



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

*Customer Services*  
*Executive Director: Douglas Hendry*

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

3 April 2019

**NOTICE OF MEETING**

A meeting of the **ARGYLL AND BUTE LOCAL REVIEW BODY** will be held in **MEETING ROOM 2, LORN HOUSE, ALBANY STREET, OBAN** on **WEDNESDAY, 10 APRIL 2019** at **2:45 PM**, which you are requested to attend.

Douglas Hendry  
Executive Director of Customer Services

**BUSINESS**

1. **APOLOGIES FOR ABSENCE**
2. **DECLARATIONS OF INTEREST**
3. **CONSIDER NOTICE OF REVIEW REQUEST: WESTWOOD, POLVINISTER ROAD, OBAN, ARGYLL, PA34 5TN (REF: 19/0001/LRB)**
  - (a) Further information received from Applicant (Pages 3 - 10)
  - (b) Further information received from Planning (Pages 11 - 14)

**ARGYLL AND BUTE LOCAL REVIEW BODY**

Councillor Rory Colville (Chair)  
Councillor Jean Moffat

Councillor Robin Currie

Contact: Fiona McCallum Tel: 01546 604392

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**MacInnes, Hazel**

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**From:** Frank Beaton <frank@bmarchitects.co.uk>  
**Sent:** 04 March 2019 15:30  
**To:** localreviewprocess  
**Subject:** FW: Local Review Body - 19/0001/LRB  
**Attachments:** Dave Sturrock plan.jpeg; Dave Sturrock survey2.docx

Regards,



Frank K. Beaton RIBA RIAS MCIAT

Beaton + McMurchy Architects Ltd  
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Argyll

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**From:** Frank Beaton  
**Sent:** 04 March 2019 14:55  
**To:** 'McCallum, Fiona' <Fiona.McCallum@argyll-bute.gov.uk>; Bain, Peter <Peter.Bain@argyll-bute.gov.uk>; 'Williams, Tim' <Tim.Williams@argyll-bute.gov.uk>; Scott, Fiona <Fiona.Scott@argyll-bute.gov.uk>; 'Watson, Stuart' <Stuart.Watson@argyll-bute.gov.uk>; 'Porter, Dixie' <Dixie.Porter@argyll-bute.gov.uk>; 'planningconsultations@scottishwater.co.uk' <planningconsultations@scottishwater.co.uk>  
**Subject:** Local Review Body - 19/0001/LRB

Dear Sir

As requested I confirm the following:

1. The new build house recently completed is called Taigh Allt Ne Feidh. Planning reference – 15/03010/PP
2. The other two dwelling houses constructed fairly recently are called Ardlussa and Lataska and are immediately to the south of my clients dwelling house.
3. The tree survey and plan are attached.
4. My client would be happy to 'move' any proposed planting to assist in achieving visibility splays.

I trust this is all the information you require.

Regards,



Frank K. Beaton RIBA RIAS MCIAT

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**Tree Survey and report****Surveyor** – Liam Griffin**Customer** – Dave Sturrock**Location** – Westwood, Polvinster Road, Oban**Date of Survey** – 17/2/18

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<b>Tree No.</b>	<b>Species</b>	<b>Diameter @ 1m</b>	<b>Comments</b>	<b>Work required</b>
1	Cypress	85cm	Multi-stemmed	Reduce height by 30%
2	Cypress	60cm	Double-stemmed with large wound at front	Fell to ground level
3	Larch	80cm	Appears healthy	Reduce height by 30%
4	Cypress hedge	15cm and approx. 2.5m in height	Recently pruned	Retain as screen to neighbouring property
5	Bamboo and rhododendron	Approx. 2-3m in height	Very dense	Retain as screen to neighbouring property
6	Birch	20/30cm	Heavy lean to East	Fell to ground level
7	Birch	50cm	Rotten/dying tree with recently broken stem and multiple fungal brackets	Fell to ground level
8	Laburnum	15cm	Appears healthy	Fell to ground level
9	Cypress	45cm	Partly windblown with heavy lean to North	Fell to ground level
10	Group of cherries	20cm	Windblown and hung up on main BT wire	Fell to ground level



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Tree No.	Species	Diameter @ 1m	Comments	Work required
11	Cypress	90cm	Mature tree, very tall. Splits into 4 stems at approx 6m. Branches in contact with lamp post, BT pole and wires	Fell to ground level
12	Cypress	70cm	Partly windblown and heavy lean to North	Fell to ground level
13	Birch	50cm	Weak union at base	Fell to ground level
14	Ash	20cm	On edge of burn, possibly self seeded	Fell to ground level
15	Maple	40cm	Triple stemmed.	Prune off rear stem leaning to East and retain remaining tree as screen from road
16	Rhododendrons	Approx. 3m in height	On boundary with road	Retain as screen from road



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**Summary** – The site was found to have a densely packed area of trees at the SW corner with a row of cypress/rhododendron/bamboo along the southern boundary. There is evidence of wind damage to some of the taller trees in the SW corner. The bigger trees between the burn and the road could be removed with the bamboo/rhododendrons maintaining a screen to the road and neighbouring property.

**Planting** – Trees should be planted along the boundary with the road to provide additional screening. I would suggest planting mature rowans and hawthorns which benefit from dense foliage but will remain at a manageable height.



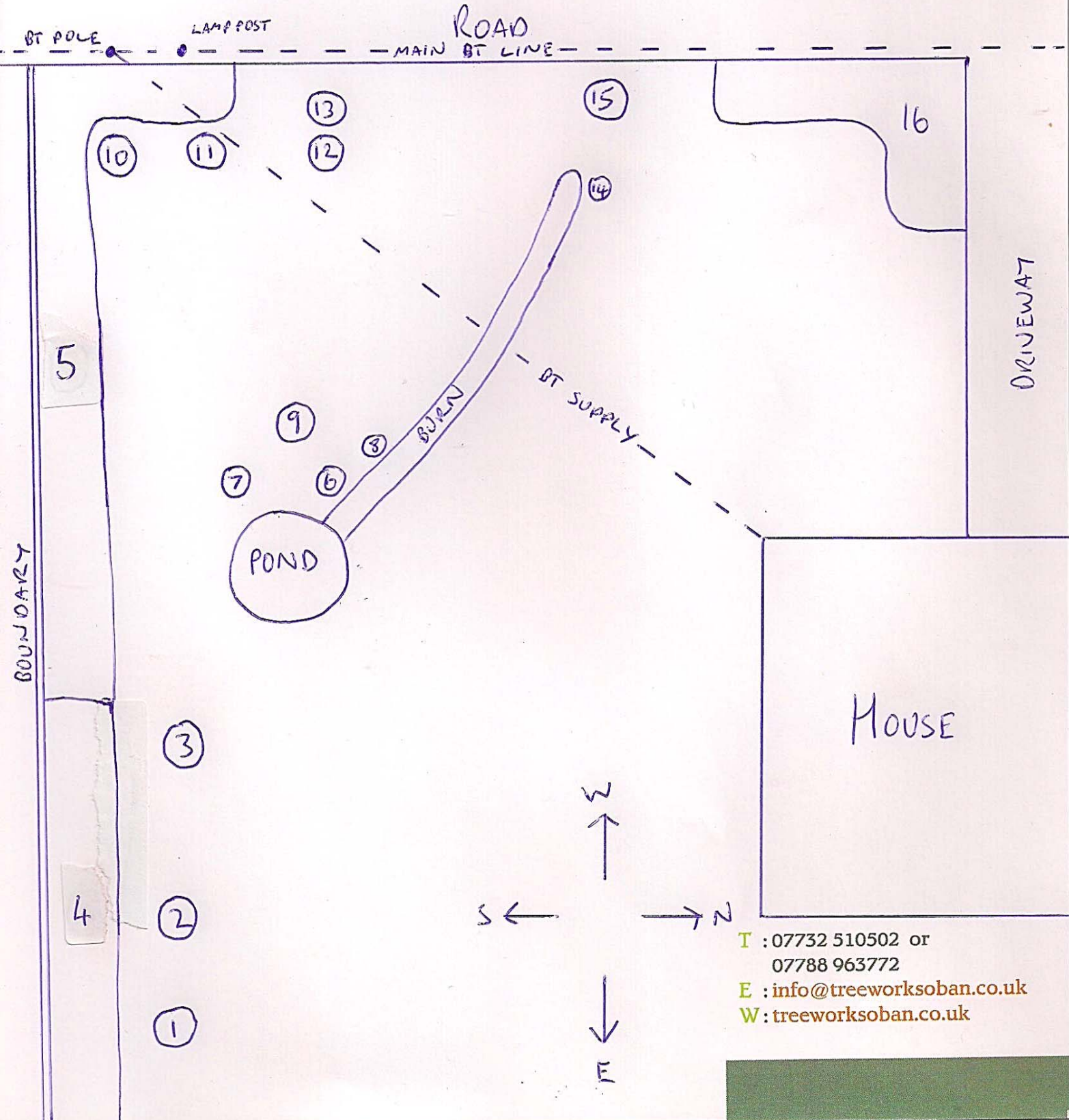
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**FURTHER INFORMATION RELATIVE TO 19/0001/LRB**

**REFUSAL OF PLANNING PERMISSION 1702692/PP**

**ERECTION OF CHALET AT WESTWOOD,  
POLVINISTER ROAD, OBAN**

- 1. Confirmation of the location of the 4 bedroom property and the two other houses built close by which were referred to by the Applicant in his submission.**

The appellant has provided details of the properties referred to in the submission.

Taigh Allt Na Feidh  
Ardlussa  
Lataska

- 2. Confirmation of what the policy assessment was for approving each of the developments referred to at (1) above.**

**Taigh Allt Na Feidh** was approved under the terms of the adopted 'Argyll and Bute Local Development Plan' 2015 where Policy LDP DM 1 identifies the site as being within the Settlement of Oban where encouragement is given to sustainable forms of development on appropriate sites. The site was deemed to be acceptable within an area where there is no distinct settlement pattern and many plots having been subdivided in the past.

**Ardlussa and Lataska** were approved under the terms of the former Lorn Local Plan 2<sup>nd</sup> Alteration 1993 where they complied with the terms of Policy HO 21 which encouraged infill, rounding off and redevelopment related to the existing built form.

- 3. An explanation as to why the smaller building would have been acceptable, as referred to in section P of the report of handling, as over development has not been given as a reason for refusing this application.**

The Planning Service was of the opinion that whilst the site was not considered appropriate for a permanent residential unit, it may have offered a suitable opportunity for a modest, holiday letting unit but this would be on the basis that the existing dense boundary planting along the frontage of the site adjacent to the road be retained with the unit sited further back into the site and well screened to ensure it was not visible from neighbouring properties.

- 4. Confirmation that if moving the replanting further away from the road would be acceptable in order to maintain adequate sightlines requested by the Roads Officer.**

Moving the planting further away from the road would allow the sightlines required by the Roads Authority to be achieved. However this would not be agreeable to the Planning Service who would seek to have the established dense boundary planting retained.

- 5. Planning's view as to whether or not the location of the proposed decking area and spa could be considered a bad neighbour development.**

The decking area and spa do not constitute Schedule 3 'Bad Neighbour' development but could have the potential to raise privacy and amenity concerns with the neighbouring property unless the existing boundary planting is retained or appropriate boundary treatment/screening secured.

6. **Provision of appropriate conditions to attach to any consent if the LRB were minded to approve the application.**

**GENERAL**

1. The development shall be implemented in accordance with the details specified on the application form dated 12/10/17 and the approved drawing reference numbers Plan 1 of 1 unless the prior written approval of the planning authority is obtained for other materials/finishes/for an amendment to the approved details under Section 64 of the Town and Country Planning (Scotland) Act 1997 (as amended).

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

Note to Applicant:

- This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period [See section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended).]
- In order to comply with Sections 27A(1) of the Town and Country Planning (Scotland) Act 1997, prior to works commencing on site it is the responsibility of the developer to complete and submit the attached 'Notice of Initiation of Development' to the Planning Authority specifying the date on which the development will start. Failure to comply with this requirement constitutes a breach of planning control under Section 123(1) of the Act.
- In order to comply with Section 27B(1) of the Town and Country Planning (Scotland) Act 1997 it is the responsibility of the developer to submit the attached 'Notice of Completion' to the Planning Authority specifying the date upon which the development was completed.
- Contact should be made with Scottish Water to discuss connection to their infrastructure (DevelopmentOperations@scottishwater.co.uk).

**PARKING PROVISION**

2. Notwithstanding the provisions of Condition 1, no development shall commence until full details of the layout and surfacing of a parking and turning area to accommodate 5 vehicles within the application site have been submitted to and approved in writing by the Planning Authority in consultation with the Council's Roads Engineers. The duly approved scheme shall be implemented in full prior to the development first being occupied and shall thereafter be maintained clear of obstruction for the parking and manoeuvring of vehicles.

*Reason: In the interests of road safety.*

Note to Applicant:

No walls, hedges, fences etc. will be permitted within the first 2 metres from the channel line of the public road.

## SUDS

3. Notwithstanding the provisions of Condition 1, the development shall incorporate a surface water drainage system which is consistent with the principles of Sustainable urban Drainage Systems (SuDS) compliant with the guidance set out in CIRIA's SuDS Manual C753. The requisite surface water drainage shall be operational prior to the development being brought into use and shall be maintained as such thereafter.

*Reason: To ensure the provision of an adequate surface water drainage system and to prevent flooding.*

### Note to Applicant:

Further advice on SuDS can be found in SEPA's Standing Advice for Small Scale Development – [www.sepa.org.uk](http://www.sepa.org.uk).

## OCCUPANCY RESTRICTION

4. Notwithstanding the provisions of Class 9 of the Town and Country Planning (Use Classes) (Scotland) Order 1997 the residential accommodation hereby approved shall be used for short term holiday occupancy only and not as a main residence and shall not be occupied by any family, group or individual for a cumulative period of more than three calendar months in any one year.

*Reason: In order to avoid the potential for privacy or amenity conflicts which could otherwise occur.*

## LANDSCAPING

5. Notwithstanding the provisions of Condition 1, the development shall not be occupied until such time as the landscaping shown on the approved drawing have been completed.

The landscaping works shall be carried out in accordance with the approved scheme during the first planting season following the commencement of the development, unless otherwise agreed in writing by the Planning Authority.

Any trees/shrubs which within a period of five years from the completion of the approved landscaping scheme fail to become established, die, become seriously diseased, or are removed or damaged shall be replaced in the following planting season with equivalent numbers, sizes and species as those originally required to be planted unless otherwise approved in writing by the Planning Authority.

*Reason: To assist with the integration of the proposal with its surroundings in the interest of amenity.*

6. Notwithstanding the provisions of Condition 1, the dense boundary planting to the southern boundary of the property shall be retained in perpetuity to the satisfaction of the Planning Authority.

*Reason: To assist with the integration of the proposal with its surroundings in the interest of amenity.*