

**MINUTES of MEETING of ARGYLL AND BUTE LOCAL REVIEW BODY held in the COUNCIL CHAMBER, KILMORY, LOCHGILPHEAD on THURSDAY, 22 APRIL 2010**

**Present:** Councillor Roddy McCuish (Chair)  
Councillor Donald MacMillan Councillor Alex McNaughton

**Attending:** Charles Reppke, Head of Governance and Law  
Hazel Kelly, Senior Committee Assistant (Minute Taker)

**1. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

**2. DECLARATIONS OF INTEREST**

There were no Declarations of Interest.

**3. CONSIDER NOTICE OF REVIEW REQUEST: 112 WEST PRINCES STREET, HELENSBURGH**

The Chair welcomed everyone to the meeting and introduced the panel. He advised that the only participants allowed to speak at the meeting would be the Members of the Local Review Body and Mr Reppke who would provide procedural advice if required.

The Chair advised that the first matter for the Local Review Body to address would be to establish whether the information contained within the agenda pack was, in the view of Members, sufficient to allow the Local Review Body to reach a decision on the application. The Board agreed unanimously that they had enough information to make a decision on the application.

The Chair confirmed that given the Local Review Body had agreed that they had enough information to allow a decision to be made it would therefore not be necessary to accede to the request by the applicant for a local hearing and site inspection to which the Board agreed.

The Chair invited comments from Members on determination of the Review. Councillor McNaughton advised that he felt the site was very tight for the size of the development and that the access was very narrow. Councillor MacMillan advised that he thought the application was contrary to policies LP ENV 1, LP ENV 19 and Appendix A of the Argyll and Bute Local Plan. Councillor McCuish advised that while he had been in Helensburgh on 21 April 2010 on other business he had viewed the site. He advised that in his view the site was very tight and would not accommodate 5 dwellings. He also advised that that he believed the application was contrary to policies LP ENV 1, LP ENV 19 and Appendix A of the Argyll and Bute Local Plan. He added that the site exited onto West Princes Street which was one of the busiest streets in Helensburgh. Councillor MacMillan advised that he too had visited the site on 21 April 2010 and felt that the access was substandard. Councillor McNaughton

advised that although he thought the access was adequate at 3m wide for vehicles only, he felt that as the access was shared with pedestrians this would make it dangerous. Councillor McCuish advised that the application had been recommended for refusal by the area roads manager due to a substandard access. He advised that he did not think that the installation of a bollard by the applicant would be sufficient to stop vehicles entering the site and that it would do nothing to improve the sightlines. He further advised that although no parking was required for this development there would be an increase in pedestrian traffic. Finally he added that he had concerns over the privacy for the buildings already in the area and also for those people who would occupy the development from being overlooked by existing properties.

The Chair proposed that the application be refused for the reasons discussed by the Board which was unanimously agreed to.

### **Decision**

The Board agreed to refuse the application for the following reasons –

1. The proposal was considered over-development of the site.
2. The proposal was contrary to Policies LP ENV 1, LP ENV 19 and Appendix A of the Argyll and Bute Local Plan.
3. The recommendation by the area roads manager to refuse the application due to substandard and unacceptable access sightlines.
4. Concerns that the development would affect the privacy of the residents.

And therefore the Board determined that the reasons for refusal be –

The application site is located in a backland plot in the rear court area of properties fronting onto West Princes Street. It has traditionally been used as part of a painter and decorators and for the repair of motor vehicles. The site is constrained, overlooked and dominated by adjoining flatted properties particularly those to the west fronting onto John Street. The site extends to 415 square metres, 25 metres of which comprises the access. The proposal is for a terrace of three single storey dwellings together with a 2 storey block of 2 flats. On the rear elevation the development would be hard up against the boundary wall of the flats to the west. The dwellings will have no curtilage at the rear and a limited curtilage at the front, each comprising a small area measuring 4.5m by 7m (31.5 square metres) which is virtually all hard surface including bin stores. Each of the proposed dwellings is indicated to take up approximately 60% of the individual plots. The flatted development will also have a limited curtilage comprising a small area of garden ground measuring approximately 6.2 by 6.2 metres (38 square metres). On the basis of the flats to the west which dominate, constrain and over shadow the site, the size of the application site, the number of properties proposed, the limited outlook and amenity space of both the proposed

dwellings and the flats and that in turn the proposed flats overlook the dwellings then this proposal constitutes over development and its amenity would be severely undermined. The proposal is therefore contrary to policies LP ENV1, LP ENV19 and Appendix A of the Argyll and Bute Local Plan which, inter alia, presume against development with poor quality or inappropriate layouts or densities including over-development and overshadowing of sites.

