

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

---

**Reference No:** 16/01595/PP

**Planning Hierarchy:** Local

**Applicant:** Mr Ewan Maclean

**Proposal:** Alterations and Change of Use of Shop to Form Residential Flat

**Site Address:** Present and Bygones Shop, Tighnabruaich

---

**DECISION ROUTE**

- Local Government Scotland Act 1973
- 

**(A) THE APPLICATION**

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

- Change of use of shop (Class 1) to residential flat (sui generis);
- Installation of new door and window on front elevation;
- Replacement of window with door and door with window on rear elevation.

**(ii) Other specified operations**

- Connection to public water supply and existing sewerage system;
  - Re-painting of front elevation.
- 

**(B) RECOMMENDATION:**

Having due regard to the Development Plan and all other material considerations, it is recommended that, subject to the convening of a pre-determination hearing, planning permission be granted as a **minor departure** to the Local Development Plan subject to the conditions, reasons and informative notes set out in this report.

---

**(C) HISTORY:**

No relevant planning history to this site and, having checked records within the Department, there is no evidence that there have been any recent applications to change the use of commercial units into residences within the row of properties at the centre of Tighnabruaich.

---

**(D) CONSULTATIONS:**

**Area Roads Manager** (report dated 27<sup>th</sup> June 2016)

The proposed development is on the B8000 Shore Road in Tighnabruaich within an urban 30 M.P.H. speed restriction. The change from a shop to a one-bedroomed flat will not generate any additional traffic. No objections to this application.

**Kilfinan Community Council**, c/o Don McInnes (Convener), Heathbank, Kames, Tighnabruaich (letter received 8<sup>th</sup> July 2016)

The Community Council has raised an objection to the proposal on the basis that they are working towards trying to fill all the retail units in the village centre. It is considered that this would erode the positive work they are doing in the village centre. It is contended that a similar application was refused some years ago; however, having checked records within the Department, there is no evidence that there have been any recent applications to change the use of commercial units into residences within the row of properties at the centre of Tighnabruaich.

---

**(E) PUBLICITY:**

Neighbour Notification (closing date 5<sup>th</sup> July 2016) and Regulation 20 Advert (closing date 15<sup>th</sup> July 2016).

---

**(F) REPRESENTATIONS:**

There are a total of twelve objections to the application as detailed below:

**Councillor objection:**

**Councillor Alex McNaughton**, Old Police House, Colintrave (e-mail dated 23<sup>rd</sup> June 2016)

Ronnie Irvine, Chairman of Tighnabruaich and District Development Trust (e-mail dated 22<sup>nd</sup> June 2016)

Paul Paterson, 2 Manor Way, Tighnabruaich (e-mails dated 24<sup>th</sup> June 2016 and 18<sup>th</sup> July 2016 and letter dated 4<sup>th</sup> August 2016)

Douglas Ross, Bute View, Tighnabruaich (letter dated 26<sup>th</sup> June 2016)

Reverend David Mitchell, West Cowal Manse, Kames, Tighnabruaich (letter dated 27<sup>th</sup> June 2016)

Alistair Davidson (e-mail dated 4<sup>th</sup> July 2016)

Anne Slinger, Wellpark, Tighnabruaich (e-mail dated 6<sup>th</sup> July 2016)

Sinclair Sutherland, Drum Cottage, Kilfinan, by Tighnabruaich (e-mail dated 6<sup>th</sup> July 2016)

Mary Pirie, 7 Kyles of Bute Lodges, Kames, Tighnabruaich (e-mail dated 6<sup>th</sup> July 2016)

Michaela Blair, Dun Beag, Tighnabruaich (e-mail dated 9<sup>th</sup> July 2016)

Martin Hewitt, Craigengower, Tighnabruaich (e-mail dated 9<sup>th</sup> July 2016)

Kim Thomas, Argyll Villa, Tighnabruaich (e-mail dated 14<sup>th</sup> July 2016)

The points raised can be summarised as follows:

- i. The village centre has recently seen a significant uplift with units being painted; a good occupancy rate with commercial-type ventures; the addition of flower boxes; and the installation of a jetty. The proposed change of use would compromise this recent improvement.

**Comment:** This issue will be addressed in the Assessment section contained within Appendix A below.

- ii. There is no demand for an additional residential unit.

**Comment:** The issue of lack of demand for a proposed development does not have a material bearing upon the planning aspects of the case.

- iii. Concern is expressed that the proposed structural alterations would have an adverse effect upon adjacent properties.

**Comment:** The proposed internal works do not require Planning Permission and, as such, they do not have a material bearing upon the planning aspects of the case. If the proposed works require the submission of a Building Warrant, the structural integrity of the property would be assessed at that stage.

- iv. The proposed change of use would increase the amount of untreated sewage directly discharging into the sea.

**Comment:** Connection to existing services is to be made and, therefore, the historical situation will be retained.

- v. No reasonable efforts have been made to market the property other than a notice in the front window with a mobile phone number.

**Comment:** This issue will be addressed in the Assessment section contained within Appendix A below.

- vi. The owners of the adjoining unit, the Kyles Church, would be in a position to make an offer for the property if it was advertised on the open market.

**Comment:** Whilst this statement from the Church indicates potential interest in the unit, it would ultimately be the responsibility of the owner and those with an interest to communicate with each other.

- vii. If granted, the change of use would create an undesirable precedent.

**Comment:** This issue will be addressed in the Assessment section contained within Appendix A below.

- viii. There are numerous properties within the locus of the application site that are seen as disabled/wheelchair friendly. On this basis, there seems to be a lack of research and factual reporting of the true picture of the locus.

**Comment:** Whilst the applicant is seeking to support the application as providing disabled-friendly accommodation and this is a laudable objective in principle, the veracity of the claim does not have a material bearing upon the planning aspects of the case.

- ix. There is only one designated disabled parking bay within the locus of the application site. The local traffic consumes most of the road frontage together with shop customers and tourists. If the unit would be for disabled use then there would be a need for a designated disabled space which would deprive the locus of further parking for general use.

**Comment:** This particular issue does not have a material bearing upon the planning aspects of the case. It is understood that the process relative to the provision of a designated disabled parking space involves the Occupational Health Service and the Roads Department.

- x. The applicant's claim that there would be no detrimental impact on the street or locus as a whole is factually incorrect. The application site has been shop frontage since the village began and factual evidence of this can be found from a number of different sources.

**Comment:** This issue will be addressed in the Assessment section contained within Appendix A below.

---

## (G) SUPPORTING INFORMATION

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

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

Supporting Statements have been submitted by Stewart Associates (dated 15<sup>th</sup> July 2016, 1<sup>st</sup> August 2016 and 4<sup>th</sup> August 2016), which can be summarised as follows:

- The unit that is the subject of this application had been for sale for a lengthy period of time before being purchased by the applicant. After purchasing, the applicant advertised the unit for over a period of 12 months by means of a 'for let' sign on the front window of the property. No enquiries were received other than the use of the unit as a "pop up" shop for a weekend exhibition for no rental income. The measures taken by the client to advertise the property are fair and reasonable. This is stated on the basis that any interested party / trader would investigate the local market by visiting the site.
- Latterly, and with a modicum of frustration, the applicant became aware of a need for wheelchair-accessible living / letting accommodation within Tighnabraich. This was informed partly by a disabled family member having difficulty in obtaining wheelchair-friendly accommodation in the village. The idea and opportunity of converting the retail unit to accessible living space was then developed as a viable and sustainable project.

- Arguably an empty retail unit would benefit from any form of positive intervention – particularly one which addresses a family need. Converting it into much needed accessible accommodation is surely better than leaving it vacant. There is demonstrably no recognisable demand for additional commercial accommodation within Tighnabruaich.
- The intention was always that the property would be made available free of charge for approximately 20% of a year to charitable causes i.e. ex-servicemen with limited mobility and people affected by prostate cancer and other deserving causes.
- It is argued that precedent already exists in the village and surroundings with the former Tighnabruaich Royal Bank of Scotland being converted into residential this year and multiple units in Kames converted from shops over the years without detriment to the community.
- The applicant submitted a preliminary enquiry to the Planning Department and received a response in December 2015 which indicated that the proposal was generally consistent with the provisions of the Development Plan.
- As discussed at the pre application enquiry stage the car parking requirement for the existing retail unit are similar to that of the requirements for a 1 bed flat. No changes to parking are therefore proposed. The response from the Roads Department is also acknowledged, who comment that no additional traffic would be generated.
- The proposal is to retain and improve the existing “shop front” appearance by repairing and upgrading the doors, window and external fabric. This helps to maintain the essential character of the terrace. Having a vacant retail unit has a significantly negative impact on the village environs for tourists and residents alike.
- With the second home and tourism market important to the village’s economy and the more general availability of on-line shopping, it is unlikely that the village could ever again sustain the number of shops it once had. The proposed conversion maintains the aesthetics of the terraced commercial buildings at the centre of the village but provides a much needed alternative type of accommodation.
- Any work carried out will comply with current Building Control Technical Standards and will be supervised by professional engineers. This is not considered to be a material consideration in determining the Planning Application.
- The volumes of water consumption and waste water generated from a studio flat will be similar to that for the retail unit. Indeed, it could be argued that, depending on the type of retailer, more demand on existing services could transpire. Again, this is not considered to be a material consideration in determining the Planning Application.
- The Development Trust has shown no interest in the applicant’s unit prior to the Planning Application being submitted. The applicants are generally supportive of the Trust’s aims but would question the level of local

support and whether the positive benefits to the village have been considered.

---

**(H) PLANNING OBLIGATIONS**

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

---

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

---

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

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

'Argyll and Bute Local Development Plan' (2015)

LDP STRAT 1 – Sustainable Development

LDP DM 1 – Development within the Development Management Zones

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

LDP 5 – Supporting the Sustainable Growth of Our Economy

LDP 7 – Supporting Our Town Centres and Retailing

LDP 8 – Supporting the Strength of Our Communities

LDP 9 – Development Setting, Layout and Design

LDP 11—Improving our Connectivity and Infrastructure

'Argyll and Bute Local Development Plan – Supplementary Guidance' (2016)

SG LDP ENV 21 – Protection and Enhancement of Buildings

SG LDP RET 5 – Change of Use of Shops outwith Designated Town Centres

SG LDP HOU 1 – General Housing Development Including Affordable Housing Provision

SG LDP Sustainable Siting and Design Principles

SG LDP TRAN 6 – Vehicle Parking Provision

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

- Scottish Planning Policy (2014)

- Consultee Responses

- Third Party Representations

---

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

---

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

---

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

---

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

---

**(O) Requirement for a hearing:** Yes

In deciding whether to hold a discretionary hearing, the Council will consider how up to date the Development Plan is, the relevance of the policies to the proposed development, and whether the representations are on development plan policy grounds which have recently been considered through the development plan process. In addition, consideration will also be given to the degree of local interest and controversy on material considerations, together with the relative size of community affected set against the relative number of representations and their provenance.

In this particular instance, whilst there has not been an overwhelming number of people making comment, it should be recognised that one of the Local Councillors, the Tighnabruaich and District Development Trust and the Kilfinan Community Council have all expressed their concerns regarding the proposal. Given this interest, and the important role that the row of commercial properties makes to the village, it is considered that the undertaking of a discretionary hearing would add significant value to the determination of this application for Planning Permission.

---

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

The proposal seeks the change of use of a vacant shop unit in the row of commercial properties situated at the centre of the village of Tighnabruaich. A replacement door and window are to be installed on the front elevation whilst window and door openings are to be swapped on the rear elevation. Connection is to be made to the existing water supply and sewerage systems.

In terms of the Argyll and Bute Local Development Plan 2015, Tighnabruaich does not have an identified town centre. Supplementary Guidance policy SG LDP RET 5 recognises that changes in peoples' shopping habits have resulted in an increasing reliance on car-related, out of town centre shopping development and a gradual loss of local/village shops. Such changes can undermine communities and disadvantage people who do not have ready access to private cars and this is especially the case when the shop under threat of closure is the last in the settlement/village.

In this particular case, the last use of the vacant unit would appear to have been as some form of antiques shop. In addition, the Post Office is immediately adjacent to the application site and the local convenience shop is two doors down. However, significant concern has been raised by members of the public, one of the local Councillors, the Tighnabruaich and District Development Trust and the Kilfinan Community Council that the loss of a retail unit would be highly regrettable given the recent positivity associated with the row of commercial properties.

Retail policy and Supplementary Guidance contained within the Local Development Plan detail the criteria that should be applied in this particular case where a change of use from a shop is proposed outwith a designated town centre. On the basis that there is both a local convenience store and Post Office nearby and that the applicant would appear to have marketed the property with negligible interest being shown, the proposal is compliant with Policy LDP 7 and Supplementary Guidance policy SG LDP RET 5 of

the Local Development Plan. There are no other issues that would result in the application being considered unacceptable.

---

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

---

**(R) Reasons why planning permission or a Planning Permission in Principle should be granted**

The proposal involves the re-use for residential purposes of a retail unit that has been vacant for in excess of 12 months. External alterations will be minimal and the proposal meets the tests specified in the relevant Supplementary Guidance on change of use of shops outwith designated town centres. On this basis, the proposal accords with the following:

'Argyll and Bute Local Development Plan' (2015)

LDP STRAT 1 – Sustainable Development  
LDP DM 1 – Development within the Development Management Zones  
LDP 3 – Supporting the Protection, Conservation and Enhancement of our Environment  
LDP 5 – Supporting the Sustainable Growth of Our Economy  
LDP 7 – Supporting Our Town Centres and Retailing  
LDP 8 – Supporting the Strength of Our Communities  
LDP 9 – Development Setting, Layout and Design  
LDP 11—Improving our Connectivity and Infrastructure

'Argyll and Bute Local Development Plan – Supplementary Guidance' (2016)

SG LDP ENV 21 – Protection and Enhancement of Buildings  
SG LDP RET 5 – Change of Use of Shops outwith Designated Town Centres  
SG LDP HOU 1 – General Housing Development Including Affordable Housing Provision  
SG LDP Sustainable Siting and Design Principles

There are no other material considerations, including issues raised by consultees and members of the public, which would warrant anything other than the application being determined in accordance with the provisions of the development plan.

---

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

The row of commercial properties in the village centre within which the application site is located primarily relies upon on-street parking – there is very little off-street parking available in the backlands of these properties.

Supplementary Guidance policy SG LDP TRAN 6 requires that car parking is provided in accordance with the standards set out within the Local Development Plan. This requires the provision of 1.5 spaces per one bedroom flatted unit. The floor space of the existing retail unit is approximately 30 square metres which equates to a single car parking space under the Local Development Plan car parking standards.

Section 1.12 of the standards states the following:

*“In normal circumstances, adequate off-street parking or communal parking should be provided adjacent to all new development to ensure that vehicles are not parked on the road where they may impede traffic flow or cause a hazard. A degree of flexibility will be available where: -*



1. *It can be shown by the applicant that the parking requirement can be met by existing car parks and that the demand for parking in connection with the development will not coincide with the peak demand from the other land uses in the area.*
2. *The development is a straight replacement that can use the existing parking provision. It should be noted that there may also be a requirement to provide additional parking spaces if there was a shortfall in the original provision.*
3. *The development is adjacent to, and well served by, good public transport and pedestrian links.*
4. *The development, due to special characteristics, is likely to generate a significantly lower demand for parking than the standards would imply.*
5. *Environmental considerations are of prime importance e.g. the development is proposed within a Conservation Area.*
6. *There is a need for additional disabled parking to serve the needs of the users of the building.”*

In this particular case, there is a theoretical shortfall of 0.5 parking spaces. Given this relatively minor shortfall; the location of the property with good public transport and pedestrian links; and the absence of an objection from the Area Roads Manager, **it is considered that, if approved, the proposal could be justified as a minor departure from Policy LDP 11 and Supplementary Guidance SG LDP TRAN 6 of the Argyll and Bute Local Development Plan 2015.**

---

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

---

**Author of Report:** Steven Gove

**Date:** 9<sup>th</sup> August 2016

**Reviewing Officer:** David Love

**Date:** 9<sup>th</sup> August 2016

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

## **CONDITIONS AND REASONS RELATIVE TO APPLICATION REF. NO: 16/01595/PP**

1. The development shall be implemented in accordance with the approved drawings:

Drawing No. 1616/P01

Drawing No. 1616/P02  
Drawing No. 1616/P03  
Drawing No. 1616/P04

unless the prior written approval of the Planning Authority is obtained for an amendment to the approved details under Section 64 of the Town and Country Planning (Scotland) Act 1997.

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

2. Prior to the installation of the new door on the front elevation of the premises, full details of the design of the door and the materials to be used in its construction shall be submitted to and approved in writing by the Planning Authority. Unless otherwise agreed in writing with the Planning Authority, the door shall be installed in accordance with the approved details.

*Reason: In the interests of visual amenity and for the avoidance of doubt.*

## **NOTES TO APPLICANT**

- **Length of permission:** This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period. [See section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended).]
- In order to comply with Section 27A(1) of the Town and Country Planning (Scotland) Act 1997, prior to works commencing on site it is the responsibility of the developer to complete and submit the attached 'Notice of Initiation of Development' to the Planning Authority specifying the date on which the development will start.
- In order to comply with Section 27B(1) of the Town and Country Planning (Scotland) Act 1997 it is the responsibility of the developer to submit the attached 'Notice of Completion of Development' to the Planning Authority specifying the date upon which the development was completed.

## **APPENDIX A – RELATIVE TO APPLICATION NUMBER: 16/01595/PP**

### **PLANNING LAND USE AND POLICY ASSESSMENT**

#### **A. SETTLEMENT STRATEGY**

Tighnabruaich (in association with Kames) is one of Argyll and Bute's Key Rural Settlements as identified in the Local Development Plan 2015. Under Policy LDP DM 1, developments up to and including medium scale will be encouraged in this type of settlement. The current application relates to a small-scale development.

**In view of the foregoing, it is considered that the principle of the proposal is consistent with the provisions of Policies LDP STRAT 1 and LDP DM 1 of the Argyll and Bute Local Development Plan 2015.**

#### **B. LOCATION, NATURE AND DESIGN OF PROPOSED DEVELOPMENT**

The proposal seeks the change of use of a vacant shop unit in the row of commercial properties situated at the centre of the village of Tighnabruaich. A replacement door and window are to be installed on the front elevation whilst window and door openings are to be swapped on the rear elevation. Connection is to be made to the existing water supply and sewerage systems.

This particular row of buildings is relatively unique in that it represents the most substantial built development on the shore side of the road in Tighnabruaich. It is characterised by commercial-type uses on the ground floor and upper floor residential units. The impact upon retailing within the centre of the village will be addressed in detail in Section C below.

In terms of the impact of the proposal upon the built environment, at present there is a single window and a door on the front elevation with a window and door on the rear elevation.

The size of the window opening on the front elevation will not be altered as a result of the conversion but a new upvc window with a top hopper will be installed. A new single leaf entrance door will also be installed on the front elevation. At the rear, the window will be replaced by patio doors and the door will be replaced with an upvc window.

It is considered that, purely from a visual perspective, the proposed alterations to the front elevation will not change the appearance to such an extent that the unit would obviously look like a residential flat. The rear elevation is particularly visually inconspicuous with the consequence that the proposed alterations would have a negligible impact.

**On the basis of the foregoing, the proposal is considered to accord with Policies LDP 3 and LDP 9 and Supplementary Guidance policies SG LDP ENV 21 and SG LDP Sustainable Siting and Design Principles of the Argyll and Bute Local Development Plan 2015.**

## C. IMPACT UPON RETAILING

The principal policy within the Local Development Plan relative to retailing is Policy LDP 7. This proposes that the Council will support development proposals that seek to maintain and enhance the vitality and viability of our established town centres in Argyll and Bute. This support includes retail, commercial, and other developments where the scale is appropriate to the size and function of the settlement.

For more detailed advice, Supplementary Guidance SG LDP RET 5 is relevant. This addresses the change of use of shops outwith the main town centres, such as in the case of Tighnabruaich. The explanation of the policy objectives advanced in SG LDP RET 5 is stated as follows:

*“Changes in peoples’ shopping habits have resulted in an increasing reliance on car-related, out of town centre shopping development and a gradual loss of local/village shops. Such changes can undermine communities and disadvantage people who do not have ready access to private cars. This is especially the case when the shop under threat of closure is the last in the settlement/village.*

*These guidelines are intended to help minimise the loss of local shopping facilities and accords with the concept of sustainable development.”*

The main thrust of the guidance is that the Council will only permit the change of use of shops (Use Class 1) outside designated town centres in either of two circumstances:

- That day-to-day local convenience shopping provision/post office is available in the same community or in close proximity to; OR
- That all reasonable steps over a period of 12 months have been taken to market the property as a retail concern.

In terms of the first criteria, there is a Post Office to the immediate south west of the application site and the local convenience shop (‘Spar’) is located two doors away in a north-easterly direction. On this basis, it is clear that there is day-to-day convenience shopping provision within the same community and the proposed change of use would not prejudice this arrangement.

As regards the second criteria, it is understood that the applicant bought the premises when it was vacant and he placed a notice in the front window which advised that the property was available to let with a contact number. He avers that there was only one approach and this was for a ‘pop up’ shop over one weekend. The period over which this particular marketing took place appears to have been in excess of 12 months.

By assessing the proposal purely against the two stated criteria, the intended change of use would meet the terms of SG LDP RET 5. However, as can be seen from Section F above, the application has raised the profile of the unit with comments from members of the public, one of the local Councillors, the Tighnabruaich and District Development Trust and the Kilfinan Community Council. The Department has a degree of sympathy with some of the points that have been made, in particular the success of the visual improvements that have recently taken place in the row of commercial properties and the relatively high level of occupation of these properties. There is, understandably, a feeling of civic pride in what has been achieved.

Notwithstanding the concerns that have been raised over the potential loss of the vacant unit for retail purposes, if one accepts the comments made on behalf of the applicant, there would appear to have been virtually no interest in the property over at least a 12

month period. Given that all of the objectors appear to be from the Tighnabruaich area, it is highly likely that they would have seen the notice on the window yet there is no evidence to suggest that they proactively approached the applicant.

The situation remains that, given the current raised profile of the vacant unit, it would still be possible for a potential owner or tenant to come forward with a proposal to retain the retail use. It would obviously be in the hands of the applicant as to whether to accept such an approach. However, the Council is in the position of having to adjudicate upon an application for Planning Permission and, as detailed in the preceding paragraphs, there is no compelling policy reason to decline this particular proposal.

**On the basis of the foregoing, the proposal is considered to accord with Policies LDP 5, LDP 7 and LDP 8 and Supplementary Guidance policy SG LDP RET 5 of the Argyll and Bute Local Development Plan 2015.**

#### **D. ROAD NETWORK, PARKING AND ASSOCIATED TRANSPORT MATTERS**

The row of commercial properties in the village centre within which the application site is located primarily relies upon on-street parking – there is very little off-street parking available in the backlands of these properties.

Supplementary Guidance policy SG TRAN 6 requires that car parking is provided in accordance with the standards set out within the Local Development Plan. This requires the provision of 1.5 spaces per one bedroom flatted unit. The floor space of the existing retail unit is approximately 30 square metres which equates to a single car parking space under the Local Development Plan car parking standards.

Section 1.12 of the standards states the following:

*“In normal circumstances, adequate off-street parking or communal parking should be provided adjacent to all new development to ensure that vehicles are not parked on the road where they may impede traffic flow or cause a hazard. A degree of flexibility will be available where: -*

- 1. It can be shown by the applicant that the parking requirement can be met by existing car parks and that the demand for parking in connection with the development will not coincide with the peak demand from the other land uses in the area.*
- 2. The development is a straight replacement that can use the existing parking provision. It should be noted that there may also be a requirement to provide additional parking spaces if there was a shortfall in the original provision.*
- 3. The development is adjacent to, and well served by, good public transport and pedestrian links.*
- 4. The development, due to special characteristics, is likely to generate a significantly lower demand for parking than the standards would imply.*
- 5. Environmental considerations are of prime importance e.g. the development is proposed within a Conservation Area.*
- 6. There is a need for additional disabled parking to serve the needs of the users of the building.”*

In this particular case, there is a theoretical shortfall of 0.5 parking spaces. Given this relatively minor shortfall; the location of the property with good public transport and pedestrian links; and the absence of an objection from the Area Roads Manager, **it is**

**considered that, if approved, the proposal could be justified as a minor departure from Policy LDP 11 and Supplementary Guidance SG LDP TRAN 6 of the Argyll and Bute Local Development Plan 2015.**

**E. INFRASTRUCTURE**

The public water supply is situated on the adjacent public road and the proposed development will be connected into this supply. There is an existing W.C. in the shop unit and the proposed bathroom arrangements would connect into the existing sewerage system.

On the basis of the above, there are no infrastructure issues associated with the proposal.