCIL
BUTE AND COWAL AREA COMMITTEE

TRANSPORTATION & INFRASTRUCTURE
DATE: 2nd May 2006

A82 TARBET – FORT WILLIAM IMPROVEMENTS

1. SUMMARY

1.1 The purpose of this paper is to inform Members of the recent announcement by Transport Minister, Tavish Scott MSP of a package of measures to improve the A82 trunk road between Tarbet and Fort William.

1.2 The Minister announced on the 19th April 2006 a £16m package of engineering measures aimed at upgrading the A82.

1.3 The improvement work will be implemented over the next 5 years and is likely to include:

- removing the bottleneck at the Pulpit Rock traffic signals on Loch Lomond
- a new western bypass at Crianlarich
- lay by provision every 5 – 8km on the route
- various road safety measures such as additional signage, improved road markings, antiskid surfacing, drainage improvements and work on carriageway width and junctions

1.4 Along with this announcement the Minister also revealed that a detailed study would be commissioned into the possible dualling of the A9 between Perth and Pitlochry.

2. RECOMMENDATION

2.1 That the Area Committee recognise the potential significant economic benefits to the area which these improvements will generate.

3. DETAIL

Background

3.1 Argyll and Bute Council has been working closely for some time with partner agencies in the Highlands and Islands area to develop the case for these essential improvements to this major transportation artery in the West Highlands.

3.2 Although the route has seen traffic flows increase by 40% since 1998 leading to increased delays and frustration, there is strong evidence that haulage companies use alternative routes on the east side of the country in preference to the A82.

3.3 The traffic signals at Pulpit Rock have long been a source of frustration (30 years) creating tailbacks up to 2 miles long. This single track section also suffers...
from a poor running surface and frequent severe flooding. Consideration is now being given to replace the signal controlled section with a 400 metre tunnel estimated to cost £6.5m.

3.4 An economic analysis commissioned last year by the Scottish Executive and Hitrans, the strategic transport partnership for the Highlands and Islands, estimated that upgrading the road would generate additional income of £463m for the Highlands and Islands between 2019 and 2039. The report also intimated that such a development would create 1000 sustainable jobs by 2019.

Next steps

3.3 The A82 Tarbet to Fort William Route Action Plan Study, published by Transport Scotland, the National Transport Agency, proposes £90m of improvement works over the next 10 years. Other sections proposed for improvement include Tarbet to Inverarnan and Corran Ferry to Fort William.

3.4 Transport Scotland have been asked to take forward the preparatory work for this package of measures.

For further information - please contact Nicola Debnam
Transportation & Infrastructure
01546 604120

POLICY
These measures will support the Council’s core policies on economic development and accessibility.

FINANCIAL
The costs of the improvement work will be met by the Scottish Executive through its agency, Transport Scotland.

PERSONNEL
N/A

EQUAL OPPORTUNITIES
These measures will assist in the regeneration of some of the more economically deprived areas in the west of Scotland.

LEGAL
N/A

Dave Duthie
Head of Transportation and Infrastructure, 2\textsuperscript{nd} May 2006.
1. **SUMMARY**

The purpose of this report is to advise members for the tender for the installation, maintenance and decommissioning of Christmas lighting.

2. **RECOMMENDATIONS**

The Area Committee is asked to note the contents of the report which summarises the proposed tender for the installation of Christmas lighting, and to instruct the Head of Roads & Amenity Services to issue tenders.

3. **BACKGROUND**

During the 2005 festive period, Members from the Bute and Cowal area expressed concern at the level of labour and running costs associated with the installation and maintenance of Christmas lighting. By issuing a tender to various electrical companies a true comparison can be drawn on best value in terms of the overall cost for the Christmas lighting.

4. **DETAIL**

4.1 To ensure compliance with Health & Safety and Council Policy the following will be included in tender document.

Any person working on electrical equipment within the public road must have the following qualifications:-

- ERG 39 Electrical Awareness Certification (Issued by the supply company Scottish & Southern Energy)
- International Powered Access Federation (IPAF) Certification (for operating tower wagon)
- Approved Electrician Status (Health & Safety at Work Regulation and BS7671)

4.2 Before installation of the festive lighting the following work must be undertaken:

- Electrical bench testing (continuity test insulation resistance test) with all repairs carried out (32 features & 24 lengths of rope lighting)
- Push pull test carried out on wall brackets
- Visual Inspection of catenary wiring
• Push pull test carried out on catenary wiring.

4.3 A copy of all test certificates will be submitted to the Area Street lighting inspector before installation.

4.4 The successful contractor must have relevant insurance policies to enable working on public roads, and in addition correct insurance to allow working within council property if features are to be stored by Roads & Amenity. All certificates must be verified before work can take place. Remuneration will have to be made to the Council to cover costs of depots being manned while maintenance and testing work is carried out by contractor.

4.5 Traffic management and control must be in operation with operatives correctly trained to Chapter 8 of the Traffic Signs Manual for installation of the following:

The following features and locations will be advised to the tendering, which replicate the equipment erected in 2005.

<table>
<thead>
<tr>
<th>Feature</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>8 No.</td>
<td>Coal Pier</td>
</tr>
<tr>
<td>6 No.</td>
<td>Argyll Gardens</td>
</tr>
<tr>
<td>Lead icicles</td>
<td>Bandstand</td>
</tr>
<tr>
<td>Feature</td>
<td>Queens Hall</td>
</tr>
<tr>
<td>Feature</td>
<td>Crown Court</td>
</tr>
<tr>
<td>Feature &amp; flagpole with rope lighting</td>
<td>Stewart Property</td>
</tr>
<tr>
<td>Feature &amp; flagpole with rope lighting</td>
<td>Argyll Hotel</td>
</tr>
<tr>
<td>Feature</td>
<td>Marshall Chemists</td>
</tr>
<tr>
<td>Feature</td>
<td>Bells Clothes</td>
</tr>
<tr>
<td>Flagpole with rope lighting</td>
<td>Cowal Insurance</td>
</tr>
<tr>
<td>Feature</td>
<td>Tease</td>
</tr>
<tr>
<td>Feature</td>
<td>Bank of Scotland</td>
</tr>
<tr>
<td>Feature</td>
<td>Craigen Hotel</td>
</tr>
<tr>
<td>Feature and flagpole</td>
<td>Kent’s Close</td>
</tr>
<tr>
<td>Feature</td>
<td>Building Society</td>
</tr>
<tr>
<td>Flagpole</td>
<td>Golden Sea</td>
</tr>
<tr>
<td>Feature &amp; flagpole</td>
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<td>Mackays</td>
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<td>Flagpole</td>
<td>Curiosity Shop</td>
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<tr>
<td>Feature &amp; flagpole</td>
<td>Paint Shop</td>
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<td>Feature &amp; flagpole</td>
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<tr>
<td>Feature</td>
<td>Bookpoint</td>
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<tr>
<td>Flagpole</td>
<td>Bakers</td>
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<tr>
<td>2 flagpoles</td>
<td>Olive Tree</td>
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<tr>
<td>Feature &amp; flagpole</td>
<td>Mod Shop</td>
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<tr>
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<td>Nail Adventure</td>
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<tr>
<td>Flagpole</td>
<td>Beauty box</td>
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<tr>
<td>Feature</td>
<td>Rings &amp; Things</td>
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<tr>
<td>Feature &amp; flagpoles</td>
<td>Burgh Hall</td>
</tr>
</tbody>
</table>
4.6 Procurement, arranged delivery and dressing of Christmas tree for Dunoon.

4.7 Provision for switch on ceremony with correctly trained manning required at following locations:
- Coal Pier Car park
- Argyll Gardens
- Queens Hall
- Close at Stewart Property
- Close at 70 Argyll Street
- Kent’s Close
- Argyll Street Close
- Argyll Street street lighting pillar
- Pillar at Sinbad’s Pub
- Argyll Street/John Street Pillar
- John Street Church pillar
- John Street/Commercial Buildings pillar
- Standard Office Building switch room
- Royal Bank/John Street street lighting pillar

4.8 Pre setting of 12 timeclocks.

4.9 When installed, all circuits must be tested in situ, copies of electrical test certificates must be passed to street lighting clerk of works in accordance with:
(a) BS7671 Institution of Electrical Engineers Regulations for Electrical Installations
(b) Code of Practice for Electrical Safety in Highway lighting operations
(c) The Electricity Supply Regulations
(d) The Electricity at work Regulations

4.10 Ongoing maintenance/repairs and insitu testing during the erecting of the lights.

4.11 Decommissioning and returning to store and re-testing of equipment.

4.12 Any additional features and decorations will have to be similarly provided for by the above specification.

5. **IMPLICATIONS**

5.1 Policy - None

5.2 Financial –

5.3 Personnel – None
5.4 Equal Opportunities – None

5.5 Legal – All legislation must be adhered to in order to ensure that the Council’s position is not compromised.

For further information, please contact Stewart Turner (Tel: 01546 604611)

Stewart Turner
Head of Roads and Amenity Services
17 May 2006
ARGYLL & BUTE COUNCIL  

BUTE & COWAL  

DEVELOPMENT SERVICES  

6 June 2006  

NATIONAL TRANSPORT STRATEGY CONSULTATION  

1.  SUMMARY  

The purpose of this paper is to provide the Area Committees with an opportunity to comment on the Council’s draft response to the questions posed in the National Transport Strategy consultation.  

2.  RECOMMENDATIONS  

That the Area Committee consider the draft answers to the questions posed in the National Transport Strategy consultation document, and pass any comments to the Director of Development Services by 9th June in order to meet the timetable imposed by the consultation.  

3.  BACKGROUND  

The Scottish Executive are in the process of developing a National Transport Strategy – a comprehensive statement of the country’s objectives, priorities and plans for the long term. Following a number of ‘pre-consultation’ stakeholder events, the Executive has issued a consultation document which gives a wide-ranging description of transport systems within the country and poses a number of significant questions about what should be done in transport terms to make the objectives a reality over the long term.  

4.  TIMETABLE  

Members of the Council have each been issued with a copy of the consultation document prior to discussion at the June cycle of Area Committee meetings. The Roads and Transportation working group have met and have drafted answers to all 65 questions which are contained within the document. These answers are attached as an appendix to this paper. Following the Area Committee cycle, comments from the Area Committees will be collated by senior members and officers along with final draft answers.
and considered at the full Council meeting on 28\textsuperscript{th} June. Responses are due back to the Executive on 13\textsuperscript{th} July 2006.

5. **IMPLICATIONS**

1) Policy – The National transport Strategy will provide the context for Regional and Local Transport Strategies.

2) Financial – None at present

3) Personnel – None

4) Equal Opportunities - None

5) Legal – There is a statutory duty on Regional Transport Partnerships to prepare regional transport strategies, which will have a critical linkage with the National Transport Strategy.

Dave Duthie  
Head of Transportation and Infrastructure.  
23 May 2006
CONSULTATION QUESTION 1.
Are: facilitate economic growth; promote accessibility; promote choice and raise awareness of the need for change; promote modal shift; promote new technologies and cleaner fuels; manage demand; reduce the need for travel; and promote road safety the right goals for transport in Scotland?

The strategy goals should be as suggested but priority should be given to promoting sustainable economic growth, with this being identified as the key Executive policy.

CONSULTATION QUESTION 2.
Do consultees consider that the aim, vision and objectives need to be amended, for example to reflect Scottish Ministers’ expectation to see Health Improvement at the heart of Scottish Executive policy?

While transport should aim to support the Health Improvement agenda wherever practicable, this should not be its main thrust. The Council considers that goals aimed to improve economic growth and social inclusion should be the key elements of national transport policy as related to rural areas.

CONSULTATION QUESTION 3.
Are there areas of work in relation to local/regional transport that would merit the national dissemination of best practice examples? If so, what are they and who would be best placed to lead this?

The Scottish Executive have funded a number of trial public transport projects through the Public and Integrated Transport Initiatives, but have not followed up successful projects by promoting these and enabling other parts of the country to gain from the experience gained by broadening the applications. A programme of this nature disseminated through Regional Partnerships and Councils would be very worthwhile. Examples of good practice might be Hitrans regional branding. Transport Scotland is best placed to lead.

CONSULTATION QUESTION 4.
What issues must this NTS address, to ensure that the Strategic Projects Review (SPR) which will follow it as effective as possible? For example, should the NTS identify key transport corridors, or key types of investment which are most effective at growing the economy, to inform the SPR? If so, which ones?

The Strategy should identify constraints on the transportation network and in service provision that restrict economic growth, to inform the Strategic Projects Review. For example the A82 condition has been identified as a key economic driver for the West Highlands, quantified in the recent study carried out by “TRIBAL CONSULTANCY” for HITRANS.
### CONSULTATION QUESTION 5.
Do we have the balance of investment right between spending on new and existing infrastructure and other non-infrastructure activities and between different modes of transport? If not, how should it change over time?

The Council is concerned at the emphasis within this section on the city region network. The Highlands and Islands continue to lag behind in economic development terms, and continue to be faced with issues of remoteness and peripherality. Strategic investments in air, sea and roads infrastructure have benefited some communities over the past 10 years, but in national terms, there should be recognition of the needs of the area. Balance between local, regional and national is required to ensure distribution of funding across Scotland.

In areas where public transport is not a sustainable option, investment will require to be made in other types of infrastructure to improve the overall facility. For example, the longer distances in remote and rural areas coupled with the lack of Public Transport, means that the car is essential. Investment, therefore, should be made in the roads network.

The benefits of investment in maintenance of the transportation network should be evaluated in terms of minimising whole life cost while maintaining serviceability, whereas investment in improvements should be judged in terms of economic and social benefits. The two activities have separate objectives. Best practice in whole life asset management should in time reduce maintenance costs thus allowing funding to be directed to a greater degree towards improvements which release the essential economic and social benefits.

### CONSULTATION QUESTION 6.
To what extent should transport spending be targeted specifically at areas with significant potential for regeneration? How should transport spending be balanced between regeneration areas and other key areas, such as rural Scotland?

Spending should be aimed to improve the economic competitiveness of the country as a whole, recognising the different challenges facing all sections of the community. The quality and cost of transport is a significant factor in the viability of rural and island communities and failure to invest in this sector will result in significant rural deprivation and further depopulation. Directing investment towards city regions to the detriment of other areas should not be an acceptable option for the Executive.

### CONSULTATION QUESTION 7.
What further steps need to be taken in Scotland to facilitate the development of international connectivity both by air and sea.

A transportation hub for international air travel should be created between Scotland’s airports encouraging direct passenger flights to European and other continents if Scotland is to fulfil its full potential. The facility at Macrihanish, with the longest runway in Europe, presents an opportunity for development of a
number of different potential airport activities, for example removing the congestion at the existing airports.

In terms of freight, deep water facility, capable of accommodating the largest container vessels should be positively encouraged with high quality links to the national rail and road systems.

CONSULTATION QUESTION 8.
Do consultees consider that there are issues relating to cross-border connectivity by rail and road, and within devolved competence, that the Strategy should consider?

Any cross border policy options applied by the Executive will have to integrate with Westminster policies applied in the north of England.

CONSULTATION QUESTION 9.
What view do consultees take on where there is a need for a faster Scotland to London rail service, to provide an alternative to flying in the long term?

To ensure sustainability of the Scottish economy a high speed rail link between Scotland and the London link to the Channel Tunnel is essential. This will require the construction of a stand alone high speed line offering journey times of under 3 hours, thus freeing up the existing network to cater for regional passenger traffic and freight and reducing the need for short haul air services.

CONSULTATION QUESTION 10.
How do we ensure that all local authorities spend their Grant Aided Expenditure allocation for local roads on local roads? Do consultees think anything more needs to be done to ensure appropriate management, maintenance and operation of the Trunk Road Network?

Local roads maintenance is a delegated function to Councils under the present arrangements, and in terms of democratic accountability this should not change. Argyll and Bute Council has historically spent greater than 100% GAE on roads maintenance, but recognises that this is not the case in other local authority areas. Indeed, the Council, due to its large, remote and rural roads network, has been forced to spend capital funds on basic roads maintenance. The Council therefore wishes to see a continued allocation of funding to local authorities for roads maintenance, related to need. The Council recognises the increasingly important role that Regional Transport Partnerships will play in transportation activity, and is committed to working closely within that structure.

The Council recognises the current backlog in roads maintenance, which is becoming more severe, impacting on the ability of communities and the economy to operate effectively. To deal with this backlog, as identified by the national road condition survey, there may be opportunities for the Executive to work in partnership with Regional Transportation Partnerships and Councils to support specific expenditure on road resurfacing by Councils in dealing with the backlog issue. Funds should therefore be ring fenced and added to challenge funding/match funding from the Executive.
The current arrangement of maintenance and management of the trunk road system allows little, if any input from communities served by the network, into its operation and development. The majority of trunk roads fulfil a multi purpose role as national, regional and local distributors, and as such a mechanism must be found to ensure that regional and local users, who are the majority users, are included in the decision making processes. The commitment to change the method of delivery and local democratic accountability for management of the trunk road network, possibly with the exception of motorways, should be a commitment in the strategy.

Given the vital role played by the network in sustaining communities, Regional Transport Partnerships should be given the responsibility and the budget to manage and maintain the regional roads within their area. This must be managed to achieve a geographic balance in investment and all partners must be involve in the development of the strategy, action plan and priority activities.

The former Transport Minister Nicol Stephen has indicated in the past that he recognises the major under funding on the Local Authority roads. The third generation of trunk road contracts has now been met, which will conclude in 2011-2013. Transport Scotland representatives indicated that at around this stage it would be expected that a review of the trunk road network will have been completed. It should be recognised that there is support for the re-trunking of the road between Oban and Lochgilphead and trunking from Kennacraig to Campbeltown, given the role played by those routes in terms of the Argyll and Bute economy.

CONSULTATION QUESTION 11.
What are the issues relating to the management and maintenance of the road and rail networks over the long terms that the Strategy should address?

The integration of robust whole life asset management into the options appraisal and budgeting process is critical to optimum performance of both networks and must be at the centre of future management arrangements. Respective organisations, including Regional Transport Partnerships, must have clear communication procedures, joint planning structures and defined areas of responsibility. This must be communicated to all partners and the public. These organisations must be sufficiently well resourced to deliver on their responsibilities.

CONSULTATION QUESTION 12.
What should the NTS say about freight, bearing in mind that a Freight Strategy is under development? In particular, what should the NTS say about meeting the different needs of freight and passengers on the road and rail network, and how to balance these competing demands?

Efficient freight transport is a key element in the delivery of economic prosperity and must be central to the development of the National Transport Strategy. Both strategies must integrate closely. While freight should be encouraged to use excess capacity during non-peak periods on both rail and road, the movement of high value perishable cargo should be given priority over non-peak passenger movement were demonstrable
benefit is identified.  
The importance of coastal shipping also needs to be recognised.

| CONSULTATION QUESTION 13. |
| What, if anything, should the NTS be saying about skills, bearing in mind the leading role that the Sector Skills Council have in reducing skills gap and shortages in the public and private sectors and the role Transport Scotland has in promulgating good practice across the industry? Is it right to integrate skills issues into the NTS? |
| Skills and capacity constraints in project management, design organisations, and contractors will potentially impact on the ability to deliver the desired outcomes within the period of the Strategy. It is therefore important that this is recognised as a risk within the Strategy and proposals put forward as to how such constraints will be overcome or at least minimised. |

| CONSULTATION QUESTION 14. |
| Bearing in mind that investment in new transport infrastructure is not covered in the NTS, as it will be addressed in the forthcoming Strategic Projects Review, what specific steps, if any, does the NTS need to set out to support tourism? |
| While the Strategy will not cover specific investment in new infrastructure, it must consider the function of transport and the key areas of the economy that are currently being constrained by the existing networks and services. Tourism is a key area for growth in the economy and it is therefore important that the Strategy should identify from the transportation sector what actions should be put in place to promote this area of economic growth. The function of the Strategic Projects Review will presumably be to identify which specific projects best meet the needs identified in the Strategy, evaluated on the basis of Scottish Transport Appraisal Guidance. |

| CONSULTATION QUESTION 15. |
| What are the key barriers to developing effective Demand Responsive Transport and how should they be overcome? For example, legislative, regulatory or operational barriers? |
| Demand responsive transport is a critical sector for the promotion of best practice in social integration in areas where commercial bus operators fail to provide adequate services, due to their lack of return in commercial terms. This is particularly true in rural areas of the country. In these areas, joint working between the public sector and community groups offer the greatest opportunity for improved social inclusion, and legislative and regulatory changes that would facilitate this partnership working should be put in place. It is vital that the voluntary services are provided with a funding mechanism that allows these services to be provided sustainably in the long term, rather than by the current. |
| Piecemeal, project based funding methods. |
### CONSULTATION QUESTION 16.
Where are there examples of particularly good practice in demand responsive transport?

In Argyll, the demand on the Isle of Tiree is particularly effective and continues with a growth in patronage. The Ring’n’Ride operating in Campbeltown is also effective particularly since partnership working takes place with Social Work departments to enable clients to use the bus to go shopping, and carrying out other activities.

A good example of a private Demand Responsive Transport scheme in Argyll is the “Cowal Deserve Project” operating in rural Cowal which provides an accessible on demand transport scheme for those with difficulties accessing services due to age or disability. It is particularly effective due to the high number of elderly living in the Cowal area.

All Demand Responsive Transport services in rural areas are innovative and they are providing a very necessary service, not otherwise available through regular timetabled services.

### CONSULTATION QUESTION 17.
Is accessibility planning something that should be considered for local or regional transport strategies in Scotland? If so, should it be compulsory, or (as at present), one of a suite of possible approaches?

Accessibility Planning as a technique is one of a number of possible approaches to properly integrate transport and land-use planning. Before fully embracing this technique, authorities and equal partnerships would require to have robust GS systems in place.

### CONSULTATION QUESTION 18.
How can we improve the accessibility of public transport to disabled people? For example, how far should concessions be extended for disabled people?

For those with significantly impaired mobility ‘door to door’ demand responsive transport must be the favoured option.

For those with slightly impaired mobility who wish to maintain a reasonable level of independence it is important that the normal public transport services are accessible to them whether they are ambulant or in a wheelchair. There have been significant improvements in the design of buses, trains and ferries in recent years in order to achieve better accessibility. However, it is not sufficient to have accessible buses, trains and ferries if these are not supported by the necessary infrastructure at bus stops, rail stations and ferry terminals. This may be less of a problem in urban areas but will undoubtedly prove more difficult to achieve in rural areas.
With the introduction of the national bus travel concessionary scheme there should also be national criteria for qualifying for concessionary travel on the basis of disability to avoid differences which may exist between the various local authorities. Similarly, the provision of specific public transport services for the disabled should be to national criteria to avoid unfair provision.

**CONSULTATION QUESTION 19.** How do we make sure that transport operators and drivers follow best practice in dealing with older people, with disabled people and other groups who may have difficulties with transport? For example, should it be a condition of funding that such best practice is demonstrated?

There should be support for continued training of drivers using a modified version of the current Passenger Assistant Training Scheme. Improved awareness of the difficulties of older and disabled people using public transport should be a necessary feature of all driver training, particularly given the progress made in low floor bus design.

Information provided at bus stops, and interchanges should be lit and of sufficient font size to be read by those with visual impairment.

**CONSULTATION QUESTION 20.** What more could be done through transport means to tackle social exclusion in rural areas?

Community/voluntary groups should be assisted and encouraged to identify gaps in transport services in rural areas and work together with other agencies and organisations help where appropriate to resolve the problems. A funding stream needs to be identified for this sector, and again, as in Q.15 it should not be short term, project based.

**CONSULTATION QUESTION 21.** What do we need to consider in reflecting on the future of the lifeline air and ferry network?

Argyll and Bute Council considers this to be a fundamental question to the long term sustainability of the authority. Lifeline services must allow communities to continue to exist.

It is vital in the provision of these lifeline services, that the key objective is sustaining and developing the communities served by such services and that the central role that transport plays is properly understood, including its link with healthcare. The lifeline service must deliver this for the optimum benefit of that community in terms of affordability and frequency. This must be equitable across the islands served, tackling the economic and social inequalities currently
faced by islanders.

The Executive should set targets across the timescale of the strategy to achieve sustainability.

In reviewing the provision of the lifeline air and ferry network it may be useful to consider setting a minimum level of service. On the remoter islands, this may be a network which allows people to access a main administrative centre and return home in a day. Alternatives should be considered that provide best value in the long term (whole life cost of providing the service.) On more accessible Islands, such as those on the Clyde, this level of service should enable daily commuting, which is a vital component of economic sustainability.

CONSULTATION QUESTION 22.
What more should be done to ensure that there are connections from outlying estates to towns and cities?

The integration of land-use planning and transport should ensure that developments are sited in the most appropriate locations and that they are served by public transport and have appropriate walking / cycling facilities into adjacent towns and cities. Some of these improvements could be achieved through making use of planning gain.
It is hoped that the revised planning system will help address some of these issues.

CONSULTATION QUESTION 23.
Are there any specific areas or events in Scotland where transport particularly well or particularly poorly supports access to cultural opportunities? Are there any specific societal groups disproportionately disadvantaged in accessing cultural activities because of transport issues?

This is particularly true in the evenings and at weekends when peripheral communities cannot take advantage of these because of inadequate local travel opportunities when public transport is less frequent.

As part of the National Transport Strategy, specific areas and national events throughout Scotland should be identified, to allow improved transportation links to be made with these areas. There are a number of events in mainland Scotland, which have significant transportation links serving these events. However, the peripheral communities cannot take advantage of these, because of inadequate local travel opportunities.
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<th>CONSULTATION QUESTION 24.</th>
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<tr>
<td>Should travel plans be required of all “larger” employers? If so, how should we define “larger” and should Travel Plans be required of all public bodies such as local authorities and Health Boards to show public sector leadership on this issue?</td>
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Employers and developers should prepare Travel Plans for all large new developments as this will encourage people to think about the way they travel. “Larger” should be defined as those sites where a transport assessment is required. However developments below this threshold may also be able to contribute towards sustainable travel and should be encouraged to prepare a Travel Plan.

Travel Plans should be initially required of public sector bodies, providing an example to commercial companies.

The Consultation document, points out that there are barriers to the enforcement of such Travel Plans where Local Authorities consider that they do not have the resources to follow up the implementation of these Plans. This issue requires to be addressed.

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<th>CONSULTATION QUESTION 25.</th>
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<td>What should the relative roles of the Executive, regional transport partnerships and local authorities be in increasing the uptake and how might it be ensured that travel plans required of developers under the planning system are systematically enforced?</td>
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If there is consistency of approach across boundaries then uptake of Travel Plans should be similar, promoting a clear message to developers that Travel Plans are an integral part of the planning process.

Developers and large employers must produce plans for new developments. These should be enforced as planning conditions through strengthened legislation.

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<th>CONSULTATION QUESTION 26.</th>
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<tr>
<td>Should we be investing in “smart measures” to promote modal shift? If so, what degree of investment is required; what measures are most effective; and what should be the role of the Scottish Executive (for example, promotion of the concept, sharing best practice, running a scheme of funding others to run a scheme)?</td>
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With the growth in car ownership and the perceived cost advantage in the car’s ability to transport groups and families, public transport is often not seen as a viable alternative despite the down side of car transport in terms of traffic congestion and ability to park at or near the destination. We are also now gradually losing the generations who have actually had to rely on public transport and made use of bus and train as their prime means of transport. It has probably taken 40 years from the mid 1960s to reach this position and it is not surprisingly that those involved in the decision making processes involving
transportation and transport planning may have no experience of any other mode of transport than the car. In fact, there is a growing tendency amongst some sections of society to make a virtue of their reliance on the car and the fact that they do not use public transport.

If it has taken 40 years to reach this position it cannot be reversed overnight. More subtle methods are perhaps required to promote modal shift such as ensuring that planners and planning authority staff not normally directly involved with transport are compelled to consider public transport aspects of the work they are involved with. Schools should be teaching children from primary school age how to access and use public transport as well as making them aware of the advantages to society in general. Such an approach may be less costly and more effective than a multi million pound campaign.

CONSULTATION QUESTION 27.
Is there a need for a single national travel awareness “brand” that the Executive, RTPs and local authorities could all use? If so, what should it be?

Yes - a single brand and positive integration would demonstrate a uniform approach as opposed to the current plethora of agencies that are essentially all attempting to achieve the same goal. The brand should be instantly recognisable and easily understood across all sectors of society. Examples include the many ‘information’ providers e.g. Transport Direct, Travel Line, National Rail Enquiries.

CONSULTATION QUESTION 28.
We want to promote walking and cycling as healthy, sustainable ways to travel – what more should be done in this regard?

Greater investment in the National Cycle Network (NCN) is required to complete routes and provide linkage between routes. A “joined-up” approach between Transportation Authorities, Forestry Industry and British Waterways will serve to open up routes for leisure cycling and in some cases commuter cycling. While carriage of bicycles by rail, enabling access to routes further from home, has improved, this has not been the case on the long distance bus network. Safe and secure bicycle parking and storage is also an essential at public transport interchanges.

Time should be provided in the school curriculum to educate the pupils on the health, environmental and economic benefits of cycling and walking.

Provision of sustainable transport options should be a primary consideration when planning infrastructure around industrial and residential developments rather than an afterthought.

Employers might be given incentives to provide attractive loan facilities to encourage purchase and use of cycles for transport.
**CONSULTATION QUESTION 29.**
How can the NTS maximise its contribution to improving the health of the nation?

The health benefits (both social and physical) of active and sustainable travel are well documented. Encouraging initiatives designed to bring about modal shift in transport choices will have a positive impact upon the nation’s health. Giving these initiatives, such as school, workplace and community travel planning recognition and support, and integrating them into wider policies will help them to work effectively. In addition, by putting in place measures to make it easy and affordable for people to travel, social inclusion benefits and improved physical and mental health.

**CONSULTATION QUESTION 30.**
How do we make buses more attractive for people to use, and therefore allow them to make a choice to take the bus rather than using their car? How do we ensure that the quality of the travelling experience is made a priority by bus operators?

Buses should be modern, clean and comfortable with a reliable frequent service which may involve the use of smaller vehicles in rural areas. Helpful and courteous drivers are vital and fares need to be set at an attractive level, with discounts for family travel so that bus travel is considered a more viable alternative to the car.

Cost and convenience are major factors when considering use of buses. The car journey is apparently much more cost effective than the bus, and this perception must be changed, by improving fare structures.

**CONSULTATION QUESTION 31.**
Is there a need for change in how the bus industry operates, or are the current arrangements working? If so, what should this change be?

Major efforts require to be made in properly integrating journeys – not only the connections, but the purchase of tickets – and not only between bus journeys but across all modes. This is particularly important in rural areas where journey premiums are low, and the social need high.

It is difficult to generalise on how the bus industry operates currently. There are differences between urban and rural and differences within those types of areas depending upon the attitude of the local authority or RTP and the number of bus companies present in the area.

It would be wrong to allow the network of bus services in an area to be controlled completely by the local authority and dominant operator or operators. There should always be room for the smaller operator to enter the market and while there are examples of where this has had a detrimental affect on the network there are also many good examples of where a niche market has been satisfied and the network improved. It is also true that the presence of smaller operators...
will deter larger operators from trying to manipulate the market for their own ends. A degree of regeneration should be introduced to prevent clustering at peak times.

Unlike rail, the profitability threshold is much lower in the bus industry and it is better to encourage as much commercial operation as possible while still finding the right balance at which to intervene.

The generous initiatives already introduced by the Scottish Executive both by way of legislation and funding should be given time to mature and be continually reviewed to identify benefits.

**CONSULTATION QUESTION 32.**
How do we make rail more attractive for people, and therefore allow them to make the choice to take the train rather than use their car?

Increased inner city parking charges or a form of congestion charging would act as a disincentive to car use.

There is no doubt that rail and car sit together better than bus and car. Rail has a better potential to cut out some of the car driver’s mileage than bus. Free car parking at stations or free or reduced rate parking with purchase of rail ticket make this arrangement more attractive. The expansion of the rail network and more intensive use of existing resources through partnership working with other bodies such as the Highland Rail Partnership can only help to increase attractiveness of rail both in terms of improved services for regular and potential users on particular lines and an increase in available destinations for casual or business travellers. Existing arrangements will achieve this. These excellent initiatives have to be backed up with campaigns which increase public awareness of how good the network actually is. The culture of the media is usually to present rail in a negative light. This will be difficult to change.

Cost is a factor for families. Awareness of the various discount cards available such as Young Person’s Railcard, Family Railcard should be heightened. Family Railcard brings the cost down to nearer what the fuel costs for the car would be increasing the attractiveness of rail.

Fare structures must be understandable to the general public and transparent.

**CONSULTATION QUESTION 33.**
What else should be done at a national level to support improvements in travel information? How do we capitalise on the potential opportunities created by new technologies – such as 3G mobile phones – to improve the provision of travel information?

Greater integration of information sources would aid the development of quality information.

More funding is required to promote txt2traveline scheme nationally as well as locally (mobile phone timetable information service). Additional funding for Real
CONSULTATION QUESTION 34.
Do you consider that we need to change the cost of public transport fares and, if so, what changes should be brought in?

Ferries are a necessity for island dwellers and although some discounts are available, the perception is still that fares are too high. Rail has a range of measures available to obtain discounts through railcards, season tickets and advance booking reductions. Bus travel is the area where change is necessary. Discounts are generally only available to individual travellers sometimes restricted to one route or a network of services. Advance booking discounts are available for long distance routes but again generally just for individuals. Elderly and disabled travelling are free on buses and the Executive has plans for concessionary travel for the young. As most bus travellers are either young or old there is a question over the value of this service. It will create a situation where operators are beholden to the Executive for nearly all their income. Local authorities should continue to set fare levels on the non commercial the routes they wish to provide.

The presence of the concessionary travel scheme and the large numbers of elderly and disabled making use of the scheme is an incentive for operators to have high basic fares.

Lower bus fares, especially for families, are a necessity if they are to be attracted to public transport. Short journeys for family groups are currently far more expensive than making the equivalent journey by car in most areas.

CONSULTATION QUESTION 35.
If you support lower fares, would such reductions need to be funded by tax revenue, or are there schemes which consultees consider could pay for themselves through modal shift (i.e. because more people would be travelling, albeit paying somewhat lower fares)?

Fares should not be reduced from tax revenue. Operators need to be encourage to bring in their own schemes as many have done with discount cards, bulk purchase, direct debit regular payments etc including provision for families. If necessary, Local Authorities might be given the power along with additional funding to assist in the promotion of these schemes.

CONSULTATION QUESTION 36.
How can we promote integrated ticketing between different operators?

To avoid competition issues, Local Authorities should be able to promote and administer such schemes on behalf of participating operators and provide them with the funding and/or resources to do so.
CONSULTATION QUESTION 37.
How do we promote additional modal shift from road freight to rail and waterborne freight?

Freight Facility grants are currently in place which are intended to assist in achieving this modal shift. Fundamental problems do arise however in the mismatch of costs between the highly competitive road freight market, and the emerging shipping market. These costs arise partly from increased handling costs, reflecting the off-vehicle/on boat dimension and vice versa. Allowances need to be made for these costs, and set against the savings in roads maintenance costs, which do not appear to be fully taken into account when the environmental benefit is considered. There needs to be a presumption in favour of coastal shipping in coastal areas, with wider intervention by national government to provide the strategic facilities to allow this culture shift to take place. This would require consideration, when assessing grant assistance such as Freight Facility Grants, of the wider impact of road freight on communities and the environment, as well as roads maintenance costs, when considering modal shift to sea. Additional encouragement should be given to remote and island areas where the use of shipping has a much greater potential growth as an alternative to road freight. However, the historical move away from sea transport in favour of road, now entrenched in business planning, requires a kick start from the public sector to overcome that market bias.

The Council recognises the benefit of working in partnership to develop coastal freight shipping across Council areas throughout the Highlands and Islands and Clyde Coast. Containerisation is used in an ad-hoc fashion in many areas (agricultural supplies, construction materials etc).

In terms of rail, except for a small number of dedicated facilities, the freight infrastructure has not kept pace with technology, and needs to be revitalised by considerable investment in rolling stock and interchanges to allow the latent demand to be met. This particularly applies to rural areas and the primary resources which they provide.

CONSULTATION QUESTION 38.
How do we ensure that people are safe, and feel safe, on public transport, at stations and bus stops, and while travelling by foot, bike or car? For example, what needs to be done to tackle anti-social behaviour on public transport and on our roads?

It is important that the work carried out in this area continuing particularly with regards to the provision of CCTV and lighting at interchanges. A welcoming, well-lit, manned station may allay the perception of personal security issues. British Transport Police are currently reporting reduced levels of crime. They must be resourced to be able to continue this trend.
| CONSULTATION QUESTION 39.  
Within a UK market, what, if anything, should Scotland specifically do to promote the uptake of bio fuels? |
<table>
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<tbody>
<tr>
<td>There are a number of contributions which could be made to promote bio fuels. If the pace of change is to be accelerated, market forces will be unable to achieve this without significant measures of government intervention. A starting point would be to make it financially attractive for public agencies to use bio-fuels in the transport sector but as well as this, for energy provision in new buildings, particularly in the areas which are providers of the primary product. There would be huge benefits in terms of reduced transport costs, the use of a sustainable resource, the contribution towards arresting climate change and the potential for sustainable job creation if processing of the fuel takes place locally.</td>
</tr>
</tbody>
</table>

| CONSULTATION QUESTION 40.  
Where are the commercial opportunities for bio fuels in Scotland? What, if anything, is the role for the public sector in supporting commercial bio fuels developments? Are there down-sides of an increased bio-fuel market in Scotland? |
<table>
<thead>
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<tr>
<td>In rural areas the major transport benefits of bio fuels centre around the use of the product for energy provision, rather than as a vehicle fuel. The commercial opportunities in Scotland centre mainly around forestry, the processing of the raw product and the development of the technology to expand the use of the product. Many small scale applications are reporting significant savings in the use of chipped and pelletised timber boilers against the traditional oil-fired devices, particularly against the current background of surging oil prices. As mentioned above, the role of the public sector must be to lead by example, and indeed by intervention, given the risk-averse nature of purely commercial organisations. One of the downsides would be the fact that the technology is in its infancy in this country, and reliability of equipment as well as assurance of resource, will need to be demonstrated</td>
</tr>
</tbody>
</table>

| CONSULTATION QUESTION 41.  
Within the context of a UK regulatory framework, what more, if anything, should be done to make motor vehicles in Scotland cleaner to run? |
<table>
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<tr>
<td>Argyll &amp; Bute Council supports the National Transport Strategy by increasingly using cleaner vehicles and cleaner fuels, to reduce the number of harmful emissions, by specifying appropriate vehicles. In general terms, the cost of vehicles and the availability of the various types of alternative fuels can be problematic, particularly from a local/rural perspective. One issue which needs to be addressed is the high volume of aged, polluting vehicles on the road.</td>
</tr>
</tbody>
</table>

| CONSULTATION QUESTION 42.  
Where are the potential gains in terms of new transport technology in Scotland? How do we capture the potential economic benefits of developing them in Scotland? What, if anything, is the role for the public sector in supporting the development of such new technologies? |
|---|
Alternative fuel sources, and in particular those which are specifically environmentally friendly should be supported. Although there may be no reduction in the amount of traffic through this new technology alone, the resultant, cleaner air will be a benefit for all.

In order to capture the economic benefits, it is essential that appropriate financial input is provided to the sector. Although the public sector would support the development of any of these technologies, as a national issue, this should be led by the Scottish Executive or Transport Scotland.

**CONSULTATION QUESTION 43.**
What needs to be done to ensure that parking policy – on-street parking, bus and rail park and ride and so on – is more effective in managing demand and promoting modal shift?

To discourage vehicles in town centres, there should be real incentives for using park and ride, e.g. savings if user purchases a combined parking and ticket package. This may also discourage use of the site for those that are not using the public transport service.

In general terms, car parks provided in many locations throughout rural Scotland are not provided to specifically encourage modal shift.

The availability of suitable car parks is generally outwith town and city centres, and therefore appropriate public transport between these locations must be established. The level of cost for park and ride should be cheaper than taking a vehicle into a town or city centre.

**CONSULTATION QUESTION 44.**
How might park and ride schemes best be developed to further encourage modal shift and reduce congestion? How should enhancements be funded and what should pricing policies be?

Provide informal park and ride sites at rural locations and consistent interchanges to assist major towns and cities in reducing congestion. As 43 above, savings should be realised if people choose to park and ride.

Park and ride facilities should be operated throughout the working day, to allow these facilities to be fully utilised for all public transport services.

**CONSULTATION QUESTION 45.**
Should we pilot new approaches to improving demand management on trunk roads network? If so, which approaches should we pilot (for example, bus priority measures, multiple occupancy vehicle and heavy goods vehicle preference, metering, more park and ride) and do you have any views about where and when they should be piloted?

There are clearly several locations on the trunk road network, which would benefit from pilot schemes being undertaken in an attempt to reduce congestion. Trunk roads need to be included in any traffic reduction policies.
| CONSULTATION QUESTION 46.  
Given the difficulties in managing demand for road space by other means, do consultees agree that, in principle, national and/or local road pricing in Scotland could be an effective way to manage demand?  

In principle, Argyll and Bute Council supports road pricing in appropriate location at a local level. |
|---|
| CONSULTATION QUESTION 47.  
Does the Executive need to do more to build support for road pricing? Should there be funding made available to local authorities and regional transport partnerships which wish to promote local/regional road pricing schemes. If so, what model should be used to provide such funding?  

There has been no specific desire from the general public for road pricing in Scotland, but clearly there have been major benefits in London. It would be appropriate that the Executive takes the lead on this matter. Funding should be made available to both local authorities and regional transport partnerships to promote schemes. |
| CONSULTATION QUESTION 48.  
What should be the objectives of any future national road pricing scheme. For example:  
- Should it primarily be concerned with cutting congestion levels?  
- Or should it also reflect environmental concerns about CO² and other emissions?  
- Should it be a means by which, in Scotland, we try to achieve our aspiration of stabilising road traffic volumes at 2001 levels by 2021 (see Chapter 4)?  
- Should it aim to reflect better the true cost of motoring (including the costs to other people, the economy and the environment), or should it cost about the same to drive overall as at the moment?  

In general terms, road pricing should primarily be concerned with reducing congestion levels but as a secondary benefit, reduction in emission levels should also be targeted. The aspiration to stabilise road traffic volumes is supported. |
| CONSULTATION QUESTION 49.  
If there was no UK-wide national road pricing scheme, should a Scotland-only scheme be considered?  

If road pricing is to be implemented it should be based on a United Kingdom wide basis. A Scotland-only scheme should not be considered. |
| CONSULTATION QUESTION 50.  
Do consultees support the inclusion of surface transport in any future CO₂ emissions trading mechanisms? What impact could this have on transport’s emissions of CO₂?  

Argyll & Bute Council supports policies which will reduce CO2 emissions. |
| CONSULTATION QUESTION 51.  
What more, if anything, needs to be done to ensure that transport considerations are taken into account in the location decision, for example of health services and schools? |
The sustainability of the transport requirement of these developments has to be considered from the very outset. Further integration of land-use planning and transport should be realised to make sure these developments are sited in the most appropriate locations and that they are served by public transport, have appropriate walking/cycling facilities or are sited such that the need for travel is reduced. It is hoped that the revised planning system will address some of these issues.

In addition some consideration should be given to the disproportionate power of veto that partnership agencies exercise in the decision making process.

**CONSULTATION QUESTION 52.**
What contribution can broadband and flexible working practices make to reducing individuals’ need to travel? What else should be done to reduce the need to travel?

*Employers should be encouraged to provide the opportunity for employees to work from home even if it is only for a proportion of the week. This maintains the social interaction many people feel is necessary as part of working life, but also allows a work-life balance to be achieved.*

The contribution from broadband in reducing travel needs cannot be underestimated. Broadband allows access to every community throughout Scotland, and it should decrease transportation needs. The provision of such facilities is allowing niche providers such as conservancies to flourish in rural areas.

**CONSULTATION QUESTION 53.**
We are tackling road safety and are on track to meet our targets. But is there more that should be done at the national (rather than the local) level?

There is a wide variation in standards of information and signing nationally. Consistent policies across the trunk road network should be introduced and examples of best practice disseminated.

**CONSULTATION QUESTION 54.**
What can be done to make our streets safer and more pleasant places to be?

*There have been several initiatives from the Scottish Executive over the past few years, including ‘Twenty’s Plenty’ schemes and the move to ‘Homezones’. Reducing speed limits in residential areas should be applauded, but appropriate engineering solutions should be undertaken to ensure that vehicle drivers reduce speeds without the need for significant traffic management signs. The ‘Homezones’ initiative is apparently successful, and it would be appropriate to extend the pilot scheme throughout the country.*

*Other issues which could make our streets safer, would include improved street lighting, wider pavements, increased pedestrianisation and increased enforcement of speeding offences.*

There have been calls for the display of car insurance discs on windcreens,
Given the high numbers of non-insured drivers; the Executive should use its influence to support this initiative.

**CONSULTATION QUESTION 55.**
What issues should be considered in implementing the NTS following its publication later in 2006?

The delivery of the NTS is key to economic prosperity. The commitment to delivery of transport objectives has to be built into a long term planning framework in the same way as this is achieved in the land use planning sector by statute.

The deliverability of objectives through projects has to be simplified and streamlined in order to reduce the lead-in time of strategic projects.

Investment levels in the transport network such that safeguarded against other competing government interests.

**CONSULTATION QUESTION 56.**
Do consultees consider that “traffic intensity” is likely to be a useful overall indicator of our success with the forthcoming NTS? If not, what alternative(s) would be preferable?

Given that the UK is already significantly more transport efficient in terms of economic performance, than our major European partners, to attempt to implement measures aimed at reducing this indicator value further may suppress opportunities for economic growth particularly in peripheral areas to an unacceptable degree. An indicator that reflected the degree to which poor transportation systems suppress growth in the economy would be preferable.

**CONSULTATION QUESTION 57.**
Are the indicators outlined for each transport goal useful? If not, what alternative(s) would be preferable?

The indicator on economic growth should not merely reflect changes in average journey times, but include a factor to reflect the level of reliability of journey times which is as important for major sectors within commerce, retail and the public as a whole. It would also, thus direct actions towards reducing congestion and promote modal shift where such actions improve better performance.

Improving accessibility is an important indicator but will be influenced as much by good quality land use planning as by transportation actions. A large degree of joined up governance will be required to obtain maximum performance in this area.

National indicators for modal shift would not reflect the different challenges faced in rural and urban areas, and it may be preferable for any such indicator to be monitored separately for both sections of the community.

Regarding Road Safety Targets the timeframe for the current targets is very short...
and in many cases almost already achieved. It would be worthwhile if new indicators were at least identified as necessary within the strategy. Indicators aimed at reducing the numbers of pedestrian and cycling accidents should be considered as these would direct actions towards improving the safety of healthy transport options, and thus encourage modal shift.

CONSULTATION QUESTION 58.
Are consultees content that the target of quadrupling cycle use should now be reviewed? What, if anything, might replace it (for example, local authority-level targets on the DfT model)?

As cycling is a local activity, the target should be reviewed and set locally. There are however, advantages in aspiring to a national target, provided appropriate counting mechanisms are in place to verify numbers. There does seem to be a reliability issue with cycle counters.

CONSULTATION QUESTION 59.
Are there other measures which should be considered in Scotland which would move us towards the target to stabilise road traffic volumes at 2001 levels by 2021, recognising that significant fiscal measures would have to be agreed by the UK Government?

It is vitally important that rural areas are not disadvantaged by traffic reduction policies which are inappropriate. Rural areas depend, for their sustainability, on car borne-tourism, and would wish to see growth in this sector.

However, as identified in the answer to question 37, significant freight modal shift from road to rail and coastal shipping would play a significant part in the stabilisation of HGV traffic volumes. There may be a case for developing targets by classification of vehicles given the sensitivities of different classifications to differing measures.

Public transport can play its part in helping to achieve this target, but it is vital that fares are set at a level which drivers can compare favourably with the cost of running a car. The introduction of congestion charging has proved to be beneficial in London. This model should be replicated in cities, with the income being used to develop public transport.

CONSULTATION QUESTION 60.
Do consultees agree with the proposals to:

- Continue to have stabilisation of road traffic as a high level of aspiration;
- Use indicators measuring modal shift to measure how our modal shift policies are working; and
- Redirect our efforts more clearly at the environmental and congestion issues which underpin the traffic stabilisation aspiration, by;
- Considering new transport-related target(s) for CO₂ (see further below); and
- Continuing to monitor congestion trends on our trunk roads as at present, and considering what further measures might be required.
The quality of life in rural areas will continue to be significantly influenced by the individual's ability to access services and employment. Where other conduits for transport are not, and are unlikely to become, available, targets aimed at stabilising road traffic will significantly disadvantage the prospects for rural communities. This aspiration should be adjusted to reflect this rural dimension.

Cutting congestion over the whole transportation network across all modes should be a key aim of the strategy, and monitoring by the Executive should not be confined to trunk roads, which form a relatively small part of the overall transport network.

**CONSULTATION QUESTION 61.**
Do consultees have any views on the idea of a move to regional traffic reduction targets in place of a national target?

There are clear benefits in establishing regional targets, primarily because of the variation of conditions across the country. These conditions range from the rural, economically inactive areas which depend, for any growth, on tourism, and car-borne visitors, where a target for traffic reduction is completely inappropriate, to conurbations where the issues are more concerned with congestion and air quality, and traffic reduction policies are entirely appropriate.

**CONSULTATION QUESTION 62.**
Given the difficulties with the national traffic stabilisation aspirational target, do consultees agree that realistic, deliverable milestones towards its delivery cannot be put in place at present?

As above, it would be more appropriate to consider setting milestones for regional traffic stabilisation targets, where measures appropriate to the conditions can be introduced. One of the areas where this strategy might be successful would be in securing a freight modal shift to waterborne transport in the Highlands and Islands.

**CONSULTATION QUESTION 63.**
Do consultees agree that setting a level of contribution for reductions in Scotland’s CO² emissions which are directly linked to the impact of our policies in areas which are devolved would be the best measure of the Scottish Executive’s effectiveness in tackling transport emissions?

It is important that areas which experience poor air quality through transport emissions are identified and mapped, such that reduction measures can be properly targeted, rather than applying ‘across the board’ targets to areas where there are no concerns. In this way, value for investment is better achieved.

**CONSULTATION QUESTION 64.**
What specific reduction level(s) for CO² should be put in place for transport?
<table>
<thead>
<tr>
<th>CONSULTATION QUESTION 65.</th>
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<tr>
<td>Do consultees have any views about the timing or scope of reviews of the NTS?</td>
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</table>

As the NTS covers a period of 20 years, 5 year reviews are more appropriate and in line with reviews of Development Plans.
ARGYLL AND BUTE LOCAL PLAN
REPORT ON PROPOSED AMENDMENTS TO FINALISED DRAFT PROCESS and FUTURE TIMESCALE OF LOCAL PLAN PROCESS - REPORT FROM HEAD OF PLANNING

1. SUMMARY

1.1 This report identifies the main general and localised issues that have arisen following the publication of the Finalised Draft Local Plan and proposes to place on public deposit proposed amendments to the Finalised Draft Local Plan in an effort to reduce the anticipated size and scale of a Public Local Inquiry (PLI) scheduled to commence in the first quarter of 2007. The report then goes on to establish the next key milestones for the production of the Local Plan.

2. RECOMMENDATION

2.1 That Members approve, subject to any changes they deem appropriate, the proposed amendments contained within Appendices A and B of this report to the Finalised Draft Local Plan and recommend to the Strategic Policy Committee (SPC) that the Modified Finalised Draft Local Plan be placed on deposit for a six week period to allow further comments and objections to be raised against the proposed amendments.

2.2 That Members note the next key milestones in the production of the Argyll and Bute Local Plan.

3. BACKGROUND

3.1 The Finalised Draft Local Plan has attracted considerable interest from numerous stakeholders including statutory consultees, community organisations, interest groups, private companies and members of the public. In total over 4,100 representations were received during the nine week
consultation period. Whilst this figure represents a considerable increase on the 2,700 representations received in response to the Consultative Draft Local Plan approximately 64% of representations received were by way of a number of highly organised pro-forma campaigns. Other representations received contained multiple objections, requests for amendments or highly detailed comments that required a detailed response before the next stage of the Local Plan process could be progressed. It should also be noted that considerable support was also expressed for the growth agenda promoted by the plan and the need to boost economic performance, offer more opportunities for affordable housing, and counteract population loss and aging demographics.

Initial analysis of these representations has now been completed with the following main general issues being identified:

1. There was a considerable difference in opinion on the suitability, or otherwise, of the Council’s policy response to renewable energy, in particular on shore wind energy;
2. Concern was expressed with regard to the use of the rural opportunity areas to encourage rural development in the countryside;
3. There was concern expressed with regard to the amount of land being released for development in the countryside development control zones in general, particularly with regard to housing development in all its forms.
4. While many of the policies contained within the plan have attracted support the majority of the policies have attracted objections/comments on elements of their wording etc.
5. Significant infrastructure constraints have been identified that may have the potential to limit growth within Argyll and Bute;

Significant localised issues on an Area Committee basis have also been identified in Appendix C of this report.

In response to the aforementioned general and localised issues the Development Plans Unit have been analysing these representations and commencing negotiations with objectors to the plan in an effort to remove these objections, where possible, in an effort to reduce the scale and cost of the anticipated Public Local Inquiry (PLI). This negotiation process has resulted in a significant number of objections being either conditionally or unconditionally with
drawn thereby reducing the size of the PLI and ultimately the cost to the Council.

As part of this process it is considered necessary to publish a pre PLI Finalised Draft Local Plan with modifications. The modifications, as proposed, are contained within Appendix A and B of this report. Appendix A contains all modifications proposed for the Local Plan Written Statement and also proposed changes to the Action Plan and Supplementary Information and Guidance which relate to specific representations. Appendix B contains all proposed map modifications relevant to each Area Committee.

The Finalised Draft Local Plan modifications are intended to make changes to correct factual errors, to remove, where possible, elements of the plan that have been subject to significant objection, to put forward alternative sites for development as suggested through the consultation period, to further clarify issues of concern and provide updated information.

Appendix D to this report provides a breakdown of the number of potential modifications and PLI issues. It is also intended to publish in full on the Council’s web site, prior to the release of the modifications, all letters of representation received during the Finalised Draft Local Plan process that have not subsequently been withdrawn.

It is anticipated that a six week public deposit/consultation period will be held to allow further representations to be made on only the modified elements of the plan.

The Strategic Environmental Assessment (SEA) undertaken on the Finalised Draft Local Plan also attracted comments that are currently being addressed and will be subject to further amendment prior to the Public Local Inquiry. This will require a further report to the August SPC in due course.

3.2 In addition to the above the Policy Unit are also preparing a detailed response to all of the individual issues raised that will be made available to all objectors/representees prior to the PLI. This additional statement of publicity will help inform the Public Local Inquiry process that is due to commence in the first quarter of 2007.

Members should also be aware that the Development
Policy unit has also been in discussion with different Council services and external bodies and have commissioned various other studies to help in the justification of the Local Plan including housing and business studies for the Helensburgh and Lomond Area and flood risk assessments for all allocations and potential development sites.

4. CONCLUSION

4.1 The publication of the Finalised Draft Local Plan has generated a significant level of public interest and objection. Following assessment of the objections made to the Finalised Draft Argyll and Bute Local Plan a number of objections have either been unconditionally withdrawn through negotiation or withdrawn conditionally pending publication of modifications. These modifications, following approval by Committee, will be subject to advertisement and public scrutiny with a six week period for objection (only on the proposed modifications) being available.

4.2 For objections not withdrawn, a Public Local Inquiry (PLI) will be required. The PLI is currently scheduled to commence in the first quarter of 2007. Arrangements are currently under way with regard to the appointment of a Scottish Executive Inquiry Reporter(s), the content of the Inquiry timetable, preparation of Argyll and Bute’s Council evidence and the appointment of a programme officer to help run the PLI. At this stage it is anticipated that the PLI will consist of five elements with meetings held in each of the Council’s administrative areas to cover localised issues and another meeting to deal with general policy issues. Further details will be reported to subsequent meetings of the SPC in due course.

Members are also asked to note the next key milestones associated with the production of the Local Plan:

- Approval of Finalised Plan with Modifications by the Area Committees- June 2006
- Approval of Finalised Plan with Modifications by the SPC - June 2006
- Deposit/Consultation period on modifications—June to July 2006 (six weeks)
- Preparation of Council evidence and further period of negotiation to remove objections—June to December 2006
- Appointment of Reporter(s) October 2006
- Appointment of programme officer (temporary
5. IMPPLICATIONS

Policy: Whilst this is a detailed development plan that focuses on land use, it is also intended to deliver on economic, social and environmental objectives. This delivery requires a particularly close integration between land use and transportation planning; investment in the latter being of crucial importance to the well-being of Argyll and Bute.

Financial: A budget of £150,000 is in place to meet the anticipated costs of the PLI including the employment of a programme officer on a temporary basis.

Personnel: There are significant personnel issues associated with the processing, delivery, review and monitoring of this plan.

Community: The report puts forward another significant opportunity for community engagement in the local plan process.

For further information contact: Fergus Murray
Telephone 01546 604293

LIST OF BACKGROUND PAPERS

1. The Argyll and Bute Local Plan – Finalised Plan – Written Statement
2. The Argyll and Bute Local Plan – Finalised Plan – Four Area Proposal Map Folders

Head of Planning Services
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## APPENDIX A
### LIST OF REASONS FOR MODIFICATIONS TO WRITTEN STATEMENT

<table>
<thead>
<tr>
<th>Mod No.</th>
<th>Page No.</th>
<th>Modification</th>
<th>Reason for Modification</th>
</tr>
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<tbody>
<tr>
<td>Contents Pages</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td>i</td>
<td>Change Policy LP ENV 8 title to “Development Impact on Local Nature Conservation Sites”.</td>
<td>Accuracy</td>
</tr>
<tr>
<td>2.</td>
<td>iii</td>
<td>Change Policy LP SERV 2 title to “Incorporation of Natural Features/Sustainable Drainage Systems (SuDs).”</td>
<td>Request by SEPA.</td>
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<tr>
<td>Chapter 2 – The Settlement Strategy</td>
<td></td>
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<tr>
<td>5.</td>
<td>11</td>
<td>Para 2.18 – Insert “in particular tourism” to fifth bullet point.</td>
<td>To reflect the importance of tourism in the Helensburgh area.</td>
</tr>
<tr>
<td>6.</td>
<td>11</td>
<td>Delete and replace para 2.19 – “Argyll and Bute is made up of islands, a large rural area and part of the Greater Glasgow conurbation. In pursuing the above and recognising the diversity of the area, the Council and its Partners also aim to address through this Local Plan some of the key underlying issues affecting Argyll and Bute – in whole or in part. These include:”</td>
<td>Clarification.</td>
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<tr>
<td>Chapter 5 – Environment</td>
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<td>7.</td>
<td>25</td>
<td>Para 5.2 – Insert “access, enjoyment” after the word “nature” in 4th sentence.</td>
<td>Clarification.</td>
</tr>
<tr>
<td>8.</td>
<td>25</td>
<td>Delete “The main environmental issues have been identified through the consultation process and results from Argyll and Bute’s Citizens Panel” under para 2.</td>
<td>Consistency of format throughout Local Plan.</td>
</tr>
<tr>
<td>9.</td>
<td>26</td>
<td>Insert “and also local community groups where appropriate and resources permit” after 6th bullet point.</td>
<td>Request by Helensburgh Study Group to recognise the role of local groups.</td>
</tr>
<tr>
<td>10.</td>
<td>27</td>
<td>Policy LP ENV 1 – Insert new para (A) – “The development is of a form, location and scale consistent with Structure Plan Policies STRAT DC 1 to 6”. Re-number the following paras.</td>
<td>To provide better linkage with relevant Structure Plan Policies.</td>
</tr>
<tr>
<td>11.</td>
<td>27</td>
<td>Policy LP ENV 1 – Insert “and in particular, the designated sites listed in (I) and (J) of this policy statement;” at end of para (B).</td>
<td>To avoid repetition and confused terminology with the requirements of LP Policies ENV 3 to 17.</td>
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<td>Mod No.</td>
<td>Page No.</td>
<td>Modification</td>
<td>Reason for Modification</td>
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<td></td>
<td></td>
<td>Chapter 5 – Environment continued</td>
<td></td>
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<tr>
<td>12.</td>
<td>27</td>
<td>Policy LP ENV 1 – Delete para “In particular, the Council will resist development proposals that would have a significant adverse effect on the integrity or character, as appropriate of the following designated sites:”</td>
<td>To avoid repetition and confused terminology with the requirements of LP Policies ENV 3 to 17 (see Mod No. 11).</td>
</tr>
<tr>
<td>13.</td>
<td>27</td>
<td>Policy LP ENV 1 – Insert “air quality” in para (D).</td>
<td>SEPA request.</td>
</tr>
<tr>
<td>14.</td>
<td>27</td>
<td>Policy LP ENV 1 – Insert “Local” in para (I).</td>
<td>To be consistent with the wording of LP Policy ENV 8.</td>
</tr>
<tr>
<td>15.</td>
<td>27</td>
<td>Policy LP ENV 1 – Justification – Delete the word “and” after “heritage” in last bullet point and insert “landscape features and landscape character of the area” at end of para.</td>
<td>SNH request.</td>
</tr>
<tr>
<td>16.</td>
<td>27</td>
<td>Policy LP ENV 1 – Justification – Delete “For example, some of the criteria would not be applicable to smaller scale developments” from fourth para.</td>
<td>Objection: It is accepted that the criteria in LP ENV 1 should be applicable to smaller scale developments.</td>
</tr>
<tr>
<td>17.</td>
<td>27</td>
<td>Policy LP ENV 1 – Justification – Delete the words “7, DC 8, DC 9 &amp; DC 10” from fifth bullet point and add “1 to 10”.</td>
<td>Accuracy</td>
</tr>
<tr>
<td>18.</td>
<td>29</td>
<td>Policy LP ENV 5 – Add the word “national” to para (B).</td>
<td>SNH policy advice requiring the insertion of the word “national”.</td>
</tr>
<tr>
<td>19.</td>
<td>30</td>
<td>Policy LP ENV 6 – Delete “SIG document” and add “rural constraints proposals maps” to Policy Note.</td>
<td>To reflect change.</td>
</tr>
<tr>
<td>20.</td>
<td>31</td>
<td>Policy LP ENV 7 – Justification – Insert para “Development may provide opportunities for new planting. This should be in accordance with the local pattern of woodlands, thereby avoiding erosion of distinctive landscape patterns and enhancing landscape character”.</td>
<td>SNH request.</td>
</tr>
<tr>
<td>21.</td>
<td>31</td>
<td>Policy LP ENV 7 – Schedule FW 2 – Insert under second bullet point “- recreational value to local people”; “- amenity value”.</td>
<td>Objection: Amendment accepted to help strengthen policy.</td>
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<td>Mod No.</td>
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<tr>
<td>25.</td>
<td>32</td>
<td>Policy LP ENV 8 – Justification – Change the word “this” to “thus” in 2nd para.</td>
<td>Accuracy/grammar.</td>
</tr>
<tr>
<td>26.</td>
<td>32</td>
<td>Policy LP ENV 8 – Delete “SIG document” from end of 3rd para and insert “Rural Constraints Map”.</td>
<td>To reflect change.</td>
</tr>
<tr>
<td>27.</td>
<td>33</td>
<td>Policy LP ENV 11 – Insert the word “either” in first para and insert “or which have been identified for inclusion” at end of first para.</td>
<td>At the request of Historic Scotland and Scottish Natural Heritage – to be inserted if such a candidate list is generally available.</td>
</tr>
<tr>
<td>28.</td>
<td>33</td>
<td>Policy LP ENV 11 – Insert new para “Where development would affect a heritage asset or its setting the developer will be expected to demonstrate that the impact of the development upon that asset has been assessed and that adequate measures will be taken to preserve and enhance the special interest of the asset. Measures to mitigate against impact are likely to include enhanced physical access, interpretation and the provision of an open space or landscaped buffer zone, as appropriate”.</td>
<td>Clarification on impact assessment and mitigation.</td>
</tr>
<tr>
<td>29.</td>
<td>34</td>
<td>Policy LP ENV 11 – Justification – Delete “that date back to the Victorian era”.</td>
<td>Accuracy – at the request of Historic Scotland</td>
</tr>
<tr>
<td>31.</td>
<td>35</td>
<td>Policy LP ENV 13 – Split into two policies (a) and (b) and insert (a) after number 13.</td>
<td>To relate the policy to the issue in hand and in accordance with emerging model policy.</td>
</tr>
<tr>
<td>32.</td>
<td>35</td>
<td>Policy LP ENV 13(a) – Delete “In considering applications the Planning Authority will presume against any development that will result in the demolition of a listed building or would otherwise harm its character or setting. Alterations or extensions to, and new developments within the cartilage of listed buildings must respect the original structure in terms of design, scale, materials and, where appropriate, setting”. Insert para “Development affecting a listed building or its setting shall preserve the building or its setting, and any features of special architectural or historic interest that it possesses”.</td>
<td>To relate the policy to the issue in hand and in accordance with emerging model policy.</td>
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### Chapter 5 – Environment continued

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| 34.     | 35       | Policy LP ENV 13(a) – Delete “Any proposal to demolish a listed building (whole or part) will need to be supported by a structural engineer’s report indicating that the building cannot be retained. Particular attention should also be paid to the following factors:
(A) The importance of the building;
(B) The adequacy of efforts made to retain the building in use, including the marketing of the building and its suitability for alternative uses, where appropriate;
(C) The extent to which the community would benefit from the redevelopment.” | To relate the policy to the issue in hand and in accordance with emerging model policy. |
| 35.     | 35       | Policy LP ENV 13(a) – Insert “Where development would affect a heritage asset or its setting the developer will be expected to demonstrate that the impact of the development upon that asset has been assessed and that adequate measures will be taken to preserve and enhance the special interest of the asset. Measures to mitigate against impact are likely to include enhanced physical access, interpretation and the provision of an open space or landscaped buffer zone, as appropriate.” | Clarification on impact assessment and mitigation. |
| 36.     | 35       | Insert new policy LP ENV 13(b) and amend contents page. | Clarity – much of the policy on “Impact of Development” was about demolition and this was confusing.
Consistency – similar policies in respect of Conservation Areas are separated out into “Impact” and “Demolition” issues. |
| 37.     | 35       | Insert wording to new policy LP ENV 13(b) – “Proposals for the total or substantial demolition of a listed building will be supported only where it is demonstrated beyond reasonable doubt that every effort has been exerted by all concerned to find practical ways of keeping it. This will be demonstrated by inclusion of evidence to the planning authority that the building:
(1) Has been actively marketed at a reasonable price and for a period reflecting its location, condition and possible viable uses without finding a purchaser; and
(2) Is incapable of physical repair and re-use through the submission and verification of a thorough structural condition report.” | Clarification – to accord with the Memorandum of Guidance, case law and emerging model policy. |
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<tr>
<td>38.</td>
<td>35</td>
<td>Insert para from original LP ENV 13 – “In cases where the Planning Authority is minded to grant consent to the demolition (whole or part) of a listed building it will consider attaching conditions in respect of”: Insert new para (A) – “(A) The recording of the building to be demolished, in addition to the requirement to formally notify the RCAHMS;”</td>
<td>Accuracy – this requirement had been omitted.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Renumber (D), (E) and (F) from original LP ENV 13 – “(B) Methods of demolition to be employed; (C) The conservation, retention or salvaging of architectural or other features, artefacts or other materials; (D) The restoration or redevelopment of the site including specifying that redevelopment contracts need to be approved prior to the commencement of demolition, in appropriate cases.”</td>
<td></td>
</tr>
<tr>
<td>39.</td>
<td>35</td>
<td>Policy LP ENV 13(a) and (b) – Justification – Insert “of Guidance” under 2nd bullet point. Insert “(1968)” at end of 2nd bullet point.</td>
<td>Accuracy.</td>
</tr>
<tr>
<td>40.</td>
<td>36</td>
<td>Policy LP ENV 14 – Delete from the 1st para the words “maintain”, “amenity” and “and”. Insert the words “preserve”, “appearance” and “or its setting, or a”. Delete “s” from the word “Area” at end of para.</td>
<td>Accuracy – need to relate to the wording of the Act. Grammar. In line with emerging model policy.</td>
</tr>
<tr>
<td>41.</td>
<td>36</td>
<td>Policy LP ENV 14 – Delete from 2nd para the word “visual”. Insert in 2nd para “and on sites forming part of their settings”; “other special” and “of Guidance”.</td>
<td>Accuracy – need to relate to the wording of the Act. In line with emerging model policy.</td>
</tr>
<tr>
<td>42.</td>
<td>36</td>
<td>Policy LP ENV 14 – Insert two new paras – “Outline planning applications will not normally be considered appropriate for proposed development in conservation areas”. “Trees that are considered by the planning authority to contribute positively to the character or appearance of a Conservation Area shall be preserved.”</td>
<td>Clarification, accuracy and in line with good practice and emerging model policy.</td>
</tr>
<tr>
<td>43.</td>
<td>36</td>
<td>Policy LP ENV 14 – Justification – Delete from 1st para the sentence “Ten Article 4 Directions restricting permitted development rights are currently in place within these Conservation Areas”.</td>
<td>Accuracy.</td>
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<tr>
<td>44.</td>
<td>36</td>
<td>Policy LP ENV 14 – Justification – Delete from 3rd para the word “visual” and insert “other special”. Insert the word “initial” in 3rd para. Delete the word “also” and “use these statements to help reassess” from 3rd para. Delete the “e” from the word “update” and replace with “ing”. Delete “for all its Conservation Area” from third para.</td>
<td>Clarification. The character appraisals in the SIG can be used for indicative purposes only. For the purposes of Development Control more detailed appraisals are necessary. It is our duty under the Act to review conservation areas. The Scottish Executive expects all planning authorities to have refreshed their Article 4 Directions following changes to the GDPO in 1992.</td>
</tr>
<tr>
<td>45.</td>
<td>36</td>
<td>Policy LP ENV 14 – Justification – Delete “Whilst not having the concentration or continuity of quality of Conservation Areas, they do have sufficient quality to require safeguarding and promotion as part of the development control process” from 4th para. Insert “They have sufficient quality to require safeguarding as part of the development control process and may have the special architectural or historic interest required of Conservation Areas”.</td>
<td>Clarification – giving SBEAs the status of potential conservation areas. Accuracy – the concept of “promotion” is anomalous in this context.</td>
</tr>
<tr>
<td>46.</td>
<td>36</td>
<td>Policy LP ENV 14 – Justification – Delete 5th para completely.</td>
<td>Accuracy – we seek continuity and innovation in design in all our conservation areas and SBEAs.</td>
</tr>
<tr>
<td>47.</td>
<td>36</td>
<td>Policy LP ENV 14 – Justification – Add “of Guidance” and “(1998)” to 3rd bullet point</td>
<td>Accuracy.</td>
</tr>
<tr>
<td>48.</td>
<td>37</td>
<td>Policy LP ENV 15 – Delete “Development involving” from 1st para and insert “Proposals for the”. Delete “amenity” and insert “appearance” in 1st para. Delete “not be permitted” and insert “or it’s setting” and “be considered as if that structure was listed – as set out in Policy LP ENV 13(b)” in 1st para.</td>
<td>Accuracy – in line with the legislation and Memorandum of Guidance. Clarification – this policy is about demolition. Demolition does not always arise as a consequence of the development process so “development” does not need to be introduced here. Accuracy – the word “amenity” does not appear in the conservation area legislation. The wording of the Act gives us the word “appearance” instead. Existing guidance and emerging model policy reflect the protection of a conservation area’s setting.</td>
</tr>
<tr>
<td>50.</td>
<td>37</td>
<td>Policy LP ENV 16 – Delete “be resisted” from 1st para. Add and “s” to the word setting and “Not be permitted unless there are exceptional circumstances” to end of 1st para.</td>
<td>Grammar. Clarification – In line with the legislation and emerging model policy.</td>
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<td>51.</td>
<td>37</td>
<td>Policy LP ENV 16 – Insert new para – “Where development would affect a heritage asset or its setting the developer will be expected to demonstrate that the impact of the development upon that asset has been assessed and that adequate measures will be taken to preserve and enhance the special interest of the asset. Measures to mitigate against impact are likely to include enhanced physical access, interpretation and the provision of an open space or landscaped buffer zone, as appropriate”.</td>
<td>Clarification on impact assessment and mitigation.</td>
</tr>
<tr>
<td>53.</td>
<td>38</td>
<td>LP ENV 17 – Justification – Insert new 1st para “Argyll and Bute contains a wide variety of archaeological features ranging from prehistoric features such as ancient forts and duns, early Christian chapels, mediaeval castles and recent industrial archaeology. Some such as the Kilmartin Glen may be of potential world heritage site status, while others are of national or more local importance. Much of Argyll and Bute’s archaeology makes an important contribution to the tourism economy of the area, and can also have nature conservation benefits”.</td>
<td>Accuracy.</td>
</tr>
<tr>
<td>54.</td>
<td>39</td>
<td>Policy LP ENV 18 – Delete 2nd and 3rd bullet points.</td>
<td>Accuracy.</td>
</tr>
<tr>
<td>55.</td>
<td>39</td>
<td>Policy LP ENV 19 – Delete from para (A) “harmonise with the key features of the settlement, edge of settlement, countryside or coastal surroundings. Developments that do not satisfactory harmonise with their settings and surroundings shall be resisted”. Insert “pay regard to the context within which it is located” to end of para (A).</td>
<td>Clarity and avoidance of repetition.</td>
</tr>
<tr>
<td>56.</td>
<td>39</td>
<td>Policy LP ENV 19 – Delete para (F).</td>
<td>In response to representation from Green Power. Avoidance of repetition – this section merely served to repeat the basic headline policy and added nothing to it.</td>
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<td>Chapter 6 - Economy</td>
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<tr>
<td>58.</td>
<td>41</td>
<td>Policy LP ENV 20 – Justification – Insert new para after 1st para “It should also be noted that where a developer is considering an element of public art within a project it is strongly advised that they should liaise with the local community, including the Community Council, at an early stage of the process”</td>
<td>To ensure communities will be involved at an early stage of the process.</td>
</tr>
<tr>
<td>59.</td>
<td>46</td>
<td>Under Section 3. Economic Proposals – in the last bullet point insert the words “and waterfront” after “centre”.</td>
<td>To reflect extent of the strategy.</td>
</tr>
<tr>
<td>60.</td>
<td>47</td>
<td>Policy LP BUS 1 – Insert “and waste management developments as defined in Policy LP SERV 6” into 1st para.</td>
<td>SEPA request.</td>
</tr>
<tr>
<td>61.</td>
<td>47</td>
<td>Policy LP BUS 1 – Insert “which includes waste management development” into last para.</td>
<td>SEPA request.</td>
</tr>
<tr>
<td>63.</td>
<td>52</td>
<td>Policy LP RET 1 – Insert “Schedule R 1 - Retail: Scales of Development” at end of policy.</td>
<td>In the interests of clarity.</td>
</tr>
<tr>
<td>64.</td>
<td>53</td>
<td>Policy LP RET 2 – Delete “public house or hot food take-away use” from para (B).</td>
<td>To ensure the integrity of the ‘core shopping areas’ is safeguarded.</td>
</tr>
<tr>
<td>65.</td>
<td>54</td>
<td>Policy LP RET 4 – Change “100” to “200” in (A).</td>
<td>To allow greater flexibility.</td>
</tr>
<tr>
<td>66.</td>
<td>55</td>
<td>Policy LP RET 5 – Insert “OR” at end of para (A).</td>
<td>Clarity and accuracy.</td>
</tr>
<tr>
<td>67.</td>
<td>56</td>
<td>Policy LP BAD 1 – Insert “all the following criteria is satisfied” at end of 1st para.</td>
<td>Clarity and accuracy.</td>
</tr>
<tr>
<td>68.</td>
<td>62</td>
<td>Policy LP REN 3 – Delete “In this respect energy generation arising from landfill, composting or large-scale incineration* within, or immediately adjacent to, settlement boundaries, is unlikely to be acceptable” at end of para. Delete footnote.</td>
<td>SEPA request.</td>
</tr>
<tr>
<td>Chapter 7 - Housing</td>
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</table>
| 69.    | 67      | Policy LP HOU 1 – Insert in (B) point 5 following “croft” “unless the croft is of a size where sub-division could be considered to be sustainable in terms of Crofters Commission advice”.
<p>|                                                   | In response to objection by Crofters Commission to allow larger crofts to be sub-divided where it is sustainable to do so. |
| 70.    | 67      | Policy LP HOU 1 – Justification – Insert “the extension of the established settlement boundary” after the word “coalescence” in 3rd para. | Clarity. |</p>
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<tr>
<td>71.</td>
<td>69</td>
<td>Policy LP HOU 2 – Delete the word “encouraged” from para (B) and insert “required on housing sites for 8 or more units”.</td>
<td>To ensure consistency and to reflect ongoing discussions from the Strategic Housing Forum.</td>
</tr>
<tr>
<td>72.</td>
<td>69</td>
<td>Policy LP HOU 2 – Delete the word “allocation” from para (C).</td>
<td>To reflect amendment 71.</td>
</tr>
<tr>
<td>73.</td>
<td>69</td>
<td>Policy LP HOU 2 – Justification – Insert new sentence at end of 3rd para “To accord with PAN 74 a contribution of 25% affordable housing provision will generally be sought”.</td>
<td>To ensure consistency and to reflect ongoing discussions with the Strategic Housing Forum.</td>
</tr>
<tr>
<td>74.</td>
<td>69</td>
<td>Policy LP HOU 2 – Justification – Change the word “accordable” to “affordable” in 4th para.</td>
<td>Grammar</td>
</tr>
<tr>
<td>75.</td>
<td>70</td>
<td>Policy LP HOU 3 – Delete “take account of land and” from para (A).</td>
<td>Grammar</td>
</tr>
<tr>
<td>76.</td>
<td>71</td>
<td>Policy LP HOU 5 – Delete para (D).</td>
<td>Too restrictive.</td>
</tr>
<tr>
<td>77.</td>
<td>71</td>
<td>Policy LP HOU 6 – Justification – Insert the words “or townscape” after “landscape” in 2nd para.</td>
<td>Accuracy</td>
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Chapter 8 – Servicing, Transport, Access and Parking Policies

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<tr>
<td>78.</td>
<td>75</td>
<td>Delete 2nd last bullet point and replace with “To work with Strathclyde Partnership for Transport and Hitrans to create a Regional Transport Strategy to consider transport policy issues on a Regional and National level.”</td>
<td>To reflect current situation.</td>
</tr>
<tr>
<td>79.</td>
<td>76</td>
<td>Policy LP SERV 2 – Insert “Incorporation of Natural Features/” into policy heading. Amend Contents Page accordingly.</td>
<td>SEPA request to reflect content of policy statement.</td>
</tr>
<tr>
<td>80.</td>
<td>76</td>
<td>Policy LP SERV 2 – Delete “seek to encourage alternatives to extensive” and insert “require that” in 2nd sentence.</td>
<td>SEPA request.</td>
</tr>
<tr>
<td>81.</td>
<td>76</td>
<td>Policy LP SERV 2 – Insert “are avoided wherever practicable and designed sensitively where unavoidable” after the word “watercourses”.</td>
<td>SEPA request.</td>
</tr>
<tr>
<td>82.</td>
<td>76</td>
<td>Policy LP SERV 2 – Insert at end of para “Sustainable Drainage Systems (SuDs) (see Glossary) provide benefits in terms of flood avoidance, water quality, habitat creation and amenity. Proposals for SuDs measures compliant with technical guidance will be required in relation to all development prior to determination”.</td>
<td>SEPA request.</td>
</tr>
<tr>
<td>83.</td>
<td>78</td>
<td>Delete Policy LP SERV 5 completely.</td>
<td>Policy indefensible in terms of science.</td>
</tr>
<tr>
<td>84.</td>
<td>79</td>
<td>Renumber Policy LP SERV 6 to “5” Delete the words “toxic” and “and other noxious” from para 1.</td>
<td>Accuracy: SEPA request to help comply with national and area waste plans.</td>
</tr>
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<tr>
<td>85.</td>
<td>79</td>
<td>LP SERV 5 – Delete the words “incineration of” from para 2 and insert “energy from”. Insert the word “facilities” after “waste”. Insert “unless it complies with the objectives of the Area of National Waste Plan” at end of para 2.</td>
<td>SEPA request to reflect current terminology. To help policy comply with national and area waste plans.</td>
</tr>
<tr>
<td>86.</td>
<td>79</td>
<td>LP SERV 5 – Insert the word “composting” after “recycling” in para (E).</td>
<td>SEPA request. To assist in the encouragement of composting.</td>
</tr>
<tr>
<td>87.</td>
<td>79</td>
<td>LP SERV 5 – Insert “composting where appropriate” after the word “recycling” in para (E)(i).</td>
<td>SEPA request. To assist in the encouragement of composting.</td>
</tr>
<tr>
<td>88.</td>
<td>79</td>
<td>LP SERV 5 – Justification – Delete from 2nd para “involves focusing mainland waste disposal at two landfill sites” and insert “for municipal waste management, involves segregated kerbside collection initiatives to collect recyclates; community composting and the development of mechanical biological treatment (MBT) plants to process waste into composted material; with residual waste disposed of at two landfill sites within”.</td>
<td>SEPA request. To reflect current situation with regard to waste issues.</td>
</tr>
<tr>
<td>89.</td>
<td>79</td>
<td>LP SERV 5 – Under Background Information insert new bullet point – “National Waste Strategy”.</td>
<td>Accuracy.</td>
</tr>
<tr>
<td>90.</td>
<td>79</td>
<td>LP SERV 5 – Insert “(as shown on the Proposal Maps)” after the word “facilities”.</td>
<td>To reflect change.</td>
</tr>
<tr>
<td>91.</td>
<td>79</td>
<td>LP SERV 5 – Justification – Insert the word “landfill” before “sites” in 1st para.</td>
<td>Accuracy.</td>
</tr>
<tr>
<td>93.</td>
<td>79</td>
<td>LP SERV 5 – Insert “and the National/Area Waste Strategies” at end of 2nd para.</td>
<td>Accuracy.</td>
</tr>
<tr>
<td>94.</td>
<td>79</td>
<td>Renumber Policy LP SERV 7 to “6”.</td>
<td>Accuracy.</td>
</tr>
<tr>
<td>95.</td>
<td>80</td>
<td>Renumber Policy LP SERV 8 to “7”.</td>
<td>Accuracy.</td>
</tr>
<tr>
<td>96.</td>
<td>80</td>
<td>Renumber Policy LP SERV 9 to “8”.</td>
<td>Accuracy.</td>
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### Chapter 9 – Recreation and Community Policies

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<tr>
<td>97.</td>
<td>80</td>
<td>LP SERV 8 – Insert two new paras under heading “Flooding” - Development on the functional flood plain will be considered contrary to the objectives of this plan. In exceptional circumstances, where land is required to facilitate key development strategies which come forward through the structure/local plan process, land raising may be acceptable provided effective compensatory flood storage can be demonstrated and the objectives of the EU Water Framework Directive are not compromised in so doing. Where redevelopment of existing brown field sites at risk from flooding is proposed, the planning authority will take into account the impact on flood risk elsewhere and the mitigation measures proposed. Guidance on the type of development that will be generally permissible within specific flood risk areas is set out below. However it should be noted that in all cases where the potential for flooding is highlighted, the planning authority will exercise the ‘precautionary principle’ and refuse development proposals where such proposals do not comply with parts (A); (B); (C); (D) and (E) as set out below and/or on the advice of the Scottish Environmental Protection Agency (SEPA).</td>
<td>SEPA request.</td>
</tr>
<tr>
<td>98.</td>
<td>81</td>
<td>LP SERV 8 – Insert at end of last bullet point under (ii) “and any such measures would not compromise the objectives of the EU Water Framework Directive”.</td>
<td>SEPA request.</td>
</tr>
<tr>
<td>99.</td>
<td>80</td>
<td>LP SERV 9 – Delete “Land raising may also be an acceptable option” at end of para (C).</td>
<td>SEPA request.</td>
</tr>
<tr>
<td>100.</td>
<td>80</td>
<td>Renumber Policy LP SERV 10 to “9”.</td>
<td>Accuracy.</td>
</tr>
<tr>
<td>101.</td>
<td>84</td>
<td>LP TRAN 3 – Delete “countryside walks” and insert “recreational paths” at end of para (A) 2.</td>
<td>Sportscotland request to allow greater flexibility.</td>
</tr>
<tr>
<td>102.</td>
<td>87</td>
<td>LP TRAN 6 – Change “500m²” to “1000m²” in para (B).</td>
<td>Consistent with Appendix C.</td>
</tr>
<tr>
<td>103.</td>
<td>93</td>
<td>LP REC 2 – Delete “s” from the word “space” in para (A) and insert “protection areas”.</td>
<td>Clarity.</td>
</tr>
<tr>
<td>104.</td>
<td>93</td>
<td>LP REC 2 – Delete “s” from the word “space” in para (B) and insert “protection areas”.</td>
<td>Clarity.</td>
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## Chapter 11 – Implementation, Resources and Monitoring

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<tr>
<td>105.</td>
<td>93</td>
<td>LP REC 2 – Insert “and there is a clear long term excess of pitches, playing fields, and public open space in the wider area, taking into account long term strategy, recreational and amenity value and short-fall in adjoining local plan area” at end of para (ii).</td>
<td>To reflect advice from Sportscotland.</td>
</tr>
<tr>
<td>106.</td>
<td>101</td>
<td>Delete and replace para 3(a) with “Percentage of Listed Buildings removed from the “At Risk” Register each year through positive action”.</td>
<td>More meaningful and accurate indicator that links two former ones.</td>
</tr>
<tr>
<td>107.</td>
<td>101</td>
<td>Delete and replace para 3(b) with “Number of Conservation Area Reviews (including Appraisals and Management Plans) completed each year”.</td>
<td>Additional, meaningful indicator.</td>
</tr>
</tbody>
</table>

## Appendix A – Sustainable Siting and Design Principles

<table>
<thead>
<tr>
<th>Mod No.</th>
<th>Page No.</th>
<th>Modification</th>
<th>Reason for Modification</th>
</tr>
</thead>
<tbody>
<tr>
<td>108.</td>
<td>103</td>
<td>• Insert new bullet point under para 1.2 – “Protecting Agricultural Assets: most of the agricultural land within Argyll and Bute is of a poor quality, with no agricultural land classified as Class 1 or 2 and only small areas of Classes 3.1 and 3.2 in Kintyre and Islay. Nevertheless agriculture remains an important part of the economy of Argyll and Bute and also provides forms of continuous and locally sensitive land management. In all countryside development control zones, new development should not be considered where it would require the loss of better quality agricultural land or result in the fragmentation of field systems or the loss of access to better quality agricultural land”.</td>
<td>To ensure protection of Argyll and Bute’s best agricultural land.</td>
</tr>
<tr>
<td>109.</td>
<td>103</td>
<td>Insert “s” to the word “Area” in para 2.5.</td>
<td>Grammar.</td>
</tr>
<tr>
<td>110.</td>
<td>103</td>
<td>Delete the words “will be” and insert “is” in para 3.1 4.</td>
<td>Accuracy.</td>
</tr>
<tr>
<td>111.</td>
<td>108</td>
<td>Insert “Where planning permission is required” at beginning of para 19.1.</td>
<td>Accuracy.</td>
</tr>
<tr>
<td>112.</td>
<td>109</td>
<td>Insert “and is not adequately or appropriately screened” under third bullet point in para 19.2.</td>
<td>Accuracy.</td>
</tr>
</tbody>
</table>

## Appendix C – Access and Parking Standards

<table>
<thead>
<tr>
<th>Mod No.</th>
<th>Page No.</th>
<th>Modification</th>
<th>Reason for Modification</th>
</tr>
</thead>
<tbody>
<tr>
<td>113.</td>
<td>117</td>
<td>Car Parking Standards Table – Insert an extra column showing Argyll and Bute Minimum Parking Standards. (see Car Parking Standards Table on page 17).</td>
<td>In response to objection to allow greater flexibility and a range of parking options.</td>
</tr>
<tr>
<td>114.</td>
<td>118</td>
<td>Delete “(for single person occupation)” and insert “(single bedroom)” in Zero Parking Provision Table.</td>
<td>In response to objection to provide greater clarity.</td>
</tr>
<tr>
<td>Mod No.</td>
<td>Page No.</td>
<td>Modification</td>
<td>Reason for Modification</td>
</tr>
<tr>
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<td>------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>115.</td>
<td>125</td>
<td>Business and Industry Allocations – Helensburgh and Lomond Table – Change Area (Ha) for BI-AL 3/1 to “3.5 (Net)”.</td>
<td>Please refer to each Area’s respective map modifications for reasons for insertions and deletions.</td>
</tr>
<tr>
<td>116.</td>
<td>125</td>
<td>Business and Industry Allocations – Islay Table – Delete BI-AL 10/3.</td>
<td>Please refer to each Area’s respective map modifications for reasons for insertions and deletions.</td>
</tr>
<tr>
<td>117.</td>
<td>126</td>
<td>Business and Industry Allocations – Lorn and The Inner Isles Table – Insert BI-AL 5/11.</td>
<td>Please refer to each Area’s respective map modifications for reasons for insertions and deletions.</td>
</tr>
<tr>
<td>118.</td>
<td>126</td>
<td>Business and Industry Allocations – Mull Table – Delete BI-AL 6/1. Insert BI-AL 6/2.</td>
<td>Please refer to each Area’s respective map modifications for reasons for insertions and deletions.</td>
</tr>
<tr>
<td>119.</td>
<td>126</td>
<td>Business and Industry Allocations – Insert Table for Tiree with BI-AL 7/1.</td>
<td>Please refer to each Area’s respective map modifications for reasons for insertions and deletions.</td>
</tr>
<tr>
<td>120.</td>
<td>127</td>
<td>Community Facilities and Recreation Allocations – Helensburgh and Lomond Table – Insert CFR-AL 3/2. Delete footnote and insert “Should the new Hermitage Academy not proceed at this location it will retain its greenbelt designation”.</td>
<td>Please refer to each Area’s respective map modifications for reasons for insertions and deletions.</td>
</tr>
<tr>
<td>121.</td>
<td>128</td>
<td>Housing Allocations – Cowal Table – Delete H-AL 2/7 and H-AL 2/8. Change H-AL 2/11 number of units to “25”.</td>
<td>Please refer to each Area’s respective map modifications for reasons for insertions and deletions.</td>
</tr>
<tr>
<td>122.</td>
<td>129</td>
<td>Housing Allocations – Cowal Table continued – Change H-AL 2/15 Affordability Minimum % to “0%”.</td>
<td>Please refer to each Area’s respective map modifications for reasons for insertions and deletions.</td>
</tr>
<tr>
<td>123.</td>
<td>129</td>
<td>Housing Allocations – Helensburgh and Lomond Table – Change number of units for H-AL 3/2 to “10”, H-AL 3/11 to “30”, H-AL 3/8 to “30” and the Total to “308”.</td>
<td>Please refer to each Area’s respective map modifications for reasons for insertions and deletions.</td>
</tr>
<tr>
<td>124.</td>
<td>130</td>
<td>Housing Allocations – Islay Table – Change H-AL 10/6 number of units to “15”. Change Total to “183”.</td>
<td>Please refer to each Area’s respective map modifications for reasons for insertions and deletions.</td>
</tr>
<tr>
<td>125.</td>
<td>130</td>
<td>Housing Allocations – Mid Argyll Table – Delete H-AL 12/13 and H-AL 12/14. Change Total to “271”.</td>
<td>Please refer to each Area’s respective map modifications for reasons for insertions and deletions.</td>
</tr>
<tr>
<td>126.</td>
<td>130</td>
<td>Housing Allocations – North Kintyre Table – Delete H-AL 13/3 and insert H-AL 13/4.</td>
<td>Please refer to each Area’s respective map modifications for reasons for insertions and deletions.</td>
</tr>
<tr>
<td>Mod No.</td>
<td>Page No.</td>
<td>Modification</td>
<td>Reason for Modification</td>
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<td>-------------------------</td>
</tr>
<tr>
<td>Appendix F – Allocation and Potential Development Area Schedules continued</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>127.</td>
<td>131</td>
<td>Housing Allocations – Lorn and The Inner Isles Table – Insert H-AL 5/23. Change H-AL 5/21 number of units to “40”. Delete H-AL 5/23 and change Total to “813”.</td>
<td>Please refer to each Area’s respective map modifications for reasons for insertions and deletions.</td>
</tr>
<tr>
<td>128.</td>
<td>132</td>
<td>Housing Allocations – Mull Table – Change H-AL 6/2 number of units to “10” and affordability minimum % to “25%”. Insert H-AL 6/6. Change Total to “74”.</td>
<td>Please refer to each Area’s respective map modifications for reasons for insertions and deletions.</td>
</tr>
<tr>
<td>129.</td>
<td>134</td>
<td>Mineral Allocations – Mull Table – Change Ref No. for MIN-AL 6/1 to “6/2” and MIN-AL 6/2 to “6/1”.</td>
<td>Please refer to each Area’s respective map modifications for reasons for insertions and deletions.</td>
</tr>
<tr>
<td>130.</td>
<td>134</td>
<td>Potential Development Areas – Bute Table – Delete PDA 1/3.</td>
<td>Please refer to each Area’s respective map modifications for reasons for insertions and deletions.</td>
</tr>
<tr>
<td>131.</td>
<td>135</td>
<td>Potential Development Areas – Cowal Table – Delete PDA 2/8 and PDA 2/49. Insert the word “Education” under Use for PDA 2/42. Insert PDA 2/101 and 2/102.</td>
<td>Please refer to each Area’s respective map modifications for reasons for insertions and deletions.</td>
</tr>
<tr>
<td>132.</td>
<td>135</td>
<td>Potential Development Areas – Inveraray Table – Delete PDA 9/14.</td>
<td>Please refer to each Area’s respective map modifications for reasons for insertions and deletions.</td>
</tr>
<tr>
<td>133.</td>
<td>136</td>
<td>Potential Development Areas – Islay Table – Delete PDA 10/22 and PDA 10/27.</td>
<td>Please refer to each Area’s respective map modifications for reasons for insertions and deletions.</td>
</tr>
<tr>
<td>134.</td>
<td>137</td>
<td>Potential Development Areas – Jura Table – Delete PDA 11/1 and PDA 11/2.</td>
<td>Please refer to each Area’s respective map modifications for reasons for insertions and deletions.</td>
</tr>
<tr>
<td>135.</td>
<td>137</td>
<td>Potential Development Areas – Mid Argyll Table – Insert PDA 12/31.</td>
<td>Please refer to each Area’s respective map modifications for reasons for insertions and deletions.</td>
</tr>
<tr>
<td>136.</td>
<td>138</td>
<td>Potential Development Areas – Mid Argyll Table continued – Change PDA 12/37 Use to “Recreation/Open Space with potential for small scale enabling housing development (not exceeding 5 houses)”. Delete PDA 12/41. Insert PDA 12/83.</td>
<td>Please refer to each Area’s respective map modifications for reasons for insertions and deletions.</td>
</tr>
<tr>
<td>137.</td>
<td>138</td>
<td>Potential Development Areas – North Kintyre Table – Delete PDA 13/3.</td>
<td>Please refer to each Area’s respective map modifications for reasons for insertions and deletions.</td>
</tr>
<tr>
<td>138.</td>
<td>139</td>
<td>Potential Development Areas – South Kintyre Table – Delete PDA 14/62, PDA 14/24, PDA 14/25 and PDA 14/61.</td>
<td>Please refer to each Area’s respective map modifications for reasons for insertions and deletions.</td>
</tr>
<tr>
<td>139.</td>
<td>139</td>
<td>Potential Development Areas – Coll Table – Delete PDA 4/1 and PDA 4/2.</td>
<td>Please refer to each Area’s respective map modifications for reasons for insertions and deletions.</td>
</tr>
<tr>
<td>Mod No.</td>
<td>Page No.</td>
<td>Modification</td>
<td>Reason for Modification</td>
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<td>-------------------------</td>
</tr>
<tr>
<td>143.</td>
<td>142</td>
<td>Potential Development Areas – Tiree Table – Delete PDA 7/1.</td>
<td>Please refer to each Area’s respective map modifications for reasons for insertions and deletions.</td>
</tr>
<tr>
<td>144.</td>
<td>144</td>
<td>Areas for Action – Helensburgh and Lomond Table – Remove “Iona Cottage” AFA 3/18 Location.</td>
<td>Please refer to each Area’s respective map modifications for reasons for insertions and deletions.</td>
</tr>
<tr>
<td>145.</td>
<td>144</td>
<td>Areas for Action – Lorn and The Inner Isles Table – Delete AFA 5/9.</td>
<td>Please refer to each Area’s respective map modifications for reasons for insertions and deletions.</td>
</tr>
<tr>
<td>146.</td>
<td>144</td>
<td>Areas for Action – Mull Table – Delete the word “Local” and insert “Strategic” from AFA 6/3 Nature of Action.</td>
<td>Please refer to each Area’s respective map modifications for reasons for insertions and deletions.</td>
</tr>
<tr>
<td>147.</td>
<td>145</td>
<td>Areas for Action – Tiree Table – Delete the word “development” and insert “redevelopment for residential, business, commercial” to AFA 7/2 Nature of Action.</td>
<td>Please refer to each Area’s respective map modifications for reasons for insertions and deletions.</td>
</tr>
<tr>
<td>148.</td>
<td>146</td>
<td>Area for Action – Mid Argyll Table – Delete AFA 14/1, AFA 14/2, AFA 14/3, AFA 14/4, AFA 14/5, AFA 14/6, AFA 13/3, AFA 13/1 and AFA 13/2. Insert new Table for North Kintyre – Add AFA 13/3, AFA 13/1 and AFA 13/2. Insert new Table for South Kintyre – Add AFA 14/1, AFA 14/2, AFA 14/3, AFA 14/4, AFA 14/5, AFA 14/6 and AFA 14/7</td>
<td>Please refer to each Area’s respective map modifications for reasons for insertions and deletions.</td>
</tr>
<tr>
<td>Mod No.</td>
<td>Page No.</td>
<td>Modification</td>
<td>Reason for Modification</td>
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<td>------------------------------------------------------------------------------</td>
<td>-----------------------------------------------</td>
</tr>
<tr>
<td>149.</td>
<td>148</td>
<td>Change “Core retail area” to “Core shopping area”.</td>
<td>Consistency of usage throughout Plan.</td>
</tr>
</tbody>
</table>
| 150.   | 150      | Insert new para “Local nature conservation sites – These are shown on the Rural Constraints map, and are locally important sites for wildlife or nature interests. They have been judged to be important because:
(A) the site supports a natural or semi-natural plant community(ies), and/or
(B) the site supports a high diversity of floral species and contains uncommon/rare fauna, and/or
(C) the site is of value for environmental education for local communities and local schools and/or
(D) is a landscape, landform or rock feature identified as having a particular value for education and tourism.
Local Nature Conservation Sites include:
• Local Nature Reserves
• Regionally Important Geological/Geomorphological Sites
• The former sites of important for nature conservation (SINC)
• Other local wildlife sites” after “Local community” para. | Clarity. |
| 151.   | 149      | Insert new sentence at end of Key environmental features para – “In addition, lists of Key Environmental Features issued by Community Councils for their area will be taken into account as material considerations”. | In response to representations to take account of Community Council KEF lists. |
| 152.   | 152      | Insert new para “Local Nature Reserve – a protected area of land designated by a local authority because of its local special natural interest and/or educational value” after “Local Nature Conservation Sites” para. | Clarity. |
| 153.   | 150      | Insert new para “Natural resources – materials that occur in nature and are essential or useful to humans, such as water, air, land, forests, fish and wildlife, topsoil and minerals” after “Natural heritage resources” para. | Clarity. |
| 154.   | 153      | Insert new para “Open Space Protection Areas - areas of valued open space, sports pitches and playing fields as identified in the Proposal Maps of the Local Plan” after “Open country development”. | Clarity. |
## CAR PARKING STANDARDS

<table>
<thead>
<tr>
<th>Reference to m² is to Gross Floor Area</th>
<th>National Standard</th>
<th>Parking Standard</th>
<th>National Maximum Parking Standard</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bulk Retailing Stores</td>
<td>1 space per 25m²</td>
<td>1 space per 14m²</td>
<td></td>
</tr>
<tr>
<td>Shops</td>
<td>1 space per 30m²</td>
<td>1 space per 20m²</td>
<td></td>
</tr>
<tr>
<td>Wholesale Warehouses</td>
<td>1.1 space per 100m²</td>
<td>1 space per 20m²</td>
<td></td>
</tr>
<tr>
<td>Business (Use Class 4)</td>
<td>1 space 50m²</td>
<td>1 space per 30m²</td>
<td></td>
</tr>
<tr>
<td>Cinemas (Use Class 11 (a))</td>
<td>1 space per 10 seats</td>
<td>1 space per 5 seats</td>
<td></td>
</tr>
<tr>
<td>Conference Facilities</td>
<td>1 space per 10 seats</td>
<td>1 space per 5 seats</td>
<td></td>
</tr>
<tr>
<td>Stadia</td>
<td>Not applicable</td>
<td>1 space per 15 seats</td>
<td></td>
</tr>
<tr>
<td>Leisure (other than Cinemas and Stadia)</td>
<td>1 space per 22m²</td>
<td>1 space per 22m²</td>
<td></td>
</tr>
<tr>
<td>Higher and Further Education</td>
<td>1 space per 2 staff plus 1 space per 15 students</td>
<td>1 space per 2 staff plus 1 space per 15 students</td>
<td></td>
</tr>
<tr>
<td>Open Air Markets</td>
<td>1 space per 50m² site area</td>
<td>1 space per 50m² site area</td>
<td>folios</td>
</tr>
<tr>
<td>Restaurants (Use Class 3) Hot Food Takeaways and Public Houses</td>
<td>2 spaces per 22m²</td>
<td>2 spaces per 22m²</td>
<td></td>
</tr>
<tr>
<td>Housing (Use Class 9) and Flatted Dwellings</td>
<td>1.5 spaces per 1 bedroom unit</td>
<td>1.5 spaces per 1 bedroom unit</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2 spaces per 2-3 bedroom unit</td>
<td>2 spaces per 2-3 bedroom unit</td>
<td></td>
</tr>
<tr>
<td></td>
<td>3 spaces per 4 or more bedroom units</td>
<td>3 spaces per 4 or more bedroom units</td>
<td></td>
</tr>
<tr>
<td>Town Centre Housing (Use Class 9) (all Scales) and Flatted Dwellings (medium to large scale)</td>
<td>0.5 spaces per unit</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Disabled Car Parking provision

A minimum of 4% of the parking spaces provided should be designated for disabled parking. To comply with Building Regulation requirements for buildings other than dwellings, parking for the disabled should be provided at a ratio at least one car parking space per 20 parking spaces or part thereof. Disabled parking spaces should be clearly marked and not be not more than 45 metres from the principal entrance of the building. Disabled parking spaces should be at least 5 x 2.5 metres, with a clear space at least a 1 metre wide along one long side to facilitate access for wheelchairs. The clear space may be shared between 2 car parking spaces.
ACTION PLAN CHANGES

Please note that the following amendments are as a direct result of representations received. Further changes will be made to the Action Plan to update the information in line with the emerging Written Statement.

Schedule 1
Reference Prop SI 2
Delete ‘Study for Oban Action Plan to be commissioned 2005’
Add ‘Oban Action Plan published June 2006’

Reference Prop SI 4
Add ‘Helensburgh Partnership set up Spring 2006’
Add ‘Business Study undertaken Spring 2006’

Reference Rec SI 2
Add ‘Improvements announced by SE’

Reference REC SI 3
Correct ‘Initiative at the Edge has been addressed for Colonsay, Jura and Coll’

Schedule 2.2
Other Organisations : Delete ‘Westrans’ replace with ‘SPfT’

Schedule 2.3
Other Organisations : Delete ‘Westrans’ replace with ‘SPfT’

Schedule 4.1
Add – Ongoing ‘AFA established in Modified Local Plan’

Schedule 2
Helensburgh Waterfront
Add to comments ‘Helensburgh Partnership established Spring 2006’

Helensburgh Town Centre
Change Priority. Delete ‘2’ replace with ‘1’
Add to comments ‘Helensburgh Partnership established Spring 2006’

Greenbelt
Change Priority. Delete ‘4’ replace with ‘1-4’
Add to comments ‘Work underway but to carry through to longer term’

Colgrain Iona Cottage/ Black Wood
Rename as follows ‘Colgrain Iona Cottage/ Black Wood’

Oban – South Pier/Railway
Comments. Delete ‘Included in major strategy for expansion of Oban’ and replace with ‘Oban Action Plan published June 2006’

Oban George Street/north pier
Comments. Delete ‘Included in major strategy for expansion of Oban’ and replace with ‘Oban Action Plan published June 2006’
Oban Esplanade
Comments. Delete ‘Included in major strategy for expansion of Oban’ and replace with ‘Oban Action Plan published June 2006’

Oban Bay
Comments. Delete ‘Included in major strategy for expansion of Oban’ and replace with ‘Oban Action Plan published June 2006’

Dunstaffnage Bay
Comments. Delete ‘Included in major strategy for expansion of Oban’ and replace with ‘Oban Action Plan published June 2006’

Schedule 3
To undertake a town centre and waterfront strategy and action plan to assist in the regeneration of Helensburgh
Reason: To reflect the full extent of the strategy

To continue to implement the Council’s Transportation Strategy with all relevant partners.
Other Agencies: WESTRANS, SPfT, HITRANS

To create a Joint Transport Strategy with Westrans and Hitrans to consider transport policy issues on a Regional and National level.
Lead Agency: ABC, SPfT, HITRANS
Other Agencies: WESTRANS, HITRANS, ABC, SE
Priority: 1

HELENBURGH AND LOMOND AREA
Areas for Action Schedules

AFA 3/1 Helensburgh Waterfront
1 Point 6, 6th Bullet point delete ‘revised supermarket redevelopment options’
2 Add to Point 6, new bullet point ‘the framework principles of the Helensburgh Town Centre and Waterfront Report, September 2004, prepared by yellow book.’

AFA 3/2 Helensburgh Town Centre
1 Add to Point 1 the following ‘1. To pursue an area for action, which will support the Structure Plan proposal PROP SI 4E) to regenerate and enhance the Helensburgh town centre and waterfront areas and take into account the framework principles of the Helensburgh Town Centre and Waterfront Report, September 2004, prepared by yellow book.’

AFA 3/5 Greenbelt
1 Delete point 7 ‘To consider the greenbelt ‘areas of search’ which have been identified by this local plan’
Reason: To reflect the current position where greenbelt ‘areas of search’ have been removed from the Finalised Draft Local Plan.
2 Add new point 7 ‘To undertake an examination of the supply and demand context for development in the Helensburgh area in order to identify the broad extent of future growth as required by SPP 21 Green Belts’
Reason: To take account of the recently published SPP 21 : Green Belts.
3 Add new point 8 ‘To undertake an assessment of the northern and eastern approaches to Helensburgh in order to identify potential issues and opportunities for environmental improvement which relate to the overall aim for the continued regeneration and enhancement of Helensburgh.’

4 Add new point 9 ‘To involve relevant key stakeholders such as local community councils, the Helensburgh Green Belt Group and local land owners in future actions within the AFA 3/5.’

AFA 3/6 Kilmahew/Cardross
1 Point 2 amend as follows ‘To consider ensure that opportunities and potential for the area to be used and accessed by the general public (particularly the Cardross community) for leisure and recreation purposes eg. a country park are realised’
Reason: To take into account representations made regarding access in this area.

Potential Development Area Schedules
PDA 3/15
1 Identified Constraints – Change Multiple Ownership tick to Yes from No.
2 Add to relevant policies the following ‘STRAT FW 2; LP ENV 7; LP ENV 8’
3 Correct spelling ‘APPENDIC’ to ‘APPENDIX’

OBAN, LORN AND THE ISLES
Areas for Action Schedules
AFA 6/3 Sound of Iona
1 Under ‘STATUS’ delete tick in ‘Local’ box, add tick in ‘Strategic’ box.

AFA 5/10 Cuan Sound, AFA 5/11 Easdale Sound, AFA 5/12 Lynn of Lorn
1 Under Nature of Action replace ‘Structure Plan Schedule 1 (5)’ with ‘Structure Plan Schedule 1’

Potential Development Area Schedules
PDA 5/55 Connel – Saulmore Farm
1 Potential golf course and associated leisure facility development.
2 Enabling housing

Supplementary Information and Guidance
1 Section 19. Sites of Importance for Nature Conservation.
   To be renamed Local Nature Conservation Sites
   Note: These areas are to be shown in the Rural Constraints Map

2 In section 19 rename ‘20. Camis Eskan Glen’ as ‘20. Camis Eskan Glen (Red Burn)’

3 In section 19 add to end of list heading ‘Regionally Important Geological/Geomorphological Sites’ and add under this ‘220. Ardmore Point’

4 Section 23. Tree Preservation Orders is being amended and updated to reflect the current situation. This will be available at the end of May.

5 Section 7. Conservation Area Character Appraisals change ‘Townscape Policy Area’ to ‘Special Built Environment’
5 Add note to ‘16. Population and Related Profiles’ as follows: ‘Note: Because of differences in the way the 1991 and 2001 Census figures were adjusted to allow for under enumeration, population figures are not directly comparable. However, errors resulting from the differences in methodology are deemed to be minor.’
### APPENDIX B

#### LIST OF REASONS FOR MODIFICATIONS TO MAPS

<table>
<thead>
<tr>
<th>Mod No.</th>
<th>Map No.</th>
<th>Modification</th>
<th>Reason for Modification</th>
</tr>
</thead>
<tbody>
<tr>
<td>BC1</td>
<td>Bute 3</td>
<td>Remove Rural Opportunity Areas at Lubas and Largiezien Farms, South Bute and replace with Sensitive Countryside.</td>
<td>In response to Community representations and to reflect the importance of the archaeological assets in the area.</td>
</tr>
<tr>
<td>BC2</td>
<td>3 – Port Bannatyne</td>
<td>Remove PDA 1/3 at Port Bannatyne and replace with Countryside Around Settlement.</td>
<td>In response to Community representations and following further planning assessment.</td>
</tr>
<tr>
<td>BC3</td>
<td>8 - Kingarth</td>
<td>Reduce the extent of the settlement area at Kingarth and replace with Countryside Around Settlement.</td>
<td>In response to Community representations and following further planning assessment.</td>
</tr>
<tr>
<td>BC4</td>
<td>9 - Kilchattan</td>
<td>Reduce the extent of the settlement area and extend the Countryside Around Settlement area at Kilchattan, Bute.</td>
<td>In response to Community representations and following further planning assessment.</td>
</tr>
<tr>
<td>BC5</td>
<td>Cowal 5</td>
<td>Removal of Rural Opportunity Areas in Glendaruel and replace with Sensitive Countryside.</td>
<td>Further assessment of ROA’s indicate that development on the open floor of the Glen would be inappropriate and contrary to settlement pattern.</td>
</tr>
<tr>
<td>BC6</td>
<td>4 - Strachur</td>
<td>New PDA (2/102) at Strachur.</td>
<td>As a result of a request by the community to allow low-cost/social rented housing on community owned land.</td>
</tr>
<tr>
<td>BC7</td>
<td>4 - Strachur</td>
<td>New Open Space Protection Area in Strachur.</td>
<td>As a result of a request by community representatives and to safeguard community owned land.</td>
</tr>
<tr>
<td>BC8</td>
<td>5 - Strachur</td>
<td>Expansion of settlement boundaries at Strachur.</td>
<td>As a result of a request by landowner to regularise the settlement boundary.</td>
</tr>
<tr>
<td>BC9</td>
<td>17- Sandbank</td>
<td>Reduce the extent of Housing Allocation H-AL 2/11 at Ardnadam, Sandbank.</td>
<td>In response to advice from Historic Scotland regarding the effect on the setting of an adjacent Scheduled Ancient Monument (Adam’s Cave).</td>
</tr>
<tr>
<td>BC10</td>
<td>18 - Dunoon</td>
<td>Remove PDA 2/49 at Hafton, Dunoon and retain within Countryside Around Settlement.</td>
<td>In response to Community representations and following further planning assessment.</td>
</tr>
<tr>
<td>BC11</td>
<td>18 - Dunoon</td>
<td>Remove PDA 2/8 at Loch Loskin, Dunoon and retain within Countryside Around Settlement.</td>
<td>In response to Community representations and following further planning assessment.</td>
</tr>
<tr>
<td>BC12</td>
<td>23/24 - Innellan</td>
<td>Remove Housing Allocations H-AL 2/7 and H-AL 2/8 at Innellan and reinstate as Countryside Around Settlement.</td>
<td>As a result of significant community opposition, road access issues and lack of communication with landowner/developer.</td>
</tr>
<tr>
<td>Mod No.</td>
<td>Map No.</td>
<td>Modification</td>
<td>Reason for Modification</td>
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<tr>
<td>BC13</td>
<td>27 – Lower Altgatraig</td>
<td>Reduce settlement boundaries at Lower Altgatraig and Newton and replace with Countryside Around Settlement.</td>
<td>As a result of community concern of over development and further planning assessment having regard to development take-up and potential landscape impacts.</td>
</tr>
<tr>
<td>BC14</td>
<td>28 - Colintraive</td>
<td>Reduce settlement boundaries at Colintraive and replace with Countryside Around Settlement.</td>
<td>As a result of community concern of over development and further planning assessment having regard to development take-up and potential landscape impacts.</td>
</tr>
<tr>
<td>BC15</td>
<td>29/30 – Kames/Tighnabruaich</td>
<td>New PDA (2/101) (Acharossan Forest) at Tighnabruaich.</td>
<td>To allow the development of a pilot scheme for low cost affordable housing – ‘forest crofts’</td>
</tr>
<tr>
<td>BC16</td>
<td>31- Kames/Tighnabruaich</td>
<td>New Open Space Protection Area at Kames Hotel</td>
<td>To safeguard the amenity of the local area and as a result of Community representations and recent planning decision.</td>
</tr>
<tr>
<td>BC17</td>
<td>33 - Portavadie</td>
<td>Extend the Open Space Protection Area and the Countryside Around Settlement at Portavadie.</td>
<td>In response to Community representations and following further planning assessment.</td>
</tr>
<tr>
<td>BC18</td>
<td>9 - Inverfyne</td>
<td>Remove PDA 9/14 (Sawmill Field) and retain within Sensitive Countryside.</td>
<td>In response to SEPA objection based on the potential for flooding adjacent to the River Fyne.</td>
</tr>
</tbody>
</table>

**GENERAL MODIFICATIONS (issues where a modification affects multiple maps)**

1. All Rural Opportunity Areas have been adjusted to remove areas containing Special Protection Areas, Special Areas of Conservation, Ramsar Sites and Sites of Special Scientific Interest and replaced with Sensitive or Very Sensitive Countryside. Reason: To take the international/national wildlife interests into account and reflect recent ECJ ruling following SNH advice.

**GENERAL EDITORIAL CORRECTIONS (not requiring modification)**

1. Local Nature Conservation Sites will be added to the Rural Constraints Map from the SIG.
2. Protected Waste Management Sites will be added to the Proposals Maps from the SIG.
3. Various cartographic design issues to be addressed relating to Greenbelt and foreshore.
APPENDIX C
OVERVIEW OF REPRESENTATIONS ON FINALISED DRAFT LOCAL PLAN

Bute

General

- There have been a number of letters of objection relating to the Rural Opportunity Areas at Lubas and Largiezean Farms. The objections relate specifically to the potential effect of development within these areas on the heritage assets in the vicinity.

Kingarth/Kilchattan

- A number of letters of objection have been submitted relating to the settlement zones identified in the Plan – implications for any applications for infill/rounding-off.

Port Bannatyne

- One objection to the inclusion of PDA 1/3.

Rothesay

- One objection to the inclusion of the former gas works site at Barone Road within AFA 1/4 rather than as a housing allocation/PDA.
- Objection by Fyne Homes relating to the lack of sites identified for affordable housing.
- Objection by AIE relating to the requirement for additional Business/Industry allocation.

Straad

- Two objections to the settlement boundaries and further ‘infill’ development.

Cowal

General – Devt. Zones/Areas

- Representation by National Park Authority requesting that the Council provide a more robust justification of the Rural Opportunity Areas and the scale and nature of development envisaged within such areas.
- The National Park Authority express concern over the identification of areas of search for wind farm development at the head of Loch Fyne, Glendaruel and to the west of Dunoon. Suggest that Policy RE 1 be amended to make reference to Search Areas in proximity to the National Park.
- The National Park Authority objects to Policy AQ 1 on grounds that the Council has no jurisdiction over land based developments within the NP.
• One representation concerning the potential redevelopment of the Butterbridge Farm steadings and a request to replace the existing Very Sensitive Countryside designation to that of Sensitive Countryside to assist in the redevelopment process.

• One letter of representation requesting that an area of ground within the Glenstriven Estate be changed from a Constrained Area to a Preferred Area of Search to facilitate a windfarm proposal.

• One representation suggesting that the Plan should make provision for allotments in the Dunoon area.

• One representation requesting that a Preferred Area of Search for windfarm development at Otter Ferry be amended to include a proposed windfarm site.

Ardkinglas Estate

• Objection by the Estate to the Sensitive Countryside designation in the vicinity of the Pan Fish and Lakeland Hatchery that may affect future development proposals relating to these businesses.

Inverfyne (Head of Loch Fyne)

• Objection by SEPA and adjacent estate to housing development on PDA 9/14.

Castle Toward

• Three objections relating to the designation of the PDA 2/42 although the substance of these objections relate to the potential loss of the existing use through the Council’s planned disposal of the facility.

Clachaig

• One letter of objection relating to the provision of a public water supply and private drainage systems within the village.

Colintraive

• Nine objections, including the Community Council relating to the settlement boundaries and the scale of development within the village.

Dunoon

• One objection to the proposed replacement of Dunoon Grammar school and the planned expansion of all settlements in Cowal.

• One objection to PDA 2/8 (Loch Loskin) and PDA 2/49 (Hafton) related to the potential effect of leisure/tourism development on wildlife and woodlands.

Innellan

• Considerable numbers of objections, including a petition signed by more than 270 people, related to the Housing Allocations H-AL 2/7 and H-AL 2/8.

Leachd
• One letter of representation from landowner relating to the settlement boundary.

**Leanach**

• One letter of representation from landowner relating to the settlement boundary.

**Newton**

• Two letters of representation from landowner relating to the identification of additional development land to accommodate tourist accommodation.

**Portavadie**

• Six letters of representation relating to the extension of the Open Space Protection Area to include a derelict shack.
• One of these letters also mentions that the PDA (2/35, 2/37 and 2/38) specifications does not mention the density of housing to be contained in each or the affordability element. This is assumed *not* to be an objection to these PDA’s in principle.

**Sandbank**

• One letter of objection (Historic Scotland) relating to a reduction in the extent of housing allocation H-AL 2/11 to protect the setting of the adjacent scheduled Monument (Adams Cave).

**Strachur**

• One letter of representation from a landowner asking for additional ground to be included within the settlement boundary at two locations.
• One letter of representation requesting that Housing Allocation H-AL 2/15 not include affordable housing element. This view was reinforced by the Community Council.
• 11 letters of support for inclusion of ground southwest of the property known as Strathderie within the settlement boundary. This may relate to a current or imminent planning application.
• One letter of objection relating to the settlement boundary next to the Housing Allocation H-AL 2/15
• One letter of representation regarding the settlement boundary at Letters Farm.

**Tighnabruaich**

• One letter of representation regarding the inclusion of a new PDA in the Acharossan woodland (to the immediate north of H-AL 2/19) to allow for a “Forest Croft” development.

**Toward**

• 12 Letters of objection concerning PDA 2/100 and H-AL 2/19.
• 5 letters of support for the inclusion of PDA 2/100.
## APPENDIX D

Modifications/ and potential PLI issues to the Finalised Draft Local Plan
It should be noted that modifications to the plan could give rise to additional PLI issues.

<table>
<thead>
<tr>
<th>Area Representations</th>
<th>General and Policy Issues</th>
<th>Modifications</th>
<th>Potential Issues for PLI</th>
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<tr>
<td>OLI</td>
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<td>54 (Lorn) 29 (Mull) (2 Iona) (3 Tiree) and (3 Coll); 91 modifications in total</td>
<td>103 potential issues for PLI</td>
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<td>31 (Mid Argyll Mainland), 14 (North and South Kintyre), 8 (Islay), 3 (Jura); 56 modifications in total</td>
<td>33 potential issues for PLI</td>
</tr>
</tbody>
</table>
Supplementary Report No 1

Legal Background

In amplification of the report presented to the Area Committee on 2nd May 2006, it may be helpful to set out some key elements of planning law as it affects this case.

In the Town and Country Planning (Scotland) Act 1997, section 26 (2) sets out various operations or uses of land which shall not be taken to involve development, including:

(d) The use of any buildings or other land within the curtilage of a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse as such.

Furthermore, Class 3 of Schedule 1 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 grants planning permission, subject to criteria, for “the provision within the curtilage of a dwellinghouse of any building or enclosure…required for a purpose incidental to the enjoyment of the dwellinghouse…” Subsection 3 of that Class defines such purposes as including “the keeping of pet animals….for the domestic needs or personal enjoyment of the occupants of the dwellinghouse”

The point at which an animal keeping activity exceeds an incidental use is not clear. From reported appeal and court cases, mainly in England & Wales, there is no rule of thumb as to the number of animals which may housed, although it is suggested that the keeping of more than 6 dogs should call into question whether the activity substantially changes the domestic character of the property.

In the present case, the applicant has assured the Council that his dogs are kept for his own sporting purposes. Consequently, the buildings which are the subject of the application only require planning permission because they would be nearer to Crochan Road than the applicant’s dwellinghouse. Since the applicant has applied for planning permission on that basis, a further planning application would be required should these buildings or other buildings or land within the curtilage be used for other uses, such as kennelling or the breeding of dogs.

Angus J Gilmour
Head of Planning Services

Case Officer: J. Irving 01369-70-8621
Area Team Leader D. Eaglesham 01369-70-8608
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(A) THE APPLICATION

Development Requiring Express Planning Permission.

- Retention of 4 domestic Dog Kennels/Runs and 2 Storage Sheds. These require permission because of their proximity to a public road.

(B) RECOMMENDATION

It is recommended that planning permission be Granted subject to the following conditions and reasons together with a 'note to the applicant' set out overleaf.

(C) DETERMINING ISSUES AND MATERIAL CONSIDERATIONS

The department has received 11 letters of representation from 5 neighbouring properties of Dalriada raising concerns over the commercial use of the kennels/runs for the boarding and breeding of dogs and the impact of the kennels upon the amenity of the surrounding area.

No substantive evidence has been produced that categorically proves the kennels are for a commercial use and the applicant has advised in writing the kennels are simply to provide accommodation for his own dogs. The department is satisfied that the structures are for a domestic use and it is proposed to condition the grant of permission to ensure the same.

Concerns have been received regarding adverse odour and noise levels emanating from the keeping of dogs, however the Council’s Public Protection Service has raised no such concerns in this regard subject to suitable conditions. This includes an agreed management plan for the maintenance of the kennels, appropriate foul drainage arrangements and suitable screening to the west of the kennel structures to reduce the impact of the development upon the nearest neighbouring dwellinghouse, Pine Cottage. On this basis the retention of the kennels/runs and garden sheds are considered to be acceptable.

Angus J Gilmour
Head of Planning Services

Case Officer: J. Irving 01369-70-8621
Area Team Leader D. Eaglesham 01369-70-8608

"In reaching my assessment on this application, I have had regard to the documents identified in brackets above which are available for public inspection in terms of the Local Government (Access to Information) Act 1985".
CONDITIONS AND REASONS RELATIVE TO APPLICATION 05/02427/DET

1. The dog kennels hereby approved shall be used for a purpose that is incidental to the enjoyment of the associated dwellinghouse, Dalriada and shall be used solely for keeping of dogs for a domestic purpose.

   **Reason:** For the avoidance of doubt and in the interests of residential amenity to ensure the kennels are not used for a purpose outwith that associated with a residential property.

2. The metal kennels/runs shall not be utilised for the keeping of dogs after 7.00 pm on one day and before 7.00 am the following day. No more than 8 dogs shall be accommodated in the kennel/run areas at any one time unless the prior written consent of the Planning Authority is obtained for variation of these restrictions.

   **Reason:** In the interests of preserving the residential amenity of neighbouring residential properties.

3. **Within one month from the date of this permission** a management plan shall be submitted to and approved in writing by the Planning Authority in consultation with Public Protection Unit, such a plan shall provide full details of suppression measures to address odour and noise from the keeping of dogs. This shall include full details for the management of the foul drainage arrangements from the kennels and suitable screening options to the west of the kennels that shall be solid in construction and run the entire length of the kennel block at a height of two metres. Any approved measures shall be implemented within three months from the date of this permission.

   **Reason:** In the interest of preserving the residential amenity of neighbouring residential properties.

**NOTE TO APPLICANT**

You are advised that the permission hereby granted (Ref: 05/02427/DET) relates to four dog kennels, the use of which is for domestic purposes only. Any commercial activity that includes the breeding and boarding of dogs would require the submission of a further change of use planning application. Should you wish to discuss the matter further please contact the department tel 01369-708621.
APPENDIX RELATIVE TO 05/02427/DET

A. OTHER MATERIAL CONSIDERATIONS

(i) Site History

05/00086/ENFOTH - An associated enforcement report elsewhere on this agenda.

(ii) Consultations

Public Protection Service (Memo dated 22nd March 2005) No objection subject to Conditions.

Domestic use of the kennels do not require a licence under the Animal Boarding Establishments Act 1963 or the Breeding of Dogs Acts 1973 and 1991 as amended as there will be no "business" of providing accommodation for other people's animals nor will there be 5 or more litters of pups in any period of 12 months or a "business" of breeding of dogs for sale.

Odour can arise from the accumulation of urine/faecal material within the runs. To overcome this, the flooring should be of solid construction, laid to a fall and drain away to a suitable sewer or soak away capable of accepting foul waste. A management plan should be in place to describe the frequency and methods of cleaning to prevent odour nuisance.

The keeping of dogs can affect the amenity of the surrounding area due to excessive barking. Factors which can cause dogs to bark include external disturbances such as visitors to the property, boredom and lack of stimulation. The construction of the kennel/run area is not designed for noise absorption, therefore control of noise must be achieved by other means, such as the restriction of numbers of dogs and/or times of usage.

The Kennel Club (letter dated 21st March 2006).

This organisation is responsible for the registering of pedigreed dogs/litters and provided the following information about registered dogs/litters from Dalriada 8 Crochan Road:

- 30th June 1995 – litter of 7 pups
- 14th March 1996 – litter of 6 pups
- 26th June 1996 – litter of 8 pups
- 30th September 1996 – litter of 9 pups
- 6th May 1997 – litter of 6 pups
- 17th December 1997 – litter of 7 pups
- 20th June 1999 – litter of 7 pups
- 27th May 2002 – litter of 9 pups
- 25th September 2003 – litter of 9 pups
- 22nd March 2004 – litter of 8 pups
- 8th June 2004 – litter of 8 pups

Whilst a dog maybe in the registered ownership of a particular party, this may not necessarily mean that the dog is still in the physical ownership of that person. It is not compulsory for a new owner to apply for transfer of ownership and therefore the dog concerned may still appear in the physical ownership of the breeder.

(iii) Publicity and Representations

Under Article 9 neighbour notification procedures and Potential Departure advertisement (published 3rd February 2006, expires 24th February 2006), 11 letters of representation have been received. Letters of representation have been received from the following:

Mr T. Gorman (letter dated 30th December 2005) 25 Kilbride Road, Dunoon, PA23 7LL.
Frank & Margaret Whittaker (letters dated 28th November 2005, 15th February 2006 & 19th February 2006) Craigendarroch, 21 Kilbride Road, Dunoon, PA23 7LL.
Mrs Joan Mitchell (letters dated 2nd December 2005, 17th February 2006 & 21st February 2006 (c/o Blair & Bryden Solicitors)) Pine Cottage Crochan Road, Dunoon.
Mr A. Colquhoun (letters dated 11th November 2005, 3rd December 2005, 16th February 2006) Edgemount, 10...
The points raised can be summarised as follows:

i. Kennels are for the running of a business being used for the breeding of dogs and for the boarding of other dogs. Although the Lindops have had dogs, over time the number of dogs has increased and appears to be run as a business and is a disruption to the neighbourhood.

Comment: See assessment below.

ii. Excessive odour (especially during hot weather) and noise levels emanating from the property are interrupting the reasonable peace which other neighbouring residents should be entitled to enjoy. In general terms the amenity of the area is adversely affected by the establishment of these kennels.

Comment: See assessment below.

iii. The value of our home would be considerably reduced if these kennels are allowed.

Comment: This is not a material consideration.

iv. We also note the number of cars blocking the road has increased with people delivering and taking dogs suggesting they have been boarded at the kennels. There are no parking or turning facilities to support a commercial enterprise at Dalriada along with poor access provision of Crochan Road.

Comment: See assessment below.

v. The submitted plans do not show how close the neighbouring properties are to the metal kennels.

Comment: See assessment below.

vi. At the rear of my house (Pine Cottage) I have a patio and the buildings erected by the applicant are directly below this, not a sight I wish to view, and no drawing of my property is shown. These are very unsightly metal cages and are an intrusion of my privacy.

Comment: See assessment below.

vii. The activities underway at Dalriada have precluded me from properly enjoying my garden, the boundary of which is approximately 12 feet in distance from the kennel buildings. I am 81 years of age and shall soon be in a position of having to rely on my garden as the sole means of pursuing some degree of outdoor living.

Comment: See assessment below.

viii. Concern over the accuracy and quality of the submitted plans and drawings.

Comment: The submitted plans are not to an architectural standard but are sufficient to enable the Planning Authority to consider the application.

ix. Concern about welfare of dogs being kept at the kennels/runs.

Comment: This is not a material planning consideration and furthermore the Council’s Public Protection Service has raised no concerns in this regard.

x. I object to commercial activities occurring at a neighbouring property where no planning consent has been obtained, I would request that enforcement of planning laws should be instigated. I am aware people are prepared to erect buildings and commence commercial operations in residential area without first applying for planning permission, as it is recognised that retrospective planning consent is an easier avenue to pursue with greater chance of success.
Comment: Should this application be refused and it considered expedient to instigate enforcement proceedings to regularise this breach of planning control, the necessary action will follow. This is in line with the principles of Planning Circular 4/1999 ‘Planning Enforcement’.

xii. Environmental health issues of contaminated surface water from Dalriada flowing through neighbouring properties.

Comment: See assessment below.

xiii. The present 9 dog strong population might belong entirely to the Lindop family, these dogs have been used to service an on-going dog breeding programme which has steadily been on the increase. Litters of puppy dogs have been bred, and there is most definitely a commercial operation in existence.

Comment: See assessment below.

xiv. The industrial size and quantity of the kennels are an unsightly appearance that all of the immediate neighbours now face.

Comment: See assessment below.

(iv) Applicant Supporting Information

Summary of letters dated 20th February 2006 & 12th April 2006

- The kennels are being constructed for the use of our own pet dogs only.
- The kennels are of a sturdy construction to keep my dogs safe and secure.
- As for breeding the last litter of puppies I had was during April 2004, I only ever breed when I have the time and an exceptionally good dog, and I have no plans for the immediate future.
- I have installed a drainage system for the kennels that goes directly into the main sewer.
- The dogs are trained not to bark, I do this with the tone of my voice which they recognise.
- I don’t understand complaints about commercial vehicles we have no more deliveries than other neighbours and we have parked our cars in the lane for the last 21 years.
- As I have stated in previous correspondence we have never housed any other dogs except our own in our kennels and do not intend to do so in the future.

B. POLICY OVERVIEW

Cowal Local Plan 1993

Policy POL COM 5 - Bad Neighbour Development

‘The Council will oppose potential ‘Bad Neighbour’ developments when it is considered that they are likely to adversely affect the amenity of neighbouring properties and land.’

Policy POL RUR 1 – Landscape Quality

The Council will seek to maintain and enhance the landscape quality of area of local landscape significance. Within such areas the Council will resist prominent or sporadic developments which would have an adverse landscape impact. All developments in these areas will require to be justified and assessed against the following:

- Environmental Impact,
- Locational/Operational Need,
- Economic benefit (including agricultural diversification),
- Infrastructure and servicing implications.

Policy POL RUR 2 – Nature Conservation
'The Council will resist development and land use changes which would erode or have an adverse effect on features of wildlife and scientific value in particular those having an adverse effect on; local features of wildlife value…'

Argyll & Bute Finalised Draft Local Plan (May 2005)

Policy LP BAD 1 – Bad Neighbour Development

'In all Development Control Zones proposals for developments classed as ‘Bad Neighbour’ Developments will only be permitted where:

(A) There are no unacceptable adverse effects on the amenity of neighbouring residents;
(B) The proposal includes appropriate measures to reduce the impact on amenity as defined by uses classes order (i.e. noise, light, smell);
(C) There are no significant transport, amenity or public service provision objection;
(D) Technical standards in terms of parking, traffic circulation, vehicular access and servicing, and pedestrian access are met in full
(E) The proposal does not conflict with any other Structure Plan or Local plan policy.'

C. ASSESSMENT

Retrospective planning permission is sought for the retention of four partially built metal dog runs and two garden storage sheds located upon garden ground to the west of Dalriada, 8 Crochan Road. Dalriada is accessed from Crochan Road in this semi-rural location on the western fringes of Dunoon town settlement. The property is encompassed by neighbouring residential properties with the nearest neighbour, Pine Cottage at 9 Crochan Road being no more than 5 metres west of Dalriada.

Located to the north of Dalriada are existing timber kennels that currently house the applicant’s dogs. These structures have been in situ for more than four years and under Section 124 of the Town & Country Planning (Scotland) Act 1997 are exempt from requiring retrospective planning permission. The applicant has advised that the metal kennels/runs, for which this application seeks their retention, are simply to provide an enclosed space to allow the dogs to exercise during the day and all dogs will be returned to the existing timber kennels each evening.

Commercial/Domestic use

Numerous representations have been received from surrounding properties raising concerns that a commercial dog boarding and breeding enterprise is underway at Dalriada. The department has been investigating this matter for some time, and while the applicant has a total of nine dogs, six housed with the kennels and three within the house, he claims they are all pets and there is no evidence to prove a commercial business is being run from the property.

The Council’s Public Protection Service has advised that under The Breeding of Dogs Acts 1973 a dog breeding license is only required where 5 or more litters of pups are produced in any 12 month period. Litters of pups have to be Kennel Club registered to ensure pedigree status and to give the pups value when sold. As can been seen from the information received from the Kennel Club only eleven litters of pups have been registered in the last eleven years, and no litter has been registered for almost two years, this supports the claims being made by the applicant. The department does not therefore consider a dog breeding venture to be underway at the property and no substantive evidence has come to light that would otherwise change this view. It is therefore proposed that should members be minded to grant permission that a suitable condition be attached that restricts the uses of the kennel/runs to domestic only.

Representations have also been received that a commercial dog boarding business is underway and the metal kennels are to provide additional accommodation for more dogs. Again, there is no evidence to prove such a business is underway at Dalriada other than there being a large number of dogs at the property. Indeed the applicant has advised that the metal kennels are to provide enclosed exercise space for his dogs during the day and as such the department intend to condition the grant of planning permission to ensure the new metal kennels are not used for the purpose of overnight accommodation, rather only between the hours of 7.00am and 7.00pm, as recommended by the Council’s Public Protection Service. This not only reduces the potential use of the structures to a domestic purpose but also safeguards the amenity afforded to the neighbouring properties, particularly Pine Cottage.
Odour & Noise

Concerns have also been expressed regarding noise, odour and foul drainage arrangement from the proposed and existing kennels. Failure to address such concerns will undoubtedly have an adverse impact on the amenity afforded to surrounding dwellinghouses and may render the retention of the kennels to be a bad neighbour development that is contrary to the provisions of POL COM 5 of the adopted local plan. However, the Councils Public Protection Service has raised no objection in this regard subject to suitable conditions to address these issues. This will include the submission of a noise and odour management plan to be agreed with the Public Protection department and must include appropriate foul drainage arrangements and suitable screening around the kennels to buffer noise emanating from the kennels.

Policy POL RUR 1

Dalriada is located within an area defined as being of landscape quality and will therefore have to be assessed policy POL RUR 1 ‘Landscape Quality’ of the Cowal Local Plan 1993. The impact of the kennels on the wider landscape and character of the area is considered to be minimal given the site is only visible from a limited number of vantage points, all within close vicinity of the site itself. Furthermore, there is no known economic benefit associated with this development, nor are there any servicing or infrastructure implications. In terms of location need, the kennels are better suited to this semi rural location rather than a heavily built up residential area. Given the aforementioned this proposal is not considered to be contrary to policy POL RUR 1.

Garden Storage Sheds

The two garden sheds present no land use, amenity of privacy concerns and are considered to be entirely acceptable.

Conclusion

On the basis of available information, the department is satisfied that the proposed kennels are for domestic purposes only and recommends the grant of permission is conditioned to ensure the same

It is considered that the amenity concerns expressed by the neighbouring residents can be addressed by imposition of suitable conditions, as recommended within this assessment, and on this basis the retention of the metal kennels/runs and the two storage sheds are considered to be acceptable.
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DEVELOPMENT SERVICES
PLANNING APPLICATION REPORT
Bute and Cowal Area Committee

18th May 2006

Reference Number: 05/01378/DET
Applicants Name: Mr B Wyers & Ms M Whaley
Application Type: Detailed
Application Description: Erection of Dwellinghouse
Location: Land Opposite 18 Crichton Road, Rothesay

(A) THE APPLICATION

Development Requiring Express Planning Permission.

• Erection of dwellinghouse on an area of land measuring 0.047 hectares opposite 18 Crichton Road and to the rear of 37 Mountstuart Road, Rothesay
• Alteration to existing vehicular access onto Crichton Road

Other Specified Operations

• Connection to public water supply and public sewerage system
• Demolition of existing garage

(B) RECOMMENDATION

It is recommended that, subject to an “informal hearing”, planning permission be Granted subject to the standard condition and reason and the following conditions and reasons together with the ‘note to the applicant’ set out overleaf.

(C) DETERMINING ISSUES AND MATERIAL CONSIDERATIONS

Over the past 15-20 years, 4 dwellings have been constructed on the lower (northern) side of Crichton Road centring upon its junction with Bogany Road and a fifth dwelling was approved by the Area Committee in March 2006. The current proposal involves the erection of a one-and-a-half storey dwelling on the elevated rear curtilage area of 37 Mountstuart Road, approximately 40 metres to the east of the easternmost modern dwelling.

In terms of the settlement pattern and character of this part of the Rothesay Conservation Area, the proposal would represent an acceptable infill development and, whilst the design of the proposed dwelling would be modern, it would be comparable to the design of the other modern dwellings in the vicinity.

In this particular case, it is considered that the proposal would have a ‘neutral’ effect upon the Rothesay Conservation Area in light of the modern developments that have set a precedent in this part of Crichton Road. Consequently, it accords with the relevant national and local policies and guidance.

Angus J Gilmour
Head of Planning and Building Standards

Case Officer: S. Gove 01369-70-8603
Area Team Leader: D. Eaglesham 01369-70-8608
"In reaching my assessment on this application, I have had regard to the documents identified in brackets above which are available for public inspection in terms of the Local Government (Access to Information) Act 1985."
CONDITIONS AND REASONS RELATIVE TO APPLICATION 05/01378/DET

2. Prior to the construction of the dwelling above the level of the footings, a sample panel being not less than 1.0 square metre of the proposed external wall finish (including a wet dash render or similar and a natural stone) shall be made available on the site for the inspection and prior written approval of the Planning Authority. The development shall be built in accordance with all such materials and sample panels, as may be approved in writing, unless the prior written consent of the Planning Authority is obtained for variation.

Reason: In the interests of visual amenity in order to ensure that the proposal integrates successfully within this part of Rothesay Outstanding Conservation Area.

3. Prior to the commencement of the development, full details of the materials to be used in the surfacing of the driveways and parking/turning areas shall be submitted to and approved in writing by the Planning Authority. Such materials, as may be approved, shall be used in the construction of the development unless the prior written consent of the Planning Authority is obtained for variation.

Reason: In the interests of visual amenity in order to ensure that the proposal integrates successfully within this part of Rothesay Outstanding Conservation Area.

4. Prior to the commencement of the development, full details of the roof covering of the dwellinghouse (which shall be a natural slate) shall be submitted to and approved in writing by the Planning Authority. Such covering, as may be approved, shall be used in the construction of the development unless the prior written consent of the Planning Authority is obtained for variation.

Reason: In the interests of visual amenity in order to ensure that the proposal integrates successfully within this part of Rothesay Outstanding Conservation Area.

5. The landscaping scheme shown on the approved Location Plan (Drawing Number: 0538/P2) shall be fully implemented no later than the first planting and seeding season following the commencement of the development and thereafter shall be maintained for a period of five years. Any losses of plant species included in the landscaping scheme, through disease, weather exposure, neglect or damage, shall be replaced with equivalent species within one growing season unless the prior written consent of the Planning Authority is obtained for variation.

Reason: In the interests of visual amenity in order to ensure that the proposal integrates successfully within this part of Rothesay Outstanding Conservation Area.

6. Prior to the commencement of the development, details of the methods by which the trees within the site are to be protected during the course of construction works shall be submitted to and approved in writing by the Planning Authority. Each tree shall be protected in accordance with the approved details unless the prior written consent of the Planning Authority is obtained for variation.

Reason: In the interests of visual amenity in order to ensure that the proposal integrates successfully within this part of Rothesay Outstanding Conservation Area.

7. Prior to the first occupation of the dwellinghouse, the following works shall be undertaken:

   a) Sightlines of 20 metres in each direction, measured a distance of 2.0 metres back from the edge of the public road at the centre point of the existing access, shall be cleared of all obstructions above a height of 1.05 metres from the level of road and thereafter maintained as such in perpetuity;

   b) The parking and turning area shown on the approved Location Plan (Drawing Number: 0538/P2) shall be fully constructed and capable of use, and thereafter be retained in perpetuity for such a dedicated purpose;

   c) The access shall be 2.75 metres in width and shall be surfaced for the first 2.5 metres in a bituminous material.

Reason: In the interests of road safety.
**NOTE TO APPLICANT**

**Surface Water**

The Area Roads Manager has advised that a system of surface water drainage is required to prevent water running onto the road in contravention of Section 99 of the Roads (Scotland) Act 1984, which states that:

"(i) The owner and occupier of any land, whether or not that land is such as constitutes a structure over or across a road, shall prevent any flow of water, or of filth, dirt or offensive matter from, or any percolation of water through, the land onto the road."

A drainage system including positive surface water drainage measures should be agreed with the Area Roads Manager. The applicant is advised to contact the Area Roads Manager (Mr. Paul Farrell on 01369 708600) directly in this regard.

**Road Opening Permit**

The Area Roads Manager has advised that the proposed works will require a Road Opening Permit (S56). The applicant is advised to contact the Area Roads Manager (Mr. Paul Farrell on 01369 708600) directly upon this matter.

**Water/Sewerage**

In respect of the water supply and public sewerage connections, contact should be made with Scottish Water (tel. 0845 601 8855, or at [www.scottishwater.co.uk](http://www.scottishwater.co.uk)) prior to the commencement of the development. They have stated that a separate application must be made to their Planning & Development Services team for permission to connect to the public waste water system and water network at the appropriate time. It is important to note that the granting of planning permission does not necessarily guarantee a connection to Scottish Water’s assets.
APPENDIX RELATIVE TO 05/01378/DET

A. OTHER MATERIAL CONSIDERATIONS

(i) Site History

There is none applicable to this site.

(ii) Consultations

Area Roads Manager (Memo dated 4th August 2005) – No objections subject to conditions regarding visibility and parking/turning within the site.

Scottish Water (Letter dated 2nd August 2005) – No objections subject to conditions

(iii) Publicity and Representations

The application has been advertised under Section 65 and as a Potential Departure to the Development Plan (closing date 5th August 2005). Eleven letters of representation have been received from the following:

Mr and Mrs Tipping, Mountstuart Road, Rothesay (letter dated 3rd July 2005)
Anne Berrich, Crichton Road, Rothesay (letter dated 4th July 2005)
Roger & Rachel Clark, Mountstuart Road, Rothesay (letter dated 18th July 2005)
Anita Drummond, Mountstuart Road, Rothesay (letter dated 19th July 2005)
Rosemary Gibson, Crichton Road, Rothesay (letter dated 25th July 2005)
Gianna Zavaroni, Crichton Road, Rothesay (letter dated 26th July 2005)
Michael Henry, Crichton Road, Rothesay (letter dated 27th July 2005)
Mr & Mrs Skillin, Crichton Road, Rothesay (letter dated 28th July 2005)
Sandra & David Shorey, Crichton Road, Rothesay (letter dated 30th July 2005)
John Duncan, Crichton Road, Rothesay (letter dated 5th August 2005)
Wilma Simpson, Crichton Road, Rothesay (letter dated 5th August 2005)

The points raised can be summarised as follows:

i. There would be a depreciation in the value of properties in the vicinity of the site.

ii. The proposed dwelling would have an adverse upon views from properties in Crichton Road.

Comment: These issues do not have a material bearing upon the planning aspects of the case.

iii. There would be an increase in noise as a result of more vehicle and pedestrian movements, particularly to the detriment of 18 Crichton Road that has two bedrooms to the front.

Comment: Given the distances involved and separation by a relatively well-used thoroughfare (i.e. Crichton Road), it is not considered that the subject proposal would result in unacceptably excessive levels of noise to the detriment of 18 Crichton Road.

iv. Concern is expressed regarding the iniquity of allowing the subject development but also applying stringent controls on the owners of adjacent Listed Buildings.

Comment: The Council should assess each application on its own merits having regard to Central Government guidance and existing/emerging Development Plan policy and should seek to ensure a consistency in decision-making.

v. Concern is expressed regarding the effect of the proposed development upon the privacy of adjoining properties, in particular numbers 35, 36 and 42 Mountstuart Road.
vi. The proposal would result in the loss of trees.

vii. The proposal would have an adverse effect upon the architectural qualities of Elysium Terrace (numbers 33 to 44 Mountstuart Road).

viii. The proposal would have an adverse effect upon the character of the Rothesay Conservation Area as it would involve the development of a garden area. The presence of other modern dwellings in the vicinity of the site should not establish a precedent.

ix. The proposed design is not appropriate in the context of the Victorian architecture of the Rothesay Conservation Area.

Comment: These issues will be addressed in the ‘Assessment’ section below.

(iv) Applicant’s Supporting Information

Stewart Associates, the agent for the application, have submitted information in support of the proposal (letter dated 30th August 2005), a summary of which is as follows:

• The distances from either the north-facing dining or family room windows of the proposed dwelling to the main south facades of the buildings to the north vary from 32 metres to 52 metres. Such distances far exceed the accepted minimum standard of 18 metres;

• Elysium Terrace was designed to be viewed from Rothesay Bay and Mountstuart Road and, as a result of its height and design, the proposed dwelling would have little, if any, impact on the principal aspect. The dwelling itself is designed to sit behind the existing stone wall at Crichton Road and to “nestle” into the existing drying green area without dominating either the site or adjacent boundaries. The proposed materials are sympathetic to the Conservation Area status;

• Funding for the change of use at 37 Mountstuart Road from a hotel to three flats (which obtained permission in January 2006) is partly reliant on the monies available from the sale of the proposed development;

• Although the precedent for development has clearly been set by the dwellings at 8 Bogany Road and 16 Crichton Road, the application site would not necessarily mean that pressure to develop the rear gardens of 33 – 36 and 41 - 44 Mountstuart Road would result. The former properties have narrow plots with three gardens at least being required to achieve the necessary plot area. The latter properties are all in single ownership and have poor sightlines to Leopold Road.

B. POLICY OVERVIEW

Central Government Guidance

Historic Scotland’s ‘Memorandum of Listed Buildings and Conservation Areas’ (1998) states that, within Conservation Areas, new development that is well designed, respects the character of the area and contributes to its enhancement should be welcomed.

National Planning Policy Guideline 18 (‘Planning and the Historic Environment’) advises that Planning Authorities should examine the impact of proposals upon the character and appearance of the whole Conservation Area. If any proposed development would conflict with the objective of preserving or enhancing the designated area, there should be a presumption against granting planning permission.

Argyll & Bute Structure Plan

STRAT DC 1 encourages, within the main towns and the smaller towns and villages, the development of up to medium scale development (between 6 and 30 dwellings) on appropriate infill, rounding-off and redevelopment sites.

STRAT DC 9 states that development that damages or undermines the historic, architectural or cultural qualities of the historic environment will be resisted; particularly if it would affect a Conservation Area.
Bute Local Plan 1990

The settlement strategy for Bute stresses the need for consolidation of the existing settlements, including Rothesay. Policy POL HO 1 encourages the residential development of infill, rounding-off and redevelopment sites within existing settlements. The site is within the existing settlement of Rothesay.

Policy POL BE 6 seeks to prevent any deterioration in the character or setting of the Rothesay Outstanding Conservation Area through unsympathetic new development and changes of use.

Policy POL BE 16 encourages the retention of existing trees within settlements and seeks to resist the destruction of trees, woodland and hedges through the control of development.

Argyll and Bute Local Plan (Finalised Draft) 2005

The application site lies wholly within the ‘settlement boundary’ of Rothesay defined in the Finalised Draft Local Plan where residential infill and rounding-off developments are encouraged under Policy LP HOU 1.

Policy LP ENV 7 seeks to resist development likely to have an adverse impact on trees and will ensure, through the development control process, that adequate provision is made for the preservation of woodland/trees.

Policy LP ENV 14 presumes against development that does not maintain or enhance the character or amenity of an existing Conservation Area. New development within such an area must be of the highest quality and enhance the architectural and visual qualities that give rise to the conservation designation.

C. ASSESSMENT

The application site comprises a relatively flat garden area within the rear curtilage of 37 Mountstuart Road, Rothesay. A garage at the western boundary is served by an opening in the stone wall that runs along the southern boundary of the site on its frontage with Crichton Road. The site is located at a higher level than the remaining curtilage of the hotel (which lies to the north).

The proposal entails the removal of the existing garage and the use of the existing opening for vehicle access into the site. A parking and turning area is to be formed to the immediate west of the dwelling. The building itself is to be one-and-a-half storey with an off white render and natural stone external wall finish; natural slate roof covering; and stained timber windows. Four trees are to be removed along the eastern boundary whilst four replacement trees are to be planted within the site. The remaining trees are to be retained and protected during construction.

Settlement Pattern and Character of Conservation Area

Crichton Road runs for approximately one kilometre and stretches from the Glenburn Hotel at its western edge to Eastlands Road at the east. It is characterised by villas along its southern edge (some of which are Listed Buildings) whilst along its northern edge there are areas with differing characteristics.

With particular reference to the application site, as one approaches from the west, the lower (northern part) of Crichton Road has seen, over the past 15-20 years, the development of four modern dwellinghouses centred on the junction with Bogany Road. Members may recall that a fifth dwelling was approved at the March 2006 Area Committee (ref: 05/02346/DET).

The application site is located approximately 40 metres to the east of the last modern dwelling. The rear curtilages of four properties are situated between these two points; in addition to the garage located on the application site, two of these curtilages have garages directly adjacent to Crichton Road.

It is considered that this particular area of Crichton Road has a specific character and settlement pattern that are different from other parts of this thoroughfare. Specifically, modern dwellings have already encroached into the rear curtilages of properties that have their main frontages onto Mountstuart Road. Buildings (albeit garages) are also present on the application site and others in the vicinity. In the context of its surroundings,
it is considered that the erection of a single dwelling within a plot of the size proposed would accord with the existing settlement pattern.

**Scale and Design of Dwelling**

The proposed dwellinghouse could not be described as being of an entirely traditional design, although there are elements that are prevalent within the Rothesay Conservation Area (such as a rendered/natural stone finish and natural slate roof covering). One must consider the context of the site and, as has been mentioned in the preceding paragraphs, dwellings with an overtly modern design have been approved and constructed in the vicinity of the proposed development.

In the context of this part of Crichton Road, it is considered that the proposed development would not have an adverse effect upon the character of the Rothesay Conservation Area and can be justified on this basis.

**Impact Upon Elysium Terrace**

Elysium Terrace refers to numbers 33 – 44 Mountstuart Road, which are Category ‘B’ Listed Buildings. The buildings comprise five double villas designed to form a symmetrical terrace and to be viewed as a complete entity. The application site is located within the elevated rear curtilage of the middle block (numbers 37 -39).

Due to the distances involved (approximately 45 metres) and the fact that it is located at a significantly lower level, Elysium Terrace is not a feature of the streetscape when travelling along Crichton Road. On this basis, the proposed dwelling would not adversely affect the setting of these Listed Buildings from the south.

When travelling along Mountstuart Road, given the relatively small gaps between the buildings, it is likely that the proposed dwelling to the rear may only be glimpsed and would, consequently, not have a substantial impact. In addition, the proposed dwelling would be sufficiently screened behind the terrace to avoid having a significantly deleterious effect when viewed from the sea.

**Impact Upon Privacy of Adjoining Properties**

Concern has been expressed by the occupiers of 35, 36 and 42 Mountstuart Road that the proposal would have an adverse effect upon their privacy as a result of interlooking between windows. As Members may be aware, the distance that is normally used in the assessment of the interlooking issue is 18 metres. There would be no windows on the proposed dwelling that would be less than 18 metres from any windows on existing properties and, on this basis, it is not considered that privacy is a significant issue in this instance.

**Impact Upon Trees**

The proposal shows the removal of four existing trees, the retention and protection during construction of the remaining ten trees within the site and the planting of four trees as a replacement for those to be removed. On the basis that conditions can be attached which control the protection of the existing trees and ensure the carrying out of the replacement planting, it is considered that the proposal would not have a significantly adverse effect upon the trees within the site.

**Requirement for Hearing**

Whilst the proposal raises no significant Development Plan issues and suitable conditions can be imposed, letters of objection from 11 separate addresses have been received. Given this number of objections, it is recommended that an “informal hearing” takes place prior to a decision being made on the application.

**D. CONCLUSION**

In terms of the settlement pattern and character of this part of the Rothesay Conservation Area, the proposal would represent an acceptable infill development and, whilst the design of the proposed dwelling would be modern, it would be comparable to the design of the other modern dwellings in the vicinity.

In this particular case, it is considered that the proposal would have a ‘neutral’ effect upon the Rothesay Conservation Area in light of the modern developments that have set a precedent in this part of Crichton Road. Consequently, it accords with the relevant national and local policies and guidance.
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DEVELOPMENT SERVICES
PLANNING APPLICATION REPORT
Bute and Cowal Area Committee

Local Member - Councillor R Macintyre
Date of Validity - 16th September 2005
Committee Date - 6th June 2006

24th May 2006

Reference Number: 05/01916/DET
Applicants Name: Mrs Elspeth Cameron
Application Type: Detailed
Application Description: Installation of Replacement Windows
Location: 6 Grand Marine Court, 42 Argyle Street, Rothesay

(A) THE APPLICATION

Development Requiring Express Planning Permission.

It is proposed to replace two white, two-paned, timber, vertically sliding sash and case windows in the ground floor flat on the front elevation of 6 Grand Marine Court, Rothesay with white, two-paned, timber double hung windows. As the property is a Category C(S) Listed Building, there is an associated application for Listed Building Consent (ref: 05/02042/LIB).

(B) RECOMMENDATION

It is recommended that planning permission be Refused for the reason set out on the following page.

(C) DETERMINING ISSUES AND MATERIAL CONSIDERATIONS

The proposal involves the removal of white-painted, two-paned, timber, vertically sliding sash and case windows in a ground floor flat at Grand Marine Court, Rothesay which is a Category C(S) Listed Building and located prominently within the Rothesay Conservation Area. The replacement windows would be white-painted, two-paned timber, double hung windows that would be distinctly different in appearance, particularly by virtue of their method of opening (particularly in the open position).

The fenestration is a key architectural feature in Grand Marine Court and the proposed windows would appear incongruous on such a prominent elevation. On this basis, the proposal is considered to contravene the relevant Central Government advice; existing and emerging Development Plan policies; and non-statutory Council policies and guidance.

Angus J Gilmour
Head of Planning and Building Standards

Case Officer: S. Gove          01369-70-8603
Area Team Leader: D. Eaglesham 01369-70-8608

"In reaching my assessment on this application, I have had regard to the documents identified in brackets above which are available for public inspection in terms of the Local Government (Access to Information) Act 1985".
REASON FOR REFUSAL RELATIVE TO APPLICATION 05/01916/DET

1. The proposed windows, by virtue of their inappropriate method of opening (double hung), would appear incongruous on the front elevation of this listed building (particularly when in the open position) which is located prominently within the Rothesay Outstanding Conservation Area where traditional white-painted, two-paned, timber sliding sash and case windows predominate and are a key architectural feature.

As such, the proposal is contrary to the provisions of NPPG 18 “Planning and the Environment”; Historic Scotland’s “Memorandum of Guidance on Listed Buildings and Conservation Areas 1998”; STRAT DC 9 of the Argyll and Bute Structure Plan 2002; Policies POL BE 1 and POL BE 6 of the Bute Local Plan 1990; LP ENV 13 and LP ENV 14 of the Argyll and Bute Local Plan (Finalised Draft) 2005; the Council’s Design Guide on Replacement of Windows (1991); and the Council’s Rothesay Window Policy Statement (1995), which advocates the following policy for window replacements in this particular townscape block:

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</table>
APPENDIX RELATIVE TO 05/01916/DET

A. OTHER MATERIAL CONSIDERATIONS

(i) Site History

Not applicable.

(ii) Consultations

Not applicable.

(iii) Publicity and Representations

The application has been advertised under Section 65 and as a Potential Departure to the Development Plan (closing date 21st October 2005). No letters of representation have been received.

(iv) Applicant’s Supporting Information

The applicant has stated (letter dated 26th March 2006) that she does not agree that her applications should be refused bearing in mind that many windows in the vicinity of her property have been replaced with windows that are double glazed and not sliding sash and case.

B. POLICY OVERVIEW

Central Government Guidance

National Planning Policy Guideline 18 “Planning and the Environment” advocates that, within Conservation Areas, Planning Authorities should ensure that proposals are based upon detailed knowledge of traditional building materials and methods of construction and local design characteristics. They should also ensure that development is of a high quality in terms of construction and design.

Historic Scotland’s Memorandum of Guidance on Listed Buildings and Conservation Areas (1998) states that, for development within a conservation area, the first priority should be to have regard to those special architectural and visual qualities which gave rise to the area’s designation. Thus any proposal which, either in itself or if repeated elsewhere within the area, could erode these qualities may have to be refused.

Structure Plan Policy

STRAT DC 9 of the Argyll and Bute Structure Plan 2002 seeks to resist development that would damage or undermine the historic, architectural or cultural qualities of the historic environment, particularly if it would affect, inter alia, Conservation Areas.

Local Plan Policy

POL BE 1 of the Bute Local Plan 1990 seeks to only permit alterations to listed buildings which maintain or enhance their architectural qualities.

POL BE 6 seeks to prevent any deterioration in the character and setting of the Conservation Area through unsympathetic alterations to buildings.

Emerging Policy

LP ENV 13 of the Argyll and Bute Local Plan (Finalised Draft) 2005 presumes against development that would harm the character or setting of a listed building and advocates that developments that affect them should be of a high quality and conform to Historic Scotland’s ‘Memorandum of Guidance’.

LP ENV 14 of the Argyll and Bute Local Plan (Finalised Draft) 2005 presumes against development that does not maintain or enhance the character or amenity of a Conservation Area and advocates that new development within such an area should be of the highest quality, respect and enhance the architectural and visual qualities that give rise to the designation status and conform with Historic Scotland’s ‘Memorandum of Guidance’ and Appendix A of the Plan.
Non-Statutory Policy and Guidance

The Councils’ *Rothesay Window Policy Statement (1995)* sets out replacement window types through the identification of distinctive townscape blocks within the Rothesay Outstanding Conservation Area. 41 Argyle Street and Grand Marine Court are contained within Block 216; the replacement window policy states the following:

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The windows should also be further assessed against the Council’s Design Guide on Replacement of Windows (1991). Section 3.4 states that on listed buildings window replacements must match the original in all aspects of design, finish and their main method of opening. Section 3.7 states that in Conservation Areas front window replacements must match the original in all aspects of design, finish and their main method of opening. This means that the proportion of top to bottom sashes must match the original exactly and the original pattern of glazing bars. Timber should always be used although ‘modern’ type window frames may be acceptable on upper floor levels on buildings of three storeys or more or on particular elevations, which have already been seriously devalued by modern type window frames.

C. ASSESSMENT

Section 25 of the Town and Country Planning (Scotland) Act 1997 requires the determination of applications to be made in accordance with the provisions of the Development Plan unless material considerations indicate otherwise. In this case, the relevant policies are listed in Section B above.

Grand Marine Court (a Category C(S) Listed Building) occupies a very prominent seafront location within the Rothesay Conservation Area. It is a two-storey building with attic accommodation that has a red sandstone finish. In terms of fenestration, two-paned timber, vertically sliding sash and case windows predominate on the front elevation with six and eight-panes to the central bay windows.

It is considered that the appearance and character of the building are, to a significant extent, derived from the design and detailing of the windows and that alteration to the fenestration of the building can have a considerable effect upon this appearance. The Rothesay Window Policy Statement acknowledges the quality of the front elevation of Grand Marine Court and clearly identifies the type of fenestration that should be used when replacing windows. This is further supported by Development Plan policy that seeks to safeguard the integrity of listed buildings and the Rothesay Outstanding Conservation Area.

The subject application proposes the introduction of windows with a ‘double hung’ method of opening i.e. rather than sliding up and down, both sashes would be hinged at the top and would, therefore, be pushed outwards from the bottom of each sash.

Whilst such an opening method would replicate the outward projection of the upper sash over the lower sash, the proposed windows would be as disruptive of the original character of the building as any other type of substitute when in the open position. On this basis, the proposed windows would have an inappropriate method of opening that would be to the detriment of the building’s character and that of the wider Rothesay Conservation Area.

Adjoining Property

The property immediately to the south of the subject flat was renovated approximately eighteen months ago (approved in January 2003) and the windows that were allowed at that time are very similar to those that are the subject of this application; particularly on the basis that they have a double hung method of opening as opposed to the more traditional sliding sash and case. That building is considered to have significant differences from its northern neighbour – it is three-storey with attic accommodation with the consequence that the window openings are substantially smaller than Grand Marine Court.

The windows that have been installed were considered to be acceptable at the time of the applications being considered in 2003 on the basis that this property had lain vacant for a substantial period and was in a considerable state of disrepair, including the boarding up of some of the window openings. The scheme
represented an opportunity to introduce uniform fenestration on a building that was already distinct from Grand Marine Court.

In view of the foregoing, it is not considered that the approval of double hung windows in the adjacent building has set a precedent for their introduction in a property that has distinct differences.

D. CONCLUSION

The proposal involves the removal of white-painted, two-paned, timber, vertically sliding sash and case windows in a ground floor flat at Grand Marine Court, Rothesay which is a Category C(S) Listed Building and located prominently within the Rothesay Conservation Area. The replacement windows would be white-painted, two-paned timber, double hung windows that would be distinctly different in appearance, particularly by virtue of their method of opening (particularly in the open position).

The fenestration is a key architectural feature in Grand Marine Court and the proposed windows would appear incongruous on such a prominent elevation. On this basis, the proposal is considered to contravene the relevant Central Government advice; existing and emerging Development Plan policies; and non-statutory Council policies and guidance.
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DEVELOPMENT SERVICES
PLANNING APPLICATION REPORT
Bute and Cowal Area Committee

24th May 2006

Reference Number: 05/02042/LIB
Applicants Name: Mrs Elspeth Cameron
Application Type: Listed Building Consent
Application Description: Installation of Replacement Windows
Location: 6 Grand Marine Court, 42 Argyle Street, Rothesay

(A) THE APPLICATION

Development Requiring Listed Building Consent.

It is proposed to replace two white, two-paned, timber, vertically sliding sash and case windows in the ground floor flat on the front elevation of 6 Grand Marine Court, Rothesay with white, two-paned, timber double hung windows. There is an associated application for Planning Permission (ref: 05/01916/DET).

(B) RECOMMENDATION

It is recommended that Listed Building Consent be Refused for the reason set out on the following page.

(C) DETERMINING ISSUES AND MATERIAL CONSIDERATIONS

The proposal involves the removal of white-painted, two-paned, timber, vertically sliding sash and case windows in a ground floor flat at Grand Marine Court, Rothesay which is a Category C(S) Listed Building and located prominently within the Rothesay Conservation Area. The replacement windows would be white-painted, two-paned timber, double hung windows that would be distinctly different in appearance, particularly by virtue of their method of opening (particularly in the open position).

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Angus J Gilmour
Head of Planning and Building Standards

Case Officer: S. Gove 01369-70-8603
Area Team Leader: D. Eaglesham 01369-70-8608

"In reaching my assessment on this application, I have had regard to the documents identified in brackets above which are available for public inspection in terms of the Local Government (Access to Information) Act 1985".
REASON FOR REFUSAL RELATIVE TO APPLICATION 05/02042/LIB

1. The proposed windows, by virtue of their inappropriate method of opening (double hung), would appear incongruous on the front elevation of this listed building (particularly when in the open position) which is located prominently within the Rothesay Outstanding Conservation Area where traditional white-painted, two-paned, timber sliding sash and case windows predominate and are a key architectural feature.

As such, the proposal is contrary to the provisions of NPPG 18 “Planning and the Environment”; Historic Scotland’s “Memorandum of Guidance on Listed Buildings and Conservation Areas 1998”; STRAT DC 9 of the Argyll and Bute Structure Plan 2002; Policies POL BE 1 and POL BE 6 of the Bute Local Plan 1990; LP ENV 13 and LP ENV 14 of the Argyll and Bute Local Plan (Finalised Draft) 2005; the Council’s Design Guide on Replacement of Windows (1991); and the Council’s Rothesay Window Policy Statement (1995), which advocates the following policy for window replacements in this particular townscape block:

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</table>
APPENDIX RELATIVE TO 05/02042/LIB

A. OTHER MATERIAL CONSIDERATIONS

(i) Site History

Not applicable.

(ii) Consultations

Not applicable.

(iii) Publicity and Representations

The application has been advertised under Regulation 5 and as a Potential Departure to the Development Plan (closing date 11th November 2005). No letters of representation have been received.

(iv) Applicant’s Supporting Information

The applicant, Mrs Cameron, has stated (letter dated 26th March 2006) that she does not agree that her applications should be refused bearing in mind that many windows in the vicinity of her property have been replaced with windows that are double glazed and not sliding sash and case.

B. POLICY OVERVIEW

Central Government Guidance

National Planning Policy Guideline 18 (‘Planning and the Historic Environment’) (1999) states that the purpose of listing is to ensure that any demolition, alteration, repair or extension that would affect the building’s special architectural or historic interest is controlled and there should be a presumption against development that adversely affects the character of a listed building or its setting.

Historic Scotland’s ‘Memorandum of Listed Buildings and Conservation Areas’ (1998) states that, when considering applications for alterations or extensions, Planning Authorities should satisfy themselves that no unnecessary damage to historic structures will be caused, that additions are in keeping with other parts of the building, and that any new external or internal features harmonise with their surroundings.

It goes on to advise that, just because the building is listed Category C(S), does not mean that a wide range of alterations should be accepted without question.

Structure Plan Policy

STRAT DC 9 of the Argyll and Bute Structure Plan 2002 seeks to resist development that would damage or undermine the historic, architectural or cultural qualities of the historic environment, particularly if it would affect, inter alia, Listed Buildings.

Local Plan Policy

Policy POL BE 1 of the Bute Local Plan 1990 states that the Council will encourage new works or uses which will result in the preservation and/or positive enhancement of buildings of architectural and historic interest … and will normally only permit those alterations to statutory Listed Buildings that maintain and/or enhance their special architectural qualities.

POL BE 6 seeks to prevent any deterioration in the character and setting of the Conservation Area through unsympathetic alterations to buildings.

Emerging Policy

LP ENV 13 of the Argyll and Bute Local Plan (Finalised Draft) 2005 seeks to ensure that alterations or extensions to Listed Buildings must respect the original in terms of design, scale and materials.
LP ENV 14 presumes against development that does not maintain or enhance the character or amenity of a Conservation Area and advocates that new development within such an area should be of the highest quality, respect and enhance the architectural and visual qualities that give rise to the designation status and conform with Historic Scotland’s ‘Memorandum of Guidance’ and Appendix A of the Plan.

Non-Statutory Policy and Guidance

The Councils’ Rothesay Window Policy Statement (1995) sets out replacement window types through the identification of distinctive townscape blocks within the Rothesay Outstanding Conservation Area. 41 Argyle Street and Grand Marine Court are contained within Block 216; the replacement window policy states the following:

<table>
<thead>
<tr>
<th>Finish</th>
<th>Timber</th>
</tr>
</thead>
<tbody>
<tr>
<td>Glazing Pattern</td>
<td>Two pane to match existing</td>
</tr>
<tr>
<td>Colour</td>
<td>White</td>
</tr>
<tr>
<td>Method of Opening</td>
<td>Sliding sash and case</td>
</tr>
</tbody>
</table>

The windows should also be further assessed against the Council’s Design Guide on Replacement of Windows (1991). Section 3.7 states that, on Listed Buildings, replacement windows should match the original in all aspects of design, finish and their main method of opening.

C. ASSESSMENT

Grand Marine Court (a Category C(S) Listed Building) occupies a very prominent seafront location within the Rothesay Conservation Area. It is a two-storey building with attic accommodation that has a red sandstone finish. In terms of fenestration, two-paned timber, vertically sliding sash and case windows predominate on the front elevation with six and eight-panes to the central bay windows.

It is considered that the appearance and character of the building are, to a significant extent, derived from the design and detailing of the windows and that alteration to the fenestration of the building can have a considerable effect upon this appearance. The Rothesay Window Policy Statement acknowledges the quality of the front elevation of Grand Marine Court and clearly identifies the type of fenestration that should be used when replacing windows. This is further supported by Development Plan policy that seeks to safeguard the integrity of Listed Buildings.

The subject application proposes the introduction of windows with a 'double hung' method of opening i.e. rather than sliding up and down, both sashes would be hinged at the top and would, therefore, be pushed outwards from the bottom of each sash.

Whilst such an opening method would replicate the outward projection of the upper sash over the lower sash, the proposed windows would be as disruptive of the original character of the building as any other type of substitute when in the open position. On this basis, the proposed windows would have an inappropriate method of opening that would be to the detriment of the listed building’s character and that of the wider Rothesay Conservation Area.

Adjoining Property

The property immediately to the south of the subject flat was renovated approximately eighteen months ago (approved in January 2003) and the windows that were allowed at that time are very similar to those that are the subject of this application; particularly on the basis that they have a double hung method of opening as opposed to the more traditional sliding sash and case. That building is considered to have significant differences from its northern neighbour – it is three-storey with attic accommodation with the consequence that the window openings are substantially smaller than Grand Marine Court.

The windows that have been installed were considered to be acceptable at the time of the applications being considered in 2003 on the basis that this property had lain vacant for a substantial period and it was in a considerable state of disrepair, including the boarding up of some of the window openings. The scheme represented an opportunity to introduce uniform fenestration on a building that was already distinct from Grand Marine Court.

In view of the foregoing, it is not considered that the approval of double hung windows in the adjacent building has set a precedent for their introduction in a property that has distinct differences.
D. CONCLUSION

The proposal involves the removal of white-painted, two-paned, timber, vertically sliding sash and case windows in a ground floor flat at Grand Marine Court, Rothesay which is a Category C(S) Listed Building and located prominently within the Rothesay Conservation Area. The replacement windows would be white-painted, two-paned timber, double hung windows that would be distinctly different in appearance, particularly by virtue of their method of opening (particularly in the open position).

The fenestration is a key architectural feature in Grand Marine Court and the proposed windows would appear incongruous on such a prominent elevation. On this basis, the proposal is considered to contravene the relevant Central Government advice; existing and emerging Development Plan policies; and non-statutory Council policies and guidance.
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24th May 2006

Reference Number: 06/00267/DET
Applicants Name: Portavadie Estates Ltd
Application Type: Detailed
Application Description: Demolition of existing and erection of replacement holiday accommodation
Location: Tigh-na-Mara, Portavadie

(A) THE APPLICATION

Development Requiring Express Planning Permission.

- Removal of existing timber ‘shack’ and erection of new timber building for use as holiday accommodation (falling within Class 9 – Houses of the Town and Country Planning (Use Classes) (Scotland) Order 1997)

Other Specified Operations

- Use of existing private sewerage system and public water supply

(B) RECOMMENDATION

It is recommended that planning permission be Granted subject to the standard condition and reason and the following conditions and reasons together with a ‘note to the applicant’ set out overleaf.

(C) DETERMINING ISSUES AND MATERIAL CONSIDERATIONS

The proposal involves the replacement of an existing timber building that is in a somewhat dilapidated condition; it has historically been used for low key holiday accommodation but has not been ‘abandoned’ as the building remains structurally intact and has been vacant for a period of only four years. The new building would have a slightly larger floor space but, given that it would have a much improved appearance, would represent an ‘environmental gain’.

Existing water supply and foul drainage facilities are to be used and the Council can ensure that no ancillary development (access, parking and boundary treatments) take place thereby reinforcing the low key nature of the proposal.

On the basis of the foregoing, the proposal is considered be acceptable and to accord with existing and emerging Development Plan policies.

Angus J Gilmour
Head of Planning and Building Standards

Case Officer: S. Gove 01369-70-8603
Area Team Leader: D. Eaglesham 01369-70-8608

“In reaching my assessment on this application, I have had regard to the documents identified in brackets above which are available for public inspection in terms of the Local Government (Access to Information) Act 1985.”
CONDITIONS AND REASONS RELATIVE TO APPLICATION 06/00267/DET

2. Prior to the commencement of the development, full details (including samples) of the proposed external finishes (i.e. cedar lining, aluminium roof trim and brick basecourse) shall be submitted to and approved in writing by the Planning Authority. The building shall be constructed in accordance with the approved details unless the prior written consent of the Planning Authority is obtained for variation.

   **Reason:** In the interests of visual amenity and no such details having been submitted.

3. Prior to the occupation of the building hereby approved, a parking space shall be provided adjacent to the point of access into the field, the location and details of which shall be submitted to and approved in writing by the Planning Authority prior to the commencement of the development.

   **Reason:** In the interests of road safety.

4. Notwithstanding the provisions of Article 3 and Classes 1 (alterations, extensions, conservatories, etc.), 2 (roof alterations), 3 (outbuildings, garages, sheds, etc.), 4 (hard surfaces), 7 (gates, fences, walls, etc.) and 8 (vehicular access) of Schedule 1 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, no development shall take place to the dwelling hereby permitted or within the site outlined in red on the approved **Location Plan (Drawing No. P1)** without the prior written consent of the Planning Authority.

   **Reason:** In the interests of visual amenity, to protect the visual qualities of the area and the setting of the proposed dwellinghouse from unsympathetic developments normally carried out without Planning Permission under Article 3 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992.
APPENDIX RELATIVE TO 06/00267/DET

A. OTHER MATERIAL CONSIDERATIONS

(i) Site History

It is claimed that the property was built around 1926. In the absence of evidence to the contrary, the development was, therefore, lawful on the appointed day (i.e. 1st July 1948) for the purposes of the Town and Country Planning (Scotland) Act 1947.

An application for Detailed Planning Permission (ref: 99/00809/DET) for the erection of a large detached dwelling on a larger site to the north of Tigh-na-Mara was refused in August 1999 on the grounds of adverse environmental impact and the lack of a substantiated locational/operational need.

An application for Outline Planning Permission (ref: 03/02153/OUT) for the demolition of the existing small ‘timber shack’ (which is the subject of the current application) and the erection of an activity centre at the site was withdrawn in May 2004.

A revised application for Outline Planning Permission (ref: 04/01897/OUT) for the demolition of the existing small ‘timber shack’; the erection of an activity centre; the installation of a sewage treatment facility; and the formation of a new vehicular access at the site was refused in December 2004 on the grounds of adverse environmental impact (large building and unbefitting access) and in the interests of public health (ground conditions and possible lack of space for outfall from sewage treatment system).

(ii) Consultations

Area Roads Manager (Memo dated 2nd March 2006)

No objections subject to conditions relating to sightlines, parking and surface water drainage.

Scottish Water (Letter dated 6th March 2006)

Public water network infrastructure is not affected at the moment by the proposal. There are no known public sewers in the vicinity.

Public Protection (Memo dated 14th March 2006)

No objections.

(iii) Publicity and Representations

The application has been advertised as a Potential Departure to the Development Plan (closing date 31st March 2006). Seven letters of representation have been received from the following:

Matt MacFarlane, Aboyne, Aberdeenshire – owner of Tigh-Eoin, Portavadie (letter dated 17th February 2006)
L and M Sawyer, Edinburgh – owners of Crunadh, Portavadie (letter dated 16th March 2006)
Douglas Niven, Glasgow – owner of the Frond, Portavadie (letter dated 20th March 2006)
W & C Stewart, Tigh Caoruinn, Portavadie (letter dated 24th March 2006)
Suilven Strachan, Glasgow – owner of Glenan, Portavadie (letter dated 27th March 2006)
Iain Dobbie, Tighnabruaich (letter received 30th March 2006)

The points raised can be summarised as follows:

i. The site is located within a proposed ‘Open Space Protection Area’ that has been the subject of a number of representations during the consultation periods linked with the draft Argyll and Bute Local Plan. As evidenced by the refusal of previous applications for new buildings in the vicinity of the site, no development should be allowed in this area.

ii. The drawings are inaccurate as they identify an existing track from the road to the building. There has never been a track in this field.
iii. The building that exists on the site did not receive planning approval when it was originally built and has been abandoned for several years.

Comment: The above issues will be addressed in the ‘Assessment’ section below.

(iv) Applicant’s Supporting Information

Supplementary information has been submitted by the agents (fax from Stewart Associates dated 20th March 2006), a summary of which is as follows:

- A signed statement from Mr A Bulloch that states that the property known as Tigh-na-Mara has been used by the Swan family as a cottage since 1932. Mr Cecil Smith married into the family and he had been paying Council rates and electricity and water charges. He used it as a holiday cottage whilst living in East Kilbride up until 2002 when it was given to Mr Bulloch. He states that he has been paying Council Tax for the property since then although it has latterly been uninhabitable hence the application currently under consideration;

- A letter from the Council’s Director of Finance dated 29th August 2002 which states that the property was vacated on 20th July 2002.

B. POLICY OVERVIEW

NATIONAL POLICY AND GUIDANCE

National Planning Policy Guideline (NPPG) 13 “Coastal Planning”

Identifies that the quality of the coastline is important to the image of Scotland at home and overseas and has national significance. Inappropriate development can have a detrimental effect on scenery.

“The undeveloped coast should generally be considered for development only where:-

- The proposal can be expected to yield social and economic benefits sufficient to outweigh any potentially detrimental impact on the coastal environment.
- There are no feasible alternative sites within existing settlements or on previously developed land.

Robust reasoned justification will be required in support of development.” (Paragraph 23)

STRUCTURE PLAN POLICY

Argyll and Bute Structure Plan 2002

STRAT DC 1 – Development within the Settlements

This policy seeks to encourage, subject to capacity assessments, small scale developments within minor settlements (such as Portavadie) that are compatible with an essentially rural settlement location on infill, rounding-off and redevelopment sites.

STRAT DC 8 – Landscape and Development Control

This policy seeks to resist development that, by reason of location, siting, scale, form, design or cumulative impact, would damage or undermine the key environmental features of a visually contained or wider landscape. Important and vulnerable landscapes in this context include landward areas with semi-wilderness or isolated or panoramic quality.

Objective TOUR 1 – Tourism

Amongst other things, this seeks to improve the functioning of Argyll and Bute as a tourist destination but commensurate with the capacity of locations to successfully absorb development. It also advocates taking opportunities linked to water-related facilities.
LOCAL PLAN POLICY

Cowal Local Plan 1993

POL RUR 1 – Development in Scenic Areas

The site is within the South Cowal Regional Scenic Area and as such Policy POL RUR 1 ‘Landscape Quality’ of the Local Plan applies. This states that there is a presumption against development which would have an adverse landscape impact except where it is demonstrated that there is justification for the development in terms of its environmental impact; locational/operational need; economic benefit and infrastructure and servicing implications.

POL TOUR 4 – Self Catering Accommodation

This policy seeks to support the development of self catering accommodation in Cowal providing they do not conflict with other policies set out in the Local Plan. One of the preferred locations is Kilfinan/Portavadie.

Argyll and Bute Local Plan (Finalised Draft) 2005

Policy LP ENV 1

When considering development proposals regard should be given to a number of criteria including impacts upon amenity and the environment; the location and nature of the proposed development; relationship to the road and public transport network; the availability of infrastructure; etc. Proposals that would have an adverse impact should be resisted.

Policy LP ENV 10

The site is within an Area of Panoramic Quality where developments that would have a significant adverse impact upon the character of the landscape should be resisted unless it can be demonstrated that any significant adverse effects would be clearly outweighed by social and economic benefits of national or regional importance.

Policy LP ENV 19

This policy seeks to ensure that new developments harmonise with their surroundings in terms of their setting, layout and density.

Policy LP HOU 1

The application site presently is located within the boundaries of the ‘minor settlement’ of Portavadie within which small scale residential development is encouraged unless there is an unacceptable environmental, servicing or access impact.

Policy LP TOUR 1

There is general support for new or improved tourist facilities and accommodation providing that they are of an appropriate form and scale, and respect the landscape character and amenity of the surrounding area.

Policy LP REC 2

There is a presumption against the development or redevelopment of recreational areas and open spaces identified within the main Proposals Map, These areas shall not be built on except where the retention or enhancement of the facilities can best be achieved by the redevelopment of part of the site or there would be no loss of amenity.

C. ASSESSMENT

The application relates to an existing small structure known as Tigh-na-Mara, which is a weathered timber ‘shack’ built (it is understood) around 1926 that has fallen into a somewhat derelict condition. The proposal
involves the removal of the existing structure and its replacement with a new building (cedar lining and glazing finishes; a planted roof system; and a timber deck).

Assessing the application against the headings listed in Policy POL RUR 1 of the Cowal Local Plan 1993, as follows:

**Environmental Impact**

The existing structure is located within a landscape that is relatively open in character and, more specifically, within a field that is presently used for grazing purposes. Despite this area of coast being bounded by the Portavadie basin to the north and Polllphail village to the south, the shore area between these two developments is relatively self contained and has an enclosed, unspoilt coastal character, surrounded by more elevated ground to the north, east and south.

Development within the area is primarily characterised by traditional, small-scale domestic development that is located to the east and adjacent to the highway. In contrast, the shore side of the road in this area is predominantly open in character with very little built development. There is a clear distinct visual relationship between this unspoilt area and that of the immediate coast.

At the time of the previous application for an outdoor centre at the site (ref: 04/01897/OUT), emphasis was placed upon the relatively inconspicuous appearance of *Tigh-na-Mara*, particularly in comparison with the significantly larger building that was indicated as a replacement, the proposed access arrangements (new track across field) and the possibility of parking and associated storage. It was considered in 2004 that the proposal would “radically alter the open character of this coastal area to its detriment and would have a substantial negative impact on the landscape”.

The present application represents a considerably more sensitive proposal in visual impact terms. The proposed building has a slightly larger floor area than the existing structure but would not have a significantly greater visual impact. Given the condition of the existing structure, it could be justifiably argued that the new building would represent an ‘environmental gain’ in this particular location.

On the basis of the foregoing, it is considered that the proposal can be viewed favourably in terms of its environmental impact and would not be of detriment to the landscape within which it would be set.

**Locational/Operational Need**

On the evidence available, *Tigh-na-Mara* was erected without the need for planning permission and, given that it has been in existence for many decades, the Council is not in a position to require its removal under planning legislation. In terms of whether the lawful use of the building has been ‘abandoned’, it is generally considered that there are four relevant criteria:

- The physical condition of the property;
- The period of non-use;
- Any intervening uses;
- The intentions of the owner(s).

The property was last occupied approximately four years ago and it remains substantially intact and contains furniture. On the basis of the evidence to hand, there is nothing to suggest that the building has been actively used for any other purpose in the four year period that it has been unoccupied. Therefore, it is not considered that an ‘abandonment’ of residential use has occurred.

In terms of a lawful use, this would appear to have been as holiday accommodation. For the purposes of the Town and Country Planning (Use Classes) (Scotland) Order 1997, there is nothing to prevent a ‘dwellinghouse’ (as defined under Class 9 of the Order) being used for holiday accommodation. On this basis, the existing and proposed buildings are considered to be a ‘dwellinghouse’ in terms of the 1997 Order.

**Economic Benefit**

The Department is not aware of there being any significant benefits to the wider economy of the area as a result of the proposal.

**Infrastructure and Servicing Implications**
No issues have been identified with regard to water supply and foul drainage as the existing facilities are to be utilised.

The Area Roads Manager has no objections to the proposal but has recommended conditions in respect of sightlines, the width of the access track and the provision of a parking/turning area. At present, there is no formal access track to *Tigh-na-Mara* and no parking area at the structure. It is understood that the previous owners usually parked at the field gate.

The field that surrounds the existing building is considered to be visually important in contributing to the open nature of this landscape. In the application for the Activity Centre (ref: 04/01897/OUT) in 2004, an access track was identified as crossing the field to serve the proposed building. Whilst it was proposed that the track could be constructed of ‘grasscrete’, the Department was not convinced that the use of this material would significantly reduce its considerable visual impact. This concern was incorporated into the reasons for refusing the application.

Given the serious visual impact concerns that would accompany the introduction of an access track across the open field to the east of the existing building and in view of the historical low key usage of the site, the Department does not consider that it would be appropriate to introduce formal arrangements for vehicular access.

In terms of parking, it is considered that the introduction of spaces in the immediate vicinity of the proposed building could result in a considerable visual impact, although it is recognised that more formal parking arrangements should be introduced given the modern form of accommodation that is being proposed. In this regard, a condition is recommended that seeks to formalise the existing parking arrangements adjacent to the access into the field from the main road. Parking in this area would have significantly less visual impact than at the site of the new building.

**Conclusion – Cowal Local Plan**

Having regard to the above, the proposal is considered to represent a sympathetic redevelopment of a building that has lawfulness in terms of its physical presence and its use as a dwelling. As such, it would not have an adverse environmental impact and therefore accords with the terms of the Cowal Local Plan 1993.

**Argyll and Bute Local Plan**

Many of the issues assessed in the preceding paragraphs have relevance to the Argyll and Bute Local Plan (Finalised Draft) 2005, such as environmental impact in an Area of Panoramic Quality. For the reasons set out, it is considered that the proposal would be in accordance with the Finalised Draft.

An issue that requires separate mention is the site’s allocation within the Argyll and Bute Local Plan. In the Finalised Draft, the site is outwith the proposed ‘Open Space Protection Area’. However, representations in respect of the Local Plan have requested that this designation be extended to include the application site. Until this issue is resolved through the Local Plan process, and whilst it remains a material planning consideration, less weight should be accorded to the provisions of the Argyll and Bute Local Plan.

Taking into account that: there is an existing structure in this landscape (thereby not strictly speaking “open space”); the new building proposed would remain relatively low key in the landscape; there is an existing building on the site that would appear to have lawfulness in a planning sense; and the Council has control over any ancillary developments in the future, it is *not* considered that the approval of this particular application would prejudice the site’s inclusion within an expanded ‘Open Space Protection Area’. Furthermore, it would not set a precedent for a more substantial structure, should such a proposal be put forward in future.

**Requirement for Hearing**

Members may wish to give consideration to an ‘informal hearing’ given that letters of representation have been received from 7 separate addresses. However, taking into account the development plan, the views of consultees, that suitable planning conditions can be imposed and the relatively small number of objectors, the Department would *not* recommend an ‘informal hearing’ in this case.
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DEVELOPMENT SERVICES
PLANNING APPLICATION REPORT
Bute and Cowal Area Committee

Local Member - Councillor L Scoullar
Date of Validity - 18th April 2006
Committee Date - 6th June 2006

24th May 2006

Reference Number: 06/00815/DET
Applicants Name: Mr J Torrens
Application Type: Detailed
Application Description: Erection of Dwellinghouse and Alterations to Existing Access
Location: Land 100 metres to the south west of Ardencraig House, Rothesay

(A) THE APPLICATION

Development Requiring Express Planning Permission.

- Erection of dwellinghouse (part single storey/part two storey) within a parcel of land measuring 0.5 acres located 100 metres to the south west of Ardencraig House, Rothesay
- Resurfacing of existing vehicular access

Other Specified Operations

- Connection to public water supply and public sewerage system

(B) RECOMMENDATION

It is recommended that Planning Permission be Granted as a ‘minor departure’ to the Development Plan and subject to the standard condition and reason and the following conditions and reasons together with the ‘note to the applicant’ set out overleaf.

(C) DETERMINING ISSUES AND MATERIAL CONSIDERATIONS

The site is located outwith the areas identified under Policy POL HO 1 of the Bute Local Plan 1990 as being suitable for housing within Rothesay. However, it is considered that the proposal can be justified as a ‘minor departure’ to the Development Plan, given the age of the current local plan and the identification of the land as within the ‘settlement boundary’ of Rothesay in the Finalised Draft Argyll and Bute District-wide Local Plan 2005.

No specific representations were submitted during the consultation period for the Finalised Draft Local Plan 2005 to either the site of the application or indeed to the new settlement boundary as proposed at this location.

The scale, design and finishes are considered to be appropriate and would not have a detrimental effect upon the character of the Rothesay Conservation Area. No overriding infrastructure or servicing issues have been raised.

Angus J Gilmour
Head of Planning and Building Standards

Case Officer: S. Gove 01369-70-8603
Area Team Leader: D. Eaglesham 01369-70-8608
"In reaching my assessment on this application, I have had regard to the documents identified in brackets above which are available for public inspection in terms of the Local Government (Access to Information) Act 1985."
CONDITIONS AND REASONS RELATIVE TO APPLICATION 06/00815/DET

2. Prior to the commencement of the development, full details of the roof covering of the dwellinghouse (which shall be a natural slate) shall be submitted to and approved in writing by the Planning Authority. Such covering, as may be approved, shall be used in the construction of the development unless the prior written consent of the Planning Authority is obtained for variation.

Reason: In the interests of visual amenity in order to ensure that the proposal integrates successfully within this part of Rothesay Outstanding Conservation Area and having due regard to Central Government guidance and Local Plan policies.

3. Prior to the commencement of the development, full details of the materials to be used in the surfacing of the driveways and parking/turning areas shall be submitted to and approved in writing by the Planning Authority. Such materials, as may be approved, shall be used in the construction of the development unless the prior written consent of the Planning Authority is obtained for variation.

Reason: In the interests of visual amenity in order to ensure that the proposal integrates successfully within this part of Rothesay Outstanding Conservation Area and having due regard to Central Government guidance and Local Plan policies.

4. Prior to the construction of the dwelling above the level of the footings, a sample panel being not less than 2.0 square metres of the proposed external wall finish (which shall be a wet dash render or similar) shall be made available on the site for the inspection and prior written approval of the Planning Authority. The development shall be built in accordance with all such materials and sample panels, as may be approved in writing, unless the prior written consent of the Planning Authority is obtained for variation.

Reason: In the interests of visual amenity in order to ensure that the proposal integrates successfully within this part of Rothesay Outstanding Conservation Area and having due regard to Central Government guidance and Local Plan policies.

5. Prior to the first occupation of the dwellinghouse, and unless the prior written consent of the Planning Authority is obtained for variation, the following works shall be undertaken:

A) the access serving the dwellinghouse shall have a minimum width of 2.75 metres for its entire length;

B) the access shall have a sealed surface for its first 2.5 metres into the application site;

C) the gradient of the access road for its first 2.5 metres into the site shall not exceed 4% and shall not exceed 8% thereafter for the entire length of the access road;

D) parking and turning for two vehicles shall be fully constructed and capable of use within the curtilage of the dwellinghouse hereby approved, and thereafter be retained in perpetuity for such a dedicated purpose.

Reason: In the interests of road safety.

(Continued Overleaf)
NOTES TO APPLICANT

Surface Water

The Area Roads Manager has advised that a system of surface water drainage is required to prevent water running onto the road in contravention of Section 99 of the Roads (Scotland) Act 1984, which states that:

"(i) The owner and occupier of any land, whether or not that land is such as constitutes a structure over or across a road, shall prevent any flow of water, or of filth, dirt or offensive matter from, or any percolation of water through, the land onto the road."

A drainage system including positive surface water drainage measures should be agreed with the Area Roads Manager. The applicant is advised to contact the Area Roads Manager (Mr. Paul Farrell on 01369 708600) directly in this regard.

Road Opening Permit

The Area Roads Manager has advised that improvements to the access may require a Road Opening Permit (SS6). The applicant is advised to contact the Area Roads Manager (Mr. Paul Farrell on 01369 708600) directly upon this matter.

Water/Sewerage

In respect of the water supply and public sewerage connections, contact should be made with Scottish Water’s Developer Services (tel. 0845 601 8855, or at www.scottishwater.co.uk) prior to the commencement of the development. They have stated that their network infrastructure is not affected by this proposal at this time but a supply from the public water network and connection to the public sewer is dependent on the spare capacity at the time of the application for such connections.

If the connections to the public sewer/water main require to be laid through land outwith the applicant’s ownership, the applicant must provide evidence of formal approval from the affected landowner(s) through whose ground the connections are to be made. This shall be done at the time of the application.

Permitted Development

The applicant is advised that the site is within the Rothesay Conservation Area within which an Article 4 Direction has removed the ‘permitted development’ rights associated with alterations/extensions to dwellings and the erection of outbuildings within the curtilages of dwellings. In this regard, all future occupiers of the dwelling should be made aware that an approach should be made to Planning Services (tel: 01369 708607 or 708606) prior to any such works being undertaken.
APPENDIX RELATIVE TO 06/00815/DET

A. OTHER MATERIAL CONSIDERATIONS

(i) Site History

An application (ref: 05/02346/DET) for a dwelling in the same location was withdrawn at the applicant’s request in April 2006 as the Department had concerns regarding the design of the proposed building.

(ii) Consultations

Development Policy (Letter dated 7th December 2005)

There are no specific policy issues and no representations have been submitted in respect of this particular site/area during the consultation period for the Argyll and Bute Local Plan (Finalised Draft).

Scottish Water (Letter dated 29th April 2006)

No objections subject to conditions.

Area Roads Manager (Memo dated 2nd May 2006)

No objections subject to conditions.

(iii) Publicity and Representations

The application has been advertised under Section 65 and as a Potential Departure to the Development Plan (closing date 19th May 2006). No letters of representation have been received.

B. POLICY OVERVIEW

Central Government Guidance

Historic Scotland’s ‘Memorandum of Listed Buildings and Conservation Areas’ (1998) states that, within Conservation Areas, new development that is well designed, respects the character of the area and contributes to its enhancement should be welcomed.

National Planning Policy Guideline 18 (‘Planning and the Historic Environment’) advises that Planning Authorities should examine the impact of proposals upon the character and appearance of the whole Conservation Area. If any proposed development would conflict with the objective of preserving or enhancing the designated area, there should be a presumption against granting planning permission.

Planning Advice Note 44 “Fitting New Housing Development into the Landscape” (1994) provides advice on how improvements can be secured in the environmental quality of new housing developments in terms of their relationship to the landscape. It advocates the use of a design process that involves an analysis of all of the constraints and opportunities inherent in the site under consideration, the ranking of these in importance and the development of the most appropriate solution to satisfy them.

Argyll & Bute Structure Plan

STRAT DC 1 of the Argyll and Bute Structure Plan 2002 encourages, within the main towns and the smaller towns and villages, the development of up to medium scale development (between 6 and 30 dwellings) on appropriate infill, rounding-off and redevelopment sites.

STRAT DC 9 of the Argyll and Bute Structure Plan (approved November 2002) states that development that damages or undermines the historic, architectural or cultural qualities of the historic environment will be resisted; particularly if it would affect a Conservation Area.
Bute Local Plan 1990

Policy POL BE 6 of the Bute Local Plan 1990 seeks to prevent any deterioration in the character or setting of the Rothesay Outstanding Conservation Area through unsympathetic new development and changes of use.

The settlement strategy for Bute stresses the need for consolidation of the existing settlements, including Rothesay. Policy POL HO 1 of the Bute Local Plan 1990 encourages the residential development of infill, rounding-off and redevelopment sites within existing settlements.

To complement the above policy, the Local Plan sought to restrict development on the periphery of settlements, thereby protecting agricultural land and the appearance of the landscape (particularly around the southern fringe of the Rothesay Outstanding Conservation Area).

The mechanism for achieving the above objective was to formulate Policy POL HO 3, which introduced the ‘Countryside Safeguarding Zone’ around Rothesay, Port Bannatyne, Kilchattan and Kingarth. Within this zone, small-scale residential development will not generally be permitted nor will it be considered as infill or rounding off.

The application site is within the ‘Countryside Safeguarding Zone’ and the proposal is contrary to Policy POL HO 3 of the Bute Local Plan 1990.

Arbystill and Bute Local Plan Finalised Draft

The application site lies wholly within the ‘settlement boundary’ defined in the Finalised Draft Local Plan within which residential infill and rounding-off developments are encouraged under Policy LP HOU 1. No representations were received to this designation during the consultation period for the Finalised Plan in mid 2005.

C. ASSESSMENT

Principle of Residential Development

As stated above, the application site is presently contrary to the Bute Local Plan 1990, as it is located within the ‘Countryside Safeguarding Zone’. However, it is identified in the Finalised Draft Argyll and Bute Local Plan 2005 as being within the ‘settlement boundary’ of Rothesay (designated a ‘Main Town’) within which, under Policy LP HOU 1, there is encouragement for small, medium and large-scale residential development unless there is an unacceptable environmental, servicing or access impact.

The application site is now in full accordance with the ‘settlement boundary’ contained within the Finalised Draft of the Argyll & Bute Local Plan.

Impact Upon Character of Conservation Area

Ardencraig House (which is a substantial mansion dating from the early to mid 19th century) is a Category ‘B’ Listed Building that is set within a large woodland located between the Craigmore and Montford areas of Rothesay. The Council’s Ardencraig Nursery is situated approximately 120 metres to the north of the house.

The application site is located approximately 100 metres to the south west of the house, in an elevated position within an existing clearing. There is an existing unsurfaced access leading to the site from the nursery buildings, from which one can look down onto Ardencraig House.

The proposal involves the erection of a relatively substantial dwelling (ground floor footprint approximately 125 square metres), which would be partly single storey (facing north west) and partly two storey (facing south east). It is considered that a large dwelling set within an existing clearing (thereby obviating the requirement for the felling of any trees) would accord with the settlement pattern of the area, which already contains Ardencraig House and Ardencraig Nursery.

The proposed dwelling would not affect the setting of Ardencraig House, given the significant distance between the two properties and the substantial difference in ground levels.
Design of Proposed Dwelling

The main issue with the previous application (ref: 05/02346/DET) related to the design of the proposed dwelling. In its very initial incarnation, the Department had a number of concerns regarding the use of concrete roof tiles and facing brick; the design and position of the fenestration; and an asymmetrical roof pattern.

Although the applicant introduced a number of improvements to the roof design and elevations of the proposed dwelling in March 2006, it was considered that the resultant scheme remained somewhat disappointing, with the long ‘front’ elevation having an unduly horizontal emphasis. Despite attempts to achieve some symmetry to this elevation, the range of window proportions resulted in a somewhat restless appearance.

Further discussions after the withdrawal of the first application have led to a scheme that the Department now considers is worthy of support. The drawings now show a primarily symmetrical front (south east-facing) elevation incorporating three smaller gables with arched glazing on the upper floor. The middle gable projects slightly further than the other two. This new design has succeeded in adding more visual interest to this elevation and reducing its previous long, horizontal emphasis.

Given the design improvements that have taken place and that the building would be somewhat secluded in an elevated clearing, it is considered that the proposal would not have an adverse impact upon the Rothesay Conservation Area and would be consistent with Central Government guidance and emerging Development Plan policies.

Justification for ‘Minor Departure’

In taking into account all of the material considerations referred to above, it is considered that a case can be made for granting planning permission as a ‘minor departure’ to the Development Plan as follows:

“The proposal does not represent ‘large scale or unsympathetic’ development and it would not have an adverse impact upon the Rothesay Conservation Area. It should be seen in the context of an aged Bute Local Plan that no longer accurately reflects the understood aspirations of the Council.

In addition, the application site is fully contained within the settlement boundary defined in the Finalised Draft of the Argyll & Bute Local Plan 2005”.

Requirement for PAN 41 Hearing

Given that the proposal is only a ‘minor departure’ from the Development Plan and there have been no letters of representation, it is not considered that it would be necessary to convene a hearing under Planning Advice Note 41 ‘Development Plan Departures’.

D. CONCLUSION

The application is contrary to the terms of the adopted Bute Local Plan 1990 but complies with the terms of the emerging Argyll and Bute Local Plan.

Section 25 of the Town and Country Planning (Scotland) Act 1997 requires that applications for planning permission be determined in accordance with the provisions of the Development Plan unless other material considerations indicate otherwise.

The scale and design of the building are considered to be acceptable in the context of the site’s location within the Rothesay Conservation Area and no infrastructure/servicing constraints have been identified.

It is considered that the adopted Local Plan is somewhat outdated. As the application complies with the terms of the emerging Local Plan, it is considered that this is a material consideration which outweighs the development plan and would allow the Authority to grant planning permission as a minor departure to the development plan.
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A)

THE APPLICATION

Development Requiring Express Planning Permission:

- Conversion of existing dwellinghouse into 2 separate dwellinghouses;
- external alterations associated with conversion;
- Installation of new septic tank serving two dwellinghouses;
- formation of car parking area and associated landscaping and boundary treatments;

B)

RECOMMENDATION

It is recommended that detailed planning permission be **Granted** subject to the standard condition and reason and the following conditions, reasons and advisory notes set out overleaf.

C)

Determining Issues and Material Considerations

The determining issue in an assessment of this proposal is whether the conversion of an existing large dwellinghouse into two separate dwellinghouses would have a significant impact on adjacent surrounding dwellings. Planning permission has already been granted for the conversion of the opposite wing of the former farmsteading into two separate dwellinghouses (ref. 05/02354/COU, granted on 6th February 2006). Neither the Area Roads Manager nor SEPA has expressed any objections in principle, subject to conditions and advisory notes. Issues regarding the connection to a private water supply and the upkeep and maintenance of estate roads and bridges are either addressed by recommended planning condition(s) and advisory notes or considered to be civil matters.

The proposed conversion would not have a significant impact on the former farmsteading buildings and is consistent with adopted and emerging policy in respect of the principle of converting an existing building.

Angus J Gilmour
Head of Planning Services

"In reaching my assessment on this application, I have had regard to the documents identified in brackets above which are available for public inspection in terms of the Local Government (Access to Information) Act 1985."
CONDITIONS AND REASONS RELATIVE TO APPLICATION 06/00307/COU

2. The development hereby permitted, shall be constructed in strict accordance with the approved plans titled: 1:1250 Location Plan received 9th February 2006; 1:500 Block Plan received 27th March 2006; 1:200 Existing Site Plan received 27th March 2006; 1:200 Proposed Site Plan received 27th March 2006; 1:100 Existing Ground Floor Plan received 9th February 2006; 1:100 Existing First Floor Plan received 9th February 2006; 1:100 Proposed Ground Floor Plan received 9th February 2006; 1:100 Proposed First Floor Plan received 9th February 2006; 1:100 Existing Elevations (rear and front) received 9th February 2006; 1:100 Existing Elevations (rear and side) received 9th February 2006; 1:100 Existing Elevations (side to courtyard) received 9th February 2006; 1:100 Proposed Elevations (rear and front) received 9th February 2006; 1:100 Proposed Elevations (rear and side) received 9th February 2006; 1:100 Proposed Elevations (side) received 9th February 2006; unless the prior written consent for variation is obtained from the Planning Authority.

Reason: Given that amended plans were submitted during the course of this application, and to ensure that the development is undertaken in strict accordance with the approved and amended plans.

3. A parking area for two vehicles, together with a turning area shall be provided for each property prior to the first occupation of the dwellinghouses as indicated on drawing number 1:200 Proposed Site Plan received 27th March 2006 and shall thereafter be retained in perpetuity for such a dedicated purpose, unless the prior consent for variation is obtained in writing from the planning authority.

Reason: In the interests of road safety and to provide adequate parking provision.

4. Any repairs to the external walls of each dwellinghouse shall be finished in wet dash cement render, off-white in colour, and any repairs to the roof shall be carried out in natural slates of similar dimension, colour and texture to the existing slates.

Reason: In the interests of visual amenity and to integrate the proposal into the surrounding landscape setting.

5. Prior to the development commencing, a full appraisal of the quantity, quality and adequacy of the private water supply to serve the development, and the means to do it shall be carried out by a qualified hydrologist in consultation with the Council’s Head of Public Protection and the proposed works in relation to water provision shall first be agreed in writing by the Council as Planning Authority. Furthermore, the development shall not be occupied until the required works have been provided.

Reason: In the interests of public health and in order to ensure that an adequate private water supply in terms of both quality and quantity can be provided to meet the requirements of the proposed development.
ADVISORY NOTES TO APPLICANT RELATIVE TO APPLICATION 06/00307/COU

(i) In terms of foul drainage, Scottish Environment Protection Agency (SEPA) note from the application form that foul drainage from the development will be discharged to a new septic tank and land soakaway.

For private foul drainage systems outwith the settlement envelope served by public sewer, SEPA's primary interest is in protection of surface waters (minimum distance of 10m from soakaway to watercourse, including ditches and field drains, and 50m from soakaway to well or abstraction) and groundwater (minimum distance of 1m from bottom of distribution pipes of soakaway to seasonally highest water table). If these minimum distances cannot be achieved, please consult SEPA further.

(ii) For your information, as from 1 April 2006 under the new SEPA regulatory controls of The Water Environment (Controlled Activities Regulations) (Scotland) 2005 all discharges to land will require either registration or licensing. For shared systems with a Population Equivalent (PE) of 15 and greater, a responsible body will need to be identified on the SEPA discharge consent licence.

(iii) In terms of surface water drainage, the applicant/developer is advised that SEPA expects all development proposals, both rural and urban, including for single houses, to adopt Sustainable Drainage Systems (SuDS) drainage measures in line with Planning Advice Note 61 (PAN61) "Planning and Sustainable Urban Drainage Systems" and Section 3 of the Domestic Technical Handbook. Technical guidance is within the CIRIA C521 manual.

Measures for small-scale applications could comprise simple devices such as separate land soakaways, if the site conditions are appropriate, or a filter trench without pipe prior to discharge if not;

(iv) The attention of the applicant/developer should be brought to the advice contained in SEPA's guidance note PPG6: Working at Construction and Demolition Sites. This advice should be adhered to at all times during construction. From the commencement of work associated with this planning permission, including site clearance, until its completion, there shall be no burning or disposal of controlled waste on site, or at any other location, unless a Waste Management Licence is in force or a suitable exemption from Waste Management Licensing Regulations 1994 (as amended) has been registered with SEPA.

The applicant/developer is strongly advised to contact SEPA (Richard MacNeill, Planning Unit North Region tel. 01349 860365) directly regarding matters (i), (ii) (iii) and (iv);

(v) The septic tank and soakaway will require to be designed and constructed in accordance with the current code of practice BS6297:1983, and Part M of the Building Standards (Scotland) Regulations 1990 (as amended). This will require the applicant to carry out percolation testing on site to assess the suitability of the sub-soil for effluent disposal. Surface water should be excluded from the septic tank. It is not SEPA's intention to pursue a consent for the discharge to the total soakaway, and accordingly, the applicants may wish to contact the Council's Building Control Department regarding this particular issue.

The applicant/developer is advised to contact the Council's Building Control Department directly (Mr. Garreth Garrett, Senior Building Inspector, tel. 01369 708605).

(vi) Planning permission has been issued to you to include a septic tank and soakaway within site edged red. If, for any reason, it is necessary to change the location of the tank or outfall an additional consent will be necessary and further advice should be sought from your local planning office. A Building Warrant will be required for the septic tank installation and considerable additional information will be required prior to the grant of Building Warrant. Before a Building Warrant will be granted and as part of the ground assessment you will require to have trial holes dug to specified dimensions to determine the position of the water table and soil type and conditions and, submit the results of a professionally carried out percolation test using the method described in BS 6297:1983 or other acceptable method to determine the area of ground required for the "infiltration system".
APPENDIX RELATIVE TO APPLICATION REF. NO. 06/00307/COU

A. OTHER MATERIAL CONSIDERATIONS

(i) Site History

None. The historical farmsteading of Ballochyle Farm was split into two residential units (i.e. Cottage 2 on the north wing and Cottage 3 on the south wing). These units are arranged around a communal courtyard. The subject of this application is Cottage 2.

Planning permission (ref. 05/02354/COU) was recently granted on 6th February 2006 for the conversion of a storage building attached to Cottage 3 into a separate dwellinghouse.

(ii) Consultations

**Area Roads Manager** (memo dated 10th April 2006): No objections subject to condition regarding car parking and turning area.

**Scottish Environment Protection Agency** (letter dated 4th January 2006): No objection subject to advisory notes.

**Public Protection** (memo dated 6th April 2006): No objections subject to conditions and advisory notes.

(iii) Publicity and Representations

Under Section 34 ‘Bad Neighbour’ Advert (expiry date 19th May 2006) and Article 9 neighbour notification procedures, letters of objection have been received from Mrs. Kirsteen Manuel, **Ballochyle** (letters dated 14th and 15th February 2006) and Tom and Maureen Pierson, **1 Ballochyle Estate**, Sandbank (letter dated 3rd March 2006).

The points raised can be summarised as follows:

i. The owner of Ballochyle objects to the subject property being called by any other name other than ‘The Courtyard’. Two properties with the same name cause confusion.

**Comment**: The applicant has described the property as Cottage 2, Ballochyle Farm. The Council’s GIS mapping system confirms this is the case and the application address is correct. The naming of the property has no bearing on the planning merits of the proposal.

ii. Existing servitude right over estate roads.

**Comment**: This is not a planning matter. The Area Roads Manager offers no objections.

iii. The water supply will not cope with another dwellinghouse.

**Comment**: The applicant proposes to connect to an existing private water supply and septic tank. This is a matter which would be dealt with under a Building Warrant.

iv. Another family occupying the new cottage will mean more vehicles travelling on the estate road and using the bridge which is now in a tenuous state of repair. Future users should realise that they travel over the bridge at their own risk and should be informed by those who are creating a new dwelling.

**Comment**: The Area Roads Manager has no objections to the proposed development. Other concerns raised are matters for the individual parties concerned with the maintenance and upkeep of the private estate road and bridge.
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<td>Mount Stuart Trust Mountstuart House Mount Stuart Rothesay Isle Of Bute Amendment to Warrant to cover alterations to fire upgrading scheme. (amendment to 03/01289/MTP)</td>
<td>17/03/2006</td>
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<td>04/01778/ALT/A</td>
<td>Mr And Mrs Cosway 11A Marine Place Rothesay Isle Of Bute PA20 0LF Amendment to cover repositioning of shower room doors. (Amendment to Warrant 04/01778/ALT)</td>
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<td>Mr And Mrs Robert Teasdale Quarry Cottage Sandbank Dunoon Argyll PA23 8QS Amendment to Warrant, to enlarge rear extension and extend the pitched roof over the existing kitchen flat roof.(amend of 05/00028/MTP)</td>
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<td>Fyne Homes Ltd Springbank 6 Stewart Street Kirk Dunoon Argyll PA23 8DS Amendment to warrant (05/00299/ERD) to cover Flat No. 7 only and allow occupation by wheelchair user.</td>
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<td>05/01727/ALTEXT</td>
<td>Mr And Mrs Pettit Dunstaffnage 23 Eccles Road Hunters Quay Dunoon Argyll PA23 8LB Demolition of existing sunlounge and erection of replacement</td>
<td>30/11/2005</td>
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<td>Mr And Mrs D MacDonald, Kerrycrusach Cottage Kingarth Rothesay Isle Of Bute, Extension forming bedrooms and study together with replacement septic tank.</td>
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<td>Bogheha Bowling Club, Bogheha Bowling Club 339 Argyll Street Dunoon Argyll PA23 7RJ, Alterations to cubhouse; including access, toilets and addition of external insulation.</td>
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<td>22/03/2006</td>
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<td>20/04/2006</td>
<td>WARAPP</td>
</tr>
<tr>
<td>06/00422/ALTER</td>
<td>Mr D Fischer 42 Mary Street Dunoon Argyll And Bute PA23 7EE Internal alterations to kitchen and bathroom.</td>
<td>30/03/2006</td>
<td>07/04/2006</td>
<td>02/05/2006</td>
<td>WARAPP</td>
</tr>
<tr>
<td>06/00426/ALTER</td>
<td>Mrs M O'Neill 6 Ferry Brae Dunoon Argyll And Bute PA23 7DJ Alterations to shop front, and minor internal alterations to back shop.</td>
<td>30/03/2006</td>
<td>06/04/2006</td>
<td>02/05/2006</td>
<td>WARAPP</td>
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<tr>
<td>06/00428/EXTEND</td>
<td>George Craig Rockhill Castle ArdenCraig Road Rothesay Isle Of Bute Argyll And Bute PA20 9LA Alteration to dwelling, to create a porch area</td>
<td>27/03/2006</td>
<td>04/04/2006</td>
<td>18/05/2006</td>
<td>WARAPP</td>
</tr>
<tr>
<td>06/00460/DISAB2</td>
<td>Trustees Of Toward And Loch Striven War Memorial Hall Village Hall Toward Argyll And Bute PA23 7UG Internal alterations and formation of access ramp.</td>
<td>06/04/2006</td>
<td>11/04/2006</td>
<td>20/04/2006</td>
<td>WARAPP</td>
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<tr>
<td>CASENO</td>
<td>APPLICANT NAME/PROPOSAL AND SITE ADDRESS</td>
<td>RECEIVED DATE</td>
<td>VETTED DATE</td>
<td>DECISION DATE</td>
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<td>06/00492/ALTER</td>
<td>Edward Gallacher 37 Mcarthur Street Dunoon Argyll And Bute PA23 7PN Alteration to dwelling to form french doors</td>
<td>11/04/2006</td>
<td>13/04/2006</td>
<td>25/04/2006</td>
<td>WARAPP</td>
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<tr>
<td>06/00532/ALTER</td>
<td>Miss D Larmour 5 Westfield Strone Dunoon Argyll And Bute PA23 8RS Alteration to dwelling, to install two velux windows</td>
<td>19/04/2006</td>
<td>25/04/2006</td>
<td>25/04/2006</td>
<td>WARAPP</td>
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<tr>
<td>06/00560/EXTEND</td>
<td>M Yates Upper Flat Balgieholm 5 Wellington Street Dunoon Argyll And Bute PA23 7LB Extension to rear forming kitchen and upper storey lounge</td>
<td>26/04/2006</td>
<td>05/05/2006</td>
<td>18/05/2006</td>
<td>WARAPP</td>
</tr>
<tr>
<td>06/00594/ALTER</td>
<td>Argyll And Bute Council 56B Hunter Street Kirn Argyll And Bute PA23 8DT Internal alterations to form new kitchen/dining room and new utility room.</td>
<td>03/05/2006</td>
<td>08/05/2006</td>
<td>08/05/2006</td>
<td>WARAPP</td>
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</tbody>
</table>

TOWN AND COUNTRY PLANNING
DELEGATED DECISIONS SINCE LAST COMMITTEE
BUTE AND COWAL

Application Types:
ADV App. for Advertisement Consent,
ART4 App. Required by ARTICLE 4 Dir,
CLAWUApp. for Cert. of Law Use/Dev. (Existing),
CLWP App. for Cert. of Law Use/Dev. (Proposed),
COU App. for Change of Use Consent,
CPD Council Permitted Dev Consultation,
DET App. for Detailed Consent,
FDP Forest Design Plan Consultation,
FELLIC Felling Licence Consultation,
GDCON Government Dept. Consultation,
HAZCON App. for Hazardous Substances Consent,
HYDRO Hydro Board Consultation,
LIB Listed Building Consent,
LIBECC App. for Consent for ecclesiastical building,
MFF Marine Fish Farm Consultation,
MIN App. for Mineral Consent,
NID Not. of intent to develop app.,
NMA Not. for Non-Materail Amnt,
OUT App. for Permission in Principal,
PNAGRI Prior Not. Agriculture,
PNDEM Prior Not. Demolition,
PNELEC Prior Not. Electricity,
PNFOR Prior Not. Forestry,
PNGAS Prior Not. Gas Supplier,
PREAPP Pre App. Enquiry,
REM App. of Reserved Matters,
TELNOT Telecoms Notification,
TPO Tree Preservation Order,
VARCON App. for Variation of Condition(s),
WGS Woodland Grant Scheme Consultation

Decision Types
PER Approved
WDN Withdrawn
NOO No Objections
AAR Application Required
CGR Certificate Granted
OBR Objections Raised
PDD Permitted Development
PRE Permission Required
NRR New App. Required
<table>
<thead>
<tr>
<th>App No</th>
<th>Applicant name, address and proposal</th>
<th>Valid date</th>
<th>Decision date</th>
<th>Decision</th>
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<tbody>
<tr>
<td>99/02043/DET</td>
<td>George Hanson (Building Contractor) Ltd Builders Yard  61 High Street Rothesay Isle Of Bute</td>
<td>17/02/2000</td>
<td>27/04/2006</td>
<td>PER</td>
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<tr>
<td></td>
<td>Alterations to builder's yard including erection of storage building</td>
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<tr>
<td>06/00790/NMA</td>
<td>Shergill Enterprises Argyll Hotel 54 Argyll Street Dunoon Argyll And Bute PA23 7NE</td>
<td>06/04/2006</td>
<td>15/05/2006</td>
<td>PER</td>
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<tr>
<td></td>
<td>Formation of new fire escape door : deletion of fanlight (relative to permission 05/02068/DET).</td>
<td></td>
<td></td>
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<tr>
<td>06/00769/DET</td>
<td>Mr And Mrs G Reid Ardacheranmor Glendaruel Argyll And Bute PA22 3AE</td>
<td>10/04/2006</td>
<td>15/05/2006</td>
<td>PER</td>
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<tr>
<td></td>
<td>Erection of one-and-a-half storey rear extension, alterations to side extension and formation of dormers to front roof slope</td>
<td></td>
<td></td>
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<tr>
<td>06/00760/DET</td>
<td>Mr And Mrs J Morris 40 Mary Street Dunoon Argyll And Bute PA23 7EE</td>
<td>05/04/2006</td>
<td>28/04/2006</td>
<td>PER</td>
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<tr>
<td></td>
<td>Erection of porch</td>
<td></td>
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<tr>
<td>06/00756/DET</td>
<td>Trustees Of Toward War Memorial Hall Village Hall Toward Argyll And Bute PA23 7UG</td>
<td>06/04/2006</td>
<td>08/05/2006</td>
<td>PER</td>
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<td></td>
<td>Formation of disabled access ramp and main entrance steps/landing.</td>
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<tr>
<td>06/00732/DET</td>
<td>Mr And Mrs Morrsion Carraig Strachur Argyll And Bute PA27 8BY</td>
<td>26/04/2006</td>
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<td>PDD</td>
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<td>Erection of store extension</td>
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<tr>
<td>06/00729/DET</td>
<td>Mr K Thomson Upper Flat. Prospect Place 43 Shore Road Innellan Argyll And Bute PA23 7TJ</td>
<td>07/04/2006</td>
<td>08/05/2006</td>
<td>PER</td>
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<tr>
<td></td>
<td>Installation of replacement windows (retrospective)</td>
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<td>App No</td>
<td>Applicant name, address and proposal</td>
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<tr>
<td>06/00722/PNDEM</td>
<td>Peter Goodwin Langalchorad Kingarth Isle Of Bute Argyll And Bute PA20 9PF</td>
<td>24/04/2006</td>
<td>PDD</td>
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<td></td>
<td>Demolition of semi detached cottages</td>
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<tr>
<td>06/00721/DET</td>
<td>Key Housing Association Ltd 74 And 74A Queen Street Dunoon Argyll And Bute PA23 8AU</td>
<td>29/03/2006</td>
<td>12/05/2006</td>
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<td>External alterations</td>
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<tr>
<td>06/00720/CPD</td>
<td>Argyll And Bute Council Argyll House 91 Alexandra Parade Dunoon Argyll And Bute PA23 8AJ</td>
<td>04/04/2006</td>
<td>28/04/2006</td>
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<td>Installation of replacement windows</td>
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<tr>
<td>06/00716/LIB</td>
<td>Ms Karon Holloway Flat 1/1 15 Victoria Place High Road Port Bannatyne Isle Of Bute Argyll And Bute PA20 0LJ</td>
<td>27/03/2006</td>
<td>12/05/2006</td>
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<td>Installation of replacement windows</td>
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<tr>
<td>06/00715/DET</td>
<td>Ms Karon Holloway Flat 1/1 15 Victoria Place High Road Port Bannatyne Isle Of Bute Argyll And Bute PA20 0LJ</td>
<td>27/03/2006</td>
<td>12/05/2006</td>
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<td>Installation of replacement windows</td>
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<tr>
<td>06/00712/DET</td>
<td>Mrs I McWilliam Flat 5 96 High Street Rothesay Isle Of Bute Argyll And Bute</td>
<td>22/03/2006</td>
<td>12/05/2006</td>
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<td>Installation of replacement windows</td>
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<tr>
<td>06/00664/PNELEC</td>
<td>SSE Power Distribution Overhead Line Deviation Duntrune Kilmartin</td>
<td>29/03/2006</td>
<td>25/04/2006</td>
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<td>11kv overhead line deviations</td>
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<tr>
<td>06/00582/COU</td>
<td>Grant And Jarvis Property Ltd K Kean Butchers Argyll Buildings Shore Road Innellan Argyll And Bute PA23 7TP</td>
<td>31/03/2006</td>
<td>08/05/2006</td>
<td>PER</td>
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<td></td>
<td>Conversion of shop to flat and external alterations</td>
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<tr>
<td>06/00536/NMA</td>
<td>Moura And Lindsay Sawyer Crunadh Millhouse Argyll And Bute PA21 2DA</td>
<td>14/03/2006</td>
<td>08/05/2006</td>
<td>PER</td>
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<tr>
<td></td>
<td>Alterations and extension to dwellinghouse (non material amendment to 03/02126/DET incorporating change from concrete tile to natural slate roof covering)</td>
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<tr>
<td>06/00529/DET</td>
<td>Mr And Mrs David Bryden 2 Mill Road Kingarth Isle Of Bute Argyll And Bute PA20 9NR</td>
<td>10/03/2006</td>
<td>08/05/2006</td>
<td>PER</td>
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<tr>
<td></td>
<td>Extension to dwellinghouse</td>
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<tr>
<td>06/00517/DET</td>
<td>Bill Wren Flat Ground/1 Klin Villa Kilchattan Bay Isle Of Bute Argyll And Bute PA20 9NW</td>
<td>08/03/2006</td>
<td>05/05/2006</td>
<td>PER</td>
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<td></td>
<td>Demolition of existing single storey rear extension and erection of a new single storey extension</td>
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<tr>
<td>06/00484/DET</td>
<td>Humphrey Matthey Upper Flat Dalfauld House 20 Dhailling Road Dunoon Argyll And Bute PA23 8EA</td>
<td>06/03/2006</td>
<td>24/04/2006</td>
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<td>Erection of log cabin</td>
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<tr>
<td>06/00474/DET</td>
<td>Mr And Mrs I Dobbie Cara Bobbys Brae Tighnabruaich Argyll And Bute PA21 2BD</td>
<td>31/03/2006</td>
<td>15/05/2006</td>
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<td>Extension to existing dwelling</td>
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<tr>
<td>06/00469/DET</td>
<td>Mr And Mrs Mundy 59 Ardbeg Road Rothesay Isle Of Bute Argyll And Bute PA20 0NN</td>
<td>27/02/2006</td>
<td>24/04/2006</td>
<td>PER</td>
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<td>Installation of replacement windows</td>
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<tr>
<td>06/00467/DET</td>
<td>Alan Waugh Clachan Tighnabruaich Argyll And Bute PA21 2DY Retention of timber decks and pathways</td>
<td>27/02/2006</td>
<td>24/04/2006</td>
<td>PER</td>
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<tr>
<td>06/00411/DET</td>
<td>Steven McRoberts 1 Dalinlongart Cottage Sandbank Argyll And Bute PA23 8QS Retention of timber decking.</td>
<td>13/03/2006</td>
<td>24/04/2006</td>
<td>PER</td>
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<tr>
<td>06/00410/COU</td>
<td>Mr And Mrs B Scott Shop Creggans Store Strachur Argyll And Bute PA27 8BX Change of use of shop to form living room within dwellinghouse</td>
<td>22/02/2006</td>
<td>20/04/2006</td>
<td>PER</td>
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<tr>
<td>06/00409/COU</td>
<td>Strathlachlan Enterprises Ltd Site To The North East Of Caravan Park Strathlachlan Argyll PA27 8BU Change of use of agricultural land to boat storage area in association with established caravan park</td>
<td>22/02/2006</td>
<td>16/05/2006</td>
<td>PER</td>
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<tr>
<td>06/00408/DET</td>
<td>Mr And Mrs A J Clark Choilie Choil Strachur Argyll And Bute PA27 8BX Single storey front and side extensions and 1 1/2 storey rear extension</td>
<td>22/02/2006</td>
<td>08/05/2006</td>
<td>PER</td>
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<tr>
<td>06/00407/DET</td>
<td>Eric John Graham Flat 2/2 76 Ardbeg Road Rothesay Isle Of Bute Argyll And Bute PA20 0NN Installation of replacement windows</td>
<td>10/03/2006</td>
<td>24/04/2006</td>
<td>PER</td>
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<tr>
<td>06/00397/DET</td>
<td>Bogleha Bowling Club Bogleha Bowling Club 339 Argyll Street Dunoon Argyll And Bute PA23 7RJ External alterations to clubhouse buildings and formation of disabled access ramp.</td>
<td>21/03/2006</td>
<td>26/04/2006</td>
<td>PER</td>
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<td>App No</td>
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<tr>
<td>06/00396/OUT</td>
<td>Mr T Law Garden Ground To The West Of Avoca Shore Road Innellan Argyll And Bute Erection of detached dwellinghouse and garage and formation of new vehicular access</td>
<td>16/02/2006</td>
<td>03/05/2006</td>
<td>PER</td>
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<tr>
<td>06/00395/COU</td>
<td>Mr Kevin Boyle 37 Mill Street Rothesay Isle Of Bute Argyll And Bute PA20 0EX Change of use of land to car/wash and garden centre (retrospective)</td>
<td>23/02/2006</td>
<td>02/05/2006</td>
<td>PER</td>
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<tr>
<td>06/00324/DET</td>
<td>Mr And Mrs B Keith Rosebank 25 Royal Crescent Dunoon Argyll And Bute PA23 7AG Retention of replacement roof covering.</td>
<td>13/02/2006</td>
<td>27/04/2006</td>
<td>PER</td>
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<tr>
<td>06/00310/DET</td>
<td>Sarah A Black Bay Cottage Strachur Argyll And Bute PA27 8DD Erection of conservatory extension to tearoom</td>
<td>09/02/2006</td>
<td>21/04/2006</td>
<td>PER</td>
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<tr>
<td>06/00227/VARCO</td>
<td>Amec Wind Land North Of The Brannie Clachan Flats By Cairndow Cairndow Argyll And Bute Extraction of stone for windfarm construction: variation of conditions 2, 4 and 5 of mineral planning permission Ref 04/01939/MIN to allow the extraction from temporary borrow pit to have ceased and be reinstated by 8 July 2008.</td>
<td>23/01/2006</td>
<td>11/05/2006</td>
<td>PER</td>
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<tr>
<td>06/00194/COU</td>
<td>Mr A Beattie 15 Mcarthur Street Dunoon Argyll PA23 7RA Conversion of shop (Class 1) to flat and external alterations</td>
<td>17/02/2006</td>
<td>10/05/2006</td>
<td>PER</td>
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<tr>
<td>06/00130/DET</td>
<td>Mr And Mrs North Old Pier House Toward Dunoon Argyll PA23 7UB Alterations to roof (retrospective)</td>
<td>20/01/2006</td>
<td>21/04/2006</td>
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<td>06/00007/DET</td>
<td>Stephen N Joffe Derelict Cottages North Of Dunderave Castle Inveraray Argyll Partial demolition of</td>
<td>19/01/2006</td>
<td>11/05/2006</td>
<td>PER</td>
</tr>
<tr>
<td></td>
<td>cottages and conversion and reconstruction to form 2 residential cottage units with ancillary artist's studio; formation of new vehicular access and upgrading of existing vehicular access, installation of new</td>
<td></td>
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<tr>
<td>05/01877/COU</td>
<td>Mr N Whitley Old School Cairndow Argyll Partial use of former school building as a dwellinghouse,</td>
<td>10/11/2005</td>
<td>21/04/2006</td>
<td>PER</td>
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<td>external alterations, formation of car parking spaces and installation of biodisc treatment plant with soakaway</td>
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<td>05/01236/DET</td>
<td>Stewart McNee (Dunoon) Ltd Land North West Of Laudervale Bullwood Road Dunoon Argyll Erection of</td>
<td>17/06/2005</td>
<td>16/05/2006</td>
<td>PER</td>
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<tr>
<td></td>
<td>residential development comprising 10 detached houses and 12 flats, formation of new vehicular access, car parking and landscaping</td>
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<tr>
<td>05/00939/DET</td>
<td>Glenhill (Bute) Ltd Land To The North Of Craigielea Ardbeg Road Rothesay Isle Of Bute Erection of</td>
<td>28/04/2005</td>
<td>11/05/2006</td>
<td>PER</td>
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<td>4 dwellings in two semi-detached blocks and widening of existing vehicle access</td>
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<tr>
<td>03/02055/DET</td>
<td>National Australia Group Clydesdale Bank 120 Argyll Street Dunoon Argyll PA23 7NB Formation of</td>
<td>27/04/2006</td>
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<td>WDN</td>
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<tr>
<td></td>
<td>disabled access ramp</td>
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