

**MINUTES of MEETING of PLANNING, PROTECTIVE SERVICES AND LICENSING COMMITTEE**  
**held in the GIBSON COMMUNITY CENTRE, GARELOCHHEAD**  
**on THURSDAY, 7 APRIL 2011**

**Present:**

Councillor Daniel Kelly (Chair)  
Councillor Gordon Chalmers                      Councillor Neil Mackay  
Councillor Vivien Dance                        Councillor Donald MacMillan  
Councillor Mary-Jean Devon                    Councillor Alex McNaughton  
Councillor David Kinniburgh                   Councillor James McQueen  
Councillor Alister MacAlister                Councillor Al Reay

**Also Present:**

Charles Reppke – Head of Governance and Law  
Belinda Hamilton – Area Governance Assistant  
Howard Young – Area Team Leader  
Stephanie Glen – Planning Officer  
Campbell Divertie – Roads Technician – Statutory Consultee  
Martin Croft – Garelochhead Community Council – Statutory Consultee  
Colin Taylor – Garelochhead Community Council – Statutory Consultee  
Gregor Cameron – Dunbritton Housing - Applicant  
Ian Alexander – J M Architects –Agent for Applicant  
Gavin McNab – J M Architects –Agent for Applicant  
Mary Gray – Objector  
Jill Palmer – Objector

**1. APOLOGIES FOR ABSENCE**

Apologies were intimated from:-

Councillor Robin Currie  
Councillor Rory Colville  
Councillor Roderick McCuish  
Councillor Bruce Marshall

**2. DECLARATIONS OF INTEREST**

There were no Declarations of Interest.

**3. DUNBRITTON HOUSING ASSOCIATION: APPLICATION FOR ERECTION OF FOUR STOREY RESIDENTIAL BUILDING COMPRISING TWELVE TWO BEDROOM FLATS: FORMER SCRUMBLES, UPLAND ROAD, GARELOCHHEAD (REF: 11/00210/PP)**

The Chair welcomed everyone to the meeting and general introductions were made.

Charles Reppke, Head of Governance and Law, outlined the hearing procedure and the Chair invited anyone who wished to speak at the meeting to identify themselves.

Councillor Dance brought to the Committee's notice a point of order in that

Garelochhead Community Council as a Statutory Consultee, did not appear in the list of objectors on page 12 of the report by the Head of Planning. The reasons for this were explained by the Chair of the Garelochhead Community Council.

### **Planning Officer**

Howard Young, Area Team Leader, gave a brief outline of the application, showing slides from various elevations and aspects of the site. He indicated the block plan and potential footprint of the development and explained the various elevation measurements and roof pitches. Mr Young advised that this was not the first application by Dunbritton and that the previous concerns had been regarding the design and that this had now been amended.

As this site was within the settlement boundary, the presumption was in favour of the development. Mr Young addressed the concerns regarding the surface water run off and advised that Ian Gilfillan, Flood Alleviation Manager, had considered that this could be covered by conditions and that after discussion with Mr Gilfillan it was recommended that a Drainage Impact Assessment be carried out and that an additional caveat could be added should the application be approved.

### **Applicants**

#### **Dunbritton Housing**

Gregor Cameron, Development Officer – Dunbritton Housing, explained that following the acquisition of funding in 2008, and following an initial study to identify a site for affordable housing, outline planning had been sought at this site for 12 units of housing. Additionally secured funding had enabled the demolition of the existing building and general tidying up of the site. At the same time, Dunbritton had committed to this site with the support of the Council. The issue today was that of funding. Mr Cameron explained that we were now in an environment of trying to deliver a similar project but with budget constraints and that rather than walking away from the project, Dunbritton had elected to stay with it. At the acquisition stage, the preferred option would have been to rent the properties but that now we were looking at low cost housing for home ownership

Mr Cameron informed that as a need for 137 people to be housed had been identified, Dunbritton had secured a grant to develop the site. Various aspects of how to go about this had been looked at and it was acknowledged that they had wanted to deliver something they would be proud of. As a need for affordable housing in the area had been identified, it was agreed that two bedroomed flat accommodation would be most suitable.

The site itself, Mr Cameron explained, was challenging due to its topographical difficulties such as drainage. The new design would take up a smaller footprint, giving extra space for parking etc. This was a contemporary development to a high design specification which fitted in well with the parameters of the site.

Mr Cameron advised that he had attended two Community Council meetings and had listened to the residents. He acknowledged their concerns regarding the design of the development and had tried to address many of the issues raised.

In summary, Mr Cameron emphasised that Dunbritton were committed to the delivering of high quality affordable housing to the Garelochhead area.

### J M Architects

Ian Alexander agreed that it had been useful to attend the Community Council meetings and that this had triggered a further meeting with the Planners. Mr Alexander then demonstrated a 3D design presentation of the proposals. He felt that there had been a reaction to the site due to its location as it was outwith what would be the historic area of the village. The residential proposal now here consisted of houses whose position was dictated by the topography of the site and that good plans were about good decisions.

Addressing some of the concerns, Mr Alexander explained that the car parking would not be seen from the road and that landscaping would be a feature. Only 80% of the site would be of a building nature. He gave reassurances that, should the development go ahead, a full service would be given. Orientation and good views had been incorporated into the design, together with good ventilation. The flats would be well serviced and that there would be visitor car parking in addition. Various options had been considered during the design stage and that good design features such as variety of fenestration, different facing materials would be incorporated. The colour of the building would be similar to that of the Hill House in Helensburgh and he demonstrated the position of the development within the Upland Road area on a computer 'drop down'.

### **Statutory Consultee**

#### Roads and Amenity Services

Mr Divertie, Technical Officer, informed that the Roads Department had worked hard with Dunbritton Housing Association to come up with a scheme that would be in accordance with Council policy regarding issues such as drainage.

#### Garelochhead Community Council

Martin Croft had concerns that as the village comprised mainly of two storey developments, this would be the only four storey building and would therefore be out of place and that the original building would probably not now be allowed. Mr Croft referred to the presentation and highlighted his concerns that the design was box-like and would stand out when viewed from across the loch. He felt that there had not been much change from the original design and that as there was nothing else like it in the vicinity, it would dominate the village. The consultation had shown no support for the development and whilst there was little objection to social housing, that this design was unacceptable. Referring to the roads issue, he explained that even when coming up the hill today for the site visit, it had been busy and that there was now the potential for twice the amount of traffic coming up the hill. He emphasised again that there was no opposition for social housing but that the changes in the design in front of the committee today had done nothing to overcome the concerns of the local community.

Colin Taylor agreed with Mr Croft's comments and explained that in respect of the proposed planning application for the erection of a four storey residential building comprising twelve two bedroom flats at Scrumbles, Upland Road,

## Garelochhead

Garelochhead Community Council was opposed to this development on the following grounds:

Their belief was that this building will be visually overbearing. It was an inappropriate design for the village and was totally incongruous with the neighbouring properties. Significantly the building's height and mass was such that it would be detrimentally imposing for those in the immediate vicinity and by the very nature of its design and prominence it would impair the visual amenity of the surrounding countryside and thus would not meet the requirement of sympathetic integration into the proposed context.

Garelochhead Community Council is of the opinion this development does not accord with:

Policy LP ENV 1 - Development Impact on the General Environment (C) & (D)

Policy LP ENV 19 - Development Setting, Layout and Design

STRAT DC 8 - LANDSCAPE AND DEVELOPMENT CONTROL

The Sustainable Design Guidance Topic 2

JM Architects in response to the letters of representation to the initial planning application 10/00385/PP under Policy LP ENV 19 - Development Setting, Layout and Design said on Development Design

"We propose a building which will raise the standards and expectations of the design of social housing. Dunbritton Housing Association has a proven track record in the quality of its new build house stock and that JM architects have won numerous awards for the quality of social housing that they have designed".

In respect of this statement it would be presumed the earlier scheme submitted under application 10/00385/PP would be considered appropriate in design but this was not the case and as described by Planning Officer Howard Young as a 4 storey, largely flat roofed building - which read from every elevation as a square block with an irregular mix of fenestration.

The present planning application has had some of these issues addressed but it was felt that the proposed developments height and mass in relation to its context and the surrounding country side was still the major stumbling issue

The Sustainable Design Guidance Topic 3 Working with Argyll and Bute's built Heritage advice on how to approach Suburban infill had been used to support this application by the Planning Officer who outlined the three possible solutions sited and the preferred choice selected being that of 'contemporary urban infill' as there is no prevailing architectural character in the surroundings of the site.

Mr Taylor outlines the examples utilised within the Sustainable Design Guidance Topic 3 of good examples of urban infill which were as follows:

- The development uses the local pattern of plot development
- New infill continues street pattern and has a similar scale and fenestration

to its neighbours

- New flats occupy the corner of a landscaped public square and are a contemporary re interpretation of the traditional buildings
- Roof lines follow through from adjacent traditional buildings

None of those outlined along with accompanying photographic support would appear to have endorsed the determinations of the planning officer in relation to this present planning application

- The Sustainable Design Guidance Topics 1 and 2 does at a very early stage set out its key aims
- Maintaining Local Character
- Relating to the local landscape and character

It states that new development must be carefully considered in the context of its setting

- The natural landscape of Argyll and Bute will often be the most dominant visual feature.
- New housing has to be well integrated into the landscape
- Consider the prominence of a proposed development
- Minimise impact

Within the Sustainable Design Guidance Topic's 2

Good siting on Page 19 shows a photographic example of insensitive development the two photographs used actually portray the surrounding countryside of Garelochhead

It highlights the prominence and unsympathetic development in relation to its surroundings

The community council feels that this proposed planning application demonstrates this very issue as did the photographic representation of the proposed development as supplied by the Client

The Community Council feels this demonstrates this application does not comply with this guidance

The original plans for the Scrumbles development was for two storey housing of a standard modern design and within keeping in dimensions of the neighbouring properties, a design which was very much favoured by the local residents but unfortunately due the issue of contamination that presented itself at a later stage the Architect and Client had to consider an alternative design solution to make good on the land acquisition and to make it financially viable

The outcome of this was to minimise the development's footprint and designing a multi storey building , we felt the interpretation of planning policy and guidance has had to be considered in a much broader context in order for the Architect ,Client and Planning Officer to demonstrate they have met with these policies and guidance and in doing so now risk unfairly burdening the neighbouring residents and local community as a whole with a building which would be considered disproportionate in size and mass for the neighbouring properties

with its height and mass being further accentuated against a back drop of natural undeveloped country side and this building would serve as a point of focus for those viewing the landscape

The neighbouring housing to the proposed development were built in response to meeting a housing need for employees for HMNB Clyde Naval Base and in keeping with those times in respect of planning and planning policy and the financial resources available from the government. It could be argued that their design was not as sympathetic to their surroundings as they could have been and this should be borne in mind as there is a general view of the residents there that they are being considered less favourably to those from what would be considered a more affluent or influential area and this proposed development reflects that. This community council and community as a whole welcome new modern and stylish housing as it enhances our environment but they do not welcome this proposal.

With regards to policy and guidance, in taking consideration of the design of neighbouring properties, Mr Taylor asked would this planning application therefore not endorse the granting of further similar developments should land within the vicinity become available.

The Community Council had taken cognisance of the fact that there was a need for Social housing as outlined in the Local Development Plan and was not opposed to the village accommodating this need. There had been two housing developments providing social housing completed just very recently and planning permission granted for a third. They felt therefore that in consideration to village size and population they were meeting these needs quite well. This proposed development appeared to be strongly favoured in meeting with the demand for social housing but we strongly felt the issue here was in relation to its proposed design. We felt therefore that this planning application should be rejected or in consideration to the expense of redesign a solution would be to utilise the present design but reduce its impact by lowering the height which would in effect be to remove two storeys.

Mr Taylor said that the panel may be aware that he had attended a Planning Protective Services and Licensing (PPSL) committee held at Kilmory Lochgilphead.

It was a new experience for him and he had gone in support of Garelochhead community council re this planning application.

As was the usual format, photographs and illustrations were used to convey to the board the site and the proposed development. Mr Taylor was quite astonished and very disappointed to hear the comment of Councillor Vivien Dance who said when referring to their letter of representation under subject heading Tourism 'who would want to visit there?' Mr Taylor felt that this was made in a disparaging way which he had thought wholly inappropriate.

Referring to the letter of representation, Mr Taylor said that the location of Garelochhead had been afforded a wealth of surrounding natural beauty through its landscape, panoramic views and its sea loch all of which has given much pleasure to its residents for many years and for local business an opportunity to embrace tourism with the aspirations to further enhance these opportunities in line with policy and assistance from Argyll and Bute Council with

its promotion of our local area as an area of natural beauty.

Garelochhead presently features in local tourist publications and forms part of the **Argyll and Bute Structure Plan 2002** – Tourism Infrastructure 'Water related Tourist Development Opportunities/Proposed Feasibility Study' as it lies on the tourist inland coastal route.

Presently underway around Garelochhead's immediate and surrounding countryside is the development of Argyll and Bute Councils 'Core Path Plan' for the Three Lochs Way which is seeking to promote under policy agenda the promotion of Health, Tourism, Transport and Economic Development. Enabling local residents and tourists to benefit further from our local surrounding countryside and its very close proximity to a national park which is expected to have a positive economic impact on local business and opportunity.

### **Objectors**

#### **Mrs Mary Gray**

Mrs Gray endorsed what had been said about the caveat being added. She asked that if the issue of the drainage could be addressed now, why had it not been dealt with before.

Mr and Mrs Palmer, local residents indicated that they would wish to speak, and despite advice from the Head of Governance and Law to disallow this, the Chair ruled, and the committee agreed to allow them the opportunity to share their views.

#### **Mrs Jill Palmer**

Mrs Palmer said that in her opinion, the development was not in keeping with the surrounding area and that it would detract from the local amenity. She did not feel that the village would benefit from the development and that the car park would continue to provide an ice rink in the winter as it had always done.

### **Members Questions**

Councillor Reay asked the Applicant for a point of clarity as to when the horseshoe development design was put forward to which Mr McNab replied that it was prior to their involvement. Mr McNab explained that when Dunbritton had originally looked at the site, the terraced design had been preferred but that once the site had been acquired, this had become financially unviable.

Councillor asked if a reduction in the size would be viable, to which Mr McNab said that it would not.

Councillor Reay asked if there was provision in the design for the collection of bins and waste. Mr McNab said that the existing access would be used for this purpose. Mr Young acknowledged that a turning area had been accommodated for bin lorries.

Councillor Reay asked if there were not difficulties with this. Mr Croft agreed that there were and referred to difficulties in access for fire engines. Mr Taylor, a

local fireman confirmed that this was the case and he had personal experience of these difficulties.

Campbell Divertie said that this matter had been looked into and was not considered an issue. It was the existing parking on the street by local residents which exacerbated the problem.

Councillor Kelly asked if it would still be viable if the number of units were reduced to which Mr McNab said that it would not. Mr McNab stated that the best solution was for this block design.

Councillor Chalmers referred to the need that had been identified by the 126 suitable households and asked if this was over the whole Dunbritton Area. He was advised that this was only in the Garelochhead area.

Councillor Chalmers asked how big the geographic spread this area covered. Mr Cameron advised that it covered from Faslane to Arrochar.

Councillor Dance asked Mr Croft why local residents had objected in February and yet Garelochhead Community Council had not lodged its objection until March, after the PPSL meeting. She said that a clear steer had been given on this issue.

Mr Croft explained that it was an oversight. The objection had been initially raised some 18 months prior and that the letter sent by him was the same as that sent in February. In effect, the objections remained the same in that this was the wrong place and wrong location for such a development. Mr Croft also had concerns that the 126 families would not be from the Garelochhead area.

Councillor Dance asked Mr Croft about the vote at the Community Council and what was the result of this vote. Mr Croft responded that it had been unanimously against the building.

Councillor Dance asked Mr Young about the Tourism Policy LPTOUR 1 and 2 as being relevant planning issues as they were not listed here.

Mr Young responded to this and explained what he had said earlier in that a judgement must be made as to what were the key issues. In this case, it had been felt that the key issue was design.

Councillor Kinniburgh asked the Applicant about the 80% building area occupation of the site and if it would be possible to widen the floor space to make the initial terraced blocks into three storey units.

Mr McNab said that this would impact on the ability for parking provision to be made. He referred to the underground water attenuation system indicating that it had not been shown.

Councillor Kinniburgh asked about the highest point of the buildings in Hepburn Road and how high this would be in relation to the proposed flats, to which Mr McNab responded that it would be approximately 2metres higher.

Councillor Devon asked the Planning Officer if a Development Impact

Assessment should be asked for to address the contamination issue.

Mr Young responded that this had only come to light when the applicants conducted an investigation and that it was a separate issue. In relation to the surface water run off, the site was previously a nightclub and had hard surfacing such as car parking areas etc. It was proposed to soften the area with landscaping and a SuDs condition would be added.

Councillor McKay asked the Architect what their interpretation of the view of the community. Mr McNab replied that he considered that the application had been well received. There had been varied comments and that it had not been universally disliked.

Councillor McKay asked the applicant for an indication of the national housing allocation grant to which Mr Cameron responded that it had been £90k per unit in 2008 and at 31 March this year was £70k. This had now been further reduced and it had been fortunate that Dunbritton had secured prior to the 31<sup>st</sup> March date.

Councillor McKay asked about the design principle on environmental impact and asked if the building, although slightly different from adjacent buildings, integrated with the landscape.

Mr Young felt that when viewed from the immediate area, it did although he accepted that those viewing it from further afield may have some issues. He added that in relation to Appendix A, it was a brownfield site. It had previously been used as a nightclub and that the original standalone design would have been out of keeping. Mr Young said that whilst he had not like the original box like design, he was happy with this one and that it would be of interest.

Councillor McKay asked Mr Divertie about whether the car parking at the rear of the property would accommodate all the vehicles connected with the residents. Mr Divertie said that the car parking numbers had been calculated on the criteria of the Council's policy.

Councillor Reay asked the Applicant what proportion of the 126 interested parties was from the Garelochhead area.

Mr Cameron explained that applicants would have highlighted Garelochhead as their preference although they may not be from this area but that applicants from Garelochhead would be favoured.

Councillor Dance said that she felt that allocation to local people should be encouraged and asked if it were possible to add a condition of recommendation to allocate support to local people.

Mr Cameron said that as the funding came from Scottish Government, this would not be possible and that there would be questions asked if weighting were given to these applicants and that the system of other RSLs working in tandem did not apply to Dunbritton.

Councillor Dance asked whether they would be open to discussion around this issue, to which Mr Cameron responded that it would be up to the Management

Committee.

Mr Young said that it would be beyond his planning remit to impose a condition of this type.

### **Summing Up**

The Chair then asked that the summing up process would now begin and ascertained that no new information could be introduced at this point.

### Planning Officer

Mr Young said that both the Roads Department and Environmental Health had no objections to the proposal and that the key issue was that of design and that he was happy with this. He would therefore recommend approval of the application.

### Applicants

Gregor Cameron said that a need had been recognised for affordable housing and that this was the best design possible within the existing funding parameters. He had listened to what has been said by the Community Council, architects and planners and looked forward to working with the local community.

### Statutory Consultees

Campbell Divertie had nothing further to add.

Martin Croft said that the village had been run down and that a lot of good work was currently going on but that this would be a predominant feature which would stand out. He said that most people did not support the development and he had major concerns that the potential residents would be from outwith the area. He was also concerned that there would be substantial costs regarding the decontamination of the site and that there would be problems with roads, and access to the site.

Colin Taylor said that he still had concerns regarding the earlier comments made by Councillor Dance.

Mrs Mary Gray said that she had found the presentation interesting and wondered why none of the photographs had shown the areas of concern.

Mrs Palmer had no further comments to add.

The Chair then ascertained that all parties had received a fair hearing to which they confirmed that they had.

### Debate

Councillor Kinniburgh said that it was always difficult to reach a judgement and that in this case it was particularly difficult as there was no particular type of building style in the village. Councillor Kinniburgh felt that he must accept the

recommendation by the Planning Officer who had worked together with the applicant to come up with an acceptable design and that there was no issue with privacy in this design.

Councillor McKay had taken on board all the comments made by the Community Council about the difficulties in the way reports were set out. He explained that the PPSL committee comprised of members from all areas of Argyll and Bute in order that their local knowledge could be provided to those members unfamiliar with a particular area and encouraged members of the community to speak to their local councillors to address any concerns. In reference to the description of the development as being the wrong building in the wrong place, Councillor McKay felt that it was a different building in a difficult place. He asked that any concerns were addressed and indicated his support for the Planning Officer's recommendations.

Councillor Devon was concerned that conditions should be added to address the drainage problems and had been reassured by the Planning Officer's intention to add the relevant conditions. She indicated her support for the Planning Officer's recommendations.

Councillor Al Reay informed that he had a dilemma regarding the matter of massing and design. However, he noted that the surrounding properties were of no significant architectural merit. He too was concerned that the matter of drainage was addressed. He stressed that it was essential that the funding was utilised and indicated his support for the application.

Councillor Dance said that it was important to see the context of the objections and that we must go on the evidence. There had been 19 objectors, a quarter of which had come from around the actual site. In this context, she was unsure that it was a true representation of the views of the whole village. Councillor Dance acknowledged that the drainage issues would require to be addressed and that this situation would improve with a SuDs condition. If further roads issues emerged, dialogue should be entered into. She said that one of the Council's planning policies stated that it was not necessary to perpetuate what is already there and that new mixed development should be introduced. It was on that basis alone, that this was predominantly residential, she would go with the Planning Officer's recommendation. She did not agree that the funding element was relevant.

Councillor McMillan had found this a difficult case but that he recognised the need for social housing. He did acknowledge the apprehension highlighted by the Community Council over the design. He indicated his support for the Planning Officer's recommendation.

Councillor McAlister said he would support the Planning Officer's recommendation.

Councillor McNaughton agreed to support the Planning Officer's recommendations.

Councillor McQueen said that he would be supporting the application but that the issue of drainage should be addressed.

Councillor Chalmers said that he had to look at the financial situation and that an all or nothing situation had now arisen due to the H.A.G funding levels. If refused, other potential projects such as this would not go ahead and Councillor Chalmers felt that there was a growing need for the smaller, simpler products, although he was not certain that a local need had been identified in this particular instance. However, he was minded to approve the Planning Officer's recommendation.

## **Decision**

It was unanimously agreed that this application be approved subject to:-

- i. The conditions and reasons as set out in the supplementary report by the Head of Planning and Regulatory Services dated 30<sup>th</sup> March 2011.
- ii. The addition of condition 12 - that prior to commencement of works a drainage impact assessment and drainage layout shall be submitted for the prior written approval of the planning authority. The assessment should be in accordance with the SEPA guideline "Drainage Assessment- A Guide for Scotland" and shall identify mitigation measures in accordance with the SUDS Manual CIRIA C697 which will ensure that there is nil impact in terms of surface water run-off on the adjacent watercourse and surface water drainage systems from the development site with surface water attenuation being provided for the difference between the 1 in 2 year pre-development run off and the 1 in 200 year critical event including climate change. Any mitigation measures required as may be detailed in the drainage assessment/layout shall be fully implemented prior to the occupation of the first dwelling unit. During construction works temporary SUDS for surface water attenuation and silt removal shall be used in accordance with SEPA guidelines.

*Reason: To ensure that there is an acceptable drainage system in place for the development and in the interests of health and amenity.*

(Ref: Report by Head of Planning and Regulatory Services dated 30 March 2011, submitted)