

Ref:
AB1

ARGYLL AND BUTE COUNCIL
WWW.ARGYLL-BUTE.GOV.UK/**

OFFICIAL USE

13 November
2018

Date Received

NOTICE OF REVIEW

Notice of Request for Review under Section 43(a)8
of the Town and Country Planning (Scotland) Act 1997 and the Town and Country Planning (Schemes
of Delegation and Local Review Procedure) (Scotland) Regulations 2013

(1) APPLICANT FOR REVIEW	(2) AGENT
Name: Graeme and Wendy Bruce Address: The Old Coach House, Ellenabeich, By Oban, Argyll Post Code: PA34 4RQ Tel No: 01852300390 email: wendybruceuk@yahoo.com	Name: Elizabeth Bremner Address: John Renshaw, Architects, Constitution Street, Leith, Edinburgh Post Code: Tel No: 0131 555 22453)

Important – Please read the notes on how to complete this form and use Block Capitals. Further information is available on the Council's Website. You should, if you wish, seek advice from a Professional Advisor on how to complete this form.

Do you wish correspondence to be sent to you



or your agent

- (4) (a) Reference Number of Planning Application: 18/00355/PP
(b) Date of Submission 15 Feb 2018
(c) Date of Decision Notice (if applicable) 13 Aug 2018

(5) Address of Appeal Property: The Old Coach House, Ellenabeich, By Oban, Argyll, PA34 4RQ

(6) Description of Proposal: Alterations and extension to dwellinghouse (incorporating public art studio), erection of garage and new boundary walls and associated works(

7) Please set out the detailed reasons for requesting the review:-

We appeal Condition 4 *"no development shall commence on site, or is hereby authorised, until full details of the proposed stone/slate finish to be applied to the face of the boundary walls has been submitted to the Planning Authority for approval. Thereafter the development shall be undertaken in accordance with the approved details."*

We wish to commence our development shortly and feel that it would be in the interests of all to have this boundary stipulation reviewed by the council when they have an officer qualified in Conservation in order to avoid an inappropriate artificial and locally unpopular boundary treatment being applied. We believe that composite, stone clad walls are not compatible with Ellenabeich Conservation Area and that a white rendered house with white rendered extension should have a white rendered garage (like every other garage in the village) and white rendered boundary (as advised in the Council's own and Historic Scotland's own guidelines). We have expanded these reasons and quoted relevant documents to support this view below.

It was stated by a currently serving Community Councillor, at the last Community Council meeting, that Argyll and Bute Council does not currently have a qualified Conservation Officer. I was upset by this comment as we have been made to agree to a stone faced composite wall and garage on the basis that advice came from the Council's "Conservation Team". I could not understand why such a stipulation was being made as I have received advice from two professional conservation specialists that a white rendered wall would be more acceptable as a boundary treatment for our site which consists of a white rendered house with a white rendered extension, in order to "unify the site". An imitation/fake stone wall is not something which an experienced conservation officer would normally support as they would usually opt for a finish which matched the site of which it formed part.

When I asked for an explanation, in writing, for the stipulation of a stone faced wall, the reason I was given is copied below:-

"Whilst it is accepted that there are a number of painted rendered walls within the village, there are also a number of natural stone walls which have been painted white. Furthermore, at the time when permission was granted for the Seafari fuel installation which is in close proximity to the site, a requirement of the permission was that it be enclosed by a natural stone wall as required by the then Conservation Officer, a view shared by third parties who made representations to the proposal.

As you are aware the Council's conservation team provided comments on the current proposal details of which were passed to you previously and which sought natural stone walls.

Accordingly, as set out in my previous e-mail, in order to move the application forward, we would require the drawings to be amended to reflect the comments of the Conservation Team set out in their e-mail of 18 May 2018."

In response to the emailed points above, I would like now to make the following observations: The qualified Conservation Officer at that time stipulated a natural stone wall, not a composite stone wall. Against the advice of that Conservation Officer and in spite of 2 emails raising concerns over the matter, a composite slate faced wall was built. I have quoted directly from that conservation's email correspondence further down this document:-



I also wrote to Planning to raise my concerns about stone cladding at the time of the Seafari development. A natural/dry stone wall and a slate faced wall are entirely different; one is natural whilst the other is imitation/fake with stone cemented to concrete block work (see photograph of Seafari site built - concrete block work is visible on entry to the car park and looks terrible) and has no place in a conservation setting. At the time of the above planning process, in response to our expressed safety concerns over the petrol

tank's placing, we were told by planning at the hearing, in no uncertain terms, that there were no properties in "close proximity" to the site; certainly not close enough for us to be concerned about safety. The Seafari site is some 30+m from our development and is placed adjoining/against an original natural old stone wall, which indeed forms one of the four walls of the compound. Our Boundary wall and garage is to be sited in front of a white rendered house and white rendered extension. The two sets of circumstances are entirely different. The council's own guidelines are very clear and state that boundary treatments and garages should be of the same material/colour as the existing buildings they relate to.

There was only one adverse comment about our proposed white rendered wall, against X comments of support. I have attached the comment from Tony Hill of Seafari below:-

3. The boundary wall adjacent to the car park. I ask planners to refer to the most recent development within the car park area and the report by A&BC's then Conservation Officers, Comments by local residents supporting the Conservation Officers decision 'only a dry stone wall would be suitable in this section of the conservation area', are listed. The main reason presented was visual amenity and out of keeping with adjacent walls. A planning condition was placed on the development with respect to the boundary wall. Externally it had to be of dry stone appearance. With developments within such close proximity of each other and the visual amenity unchanged, has there been any alteration to the Conservation status of the area which would justify a rendered boundary wall in this area of the Conservation Village? Please note final reference

References
 Planning application 14/00084,
 Comment reference

20971714	Conservation officer report
20952619	Public comment supporting dry stone wall only
20952642	Public comment supporting dry stone wall only

Planning application 14/00914
 Comment reference

20996402	Conservation Officer confirmation of dry stone wall
21370201	Conservation Officer statement only dry stone wall acceptable
20996631	Public comment supporting dry stone wall only
20996643	Public comment supporting dry stone wall only
20996868	Public comment supporting dry stone wall only
20996937	Public comment supporting dry stone wall only
20996985	Public comment supporting dry stone wall only
21005832	Public comment supporting dry stone wall only
21375218	Public comment Mrs Wendy Bruce thanking Planners and Conservation Officers for insisting only a dry stone wall was acceptable in this case.

Please note, in Mr Hill's comments, he admits that the reason for him requiring to build a stone wall was that in his section of the Conservation Area he was required by the Conservation Officer to build a natural stone wall, in keeping with the adjacent stone walls. In our section of the Conservation Area, some 30+ metres away, and opposite to his site, we are adjacent to a white rendered building and white painted wall, not a natural dry stone wall. The site should be unified by its colour and materials.

The four supporters of our development liked the design and the white curved walls, agreeing that they were entirely appropriate and harmonised not only with with the site but also the conservation village.

In addition to the above, there is now strong evidence (which did not exist when our planning negotiations were on-going) that if we had applied to build our extension with a stone clad wall, we would have received many more objections to the development. Planning application 18/01695/PP received several objections, my own included. There were 6 other objections to the composite, stone faced wall finish as being "out of character" with Ellenabeich as a conservation village by: .Mary Freer, Alison McNab, Duncan J Campbell, Douglas Robertson, Annabel Robertson, and Craig Pharo.

I feel that white rendered houses with white rendered garages, stores and walls are a strongly defining character of the village of Ellenabeich. Certainly on the entrance to the village, the high white rendered walls and houses on the left and the stone walls on the right create the first impression for visitors to the village, followed by white cottages with rain water barrels. A rhythm for the village has white walls on one side with stone on the opposite side, or white on both sides. This is the case at the north west end of the village and is indeed the case in most of the village. Almost all buildings in the village are white rendered and where walls attach to them these are also white rendered. Without exception, garages in the village are or have been white rendered. I have attached several photos below which illustrate this point and would welcome a site visit to the village by members for their own satisfaction of this point.

There is a danger of a sudden and regrettable proliferation of composite stone faced walls in the village which are being advised purely in response to a single and unique set of circumstances connected with the Seafari petrol tank enclosure (a concrete block which is covered in stone cladding to blend it in with the existing traditional stone wall to which the development was attached) Because the development was against an existing traditional stone wall, it had to be stone to integrate the design. I set out my concerns relating to this fake stone wall at the time, as did the then Conservation Officer, Lynda Robertson. See below quotes from Lynda Robertson, a qualified Conservation Specialist, on this issue. I believe that these types of walls will be criticised by future conservation teams, as much as “horned windows” and imitation slate roofs are in the current draft Conservation Area Appraisal and Management Plan - (see further down the document). They are an alien and artificial development. I have quoted from numerous Council and Historic Scotland guidelines below which illustrate this point.

Argyll and Bute Council's **Draft Conservation Area Appraisal and Management Plan - Ellenabeich** document states, in relation to this area of the village, on page 11 that

*“The North:- Buildings constructed throughout the 19th century with 20th century additions on the periphery of the area. Buildings **are rendered** and predominantly feature dormer windows.”.....“Ancillary buildings such as sheds have been built in the gardens and take a variety of forms. Various materials have been used”.....“The row to the north of the harbour remains virtually intact, terminated by the off-set coach house for the quarry. Some of the houses here, in the northern part of the conservation area, are up to two storeys high. Houses are mainly white (rendered) and were built throughout the 19th century, with later development in the 20th century.”....“Extensions have been added, most prominently by way of front porches.*

*The most significant alterations carried out have been to the Highland Arts shop, where **slate clad lean-to extensions and horizontally proportioned windows are out of character of the area”.***

*.....“As there are no active slate quarries in Easdale (or even in Scotland), there is a limited supply of (reclaimed) Easdale slates for repairs and new developments”.....“Whilst it is important to preserve the remaining evidence of quarrying activity, **it is of equal importance to protect the economy and allow the village to be active and thriving today”.***

*“Inappropriate windows – the orientation, proportions, opening style, materials and detailing of windows are of paramount importance. For example astragals **should not be stuck onto** the pane of glass, should be timber and should be slender; and horns should not be included in windows of buildings pre-dating 1850”*

I believe the above to be a clear indication that “imitation” and “stuck on” is viewed by conservation professionals as something which should be avoided

Pg21 details the Council's "Core Objectives:-

- To support and promote high standards of maintenance and repair.
- To support positive change and **avoid erosion of character through piecemeal change or unsympathetic works.**
- **To support and promote economic growth of the area by maintaining and improving quality of place.**
- To make decision-making more cohesive amongst stakeholders.
- To balance conservation issues with socio-economic realities

.....In order to meet the core objective of preservation and enhancement of the historic character and appearance of the conservation area the Council will **uphold the use of Local Development Plan policies and Supplementary Guidance** as well as **applying policies and guidance defined at national level.**

In accordance with the above statement, I have quoted some relevant sections of the Council's own Local Development Plan's Supplementary Guidance:-

Argyll and Bute Council - Local Development Plan SG LDP ENV 17 Development in Conservation Areas and Special Built Environment Areas

6.1 New development appears less obtrusive when **its colouring ties in with existing development, ...**

6.2 (garages) The traditional combination of **bright white walls and black roof is as appropriate as ever.**

12.1 Domestic garages/outbuildings are useful structures, which normally add to the amenity and value of any house. The scale, **design and building materials should complement the house and not dominate it, or detract from its amenity** or the amenity of the surrounding area and properties.

Generally they should be built using the same materials as the house and be placed satisfactorily in relation to it, not haphazardly in one corner of the site. The total amount of building on the site should not exceed 33% of the site area.

16.2 When undertaking any proposals; building lines, character, form, **materials and detailing must all be compatible with the existing building(s)** or area subject to special protection.

Argyll and Bute Council's own Sustainable design Guide also states on pg 11:-

"Consider the the development's BUILT SETTING. ...develop proposals which take account of existing building

"Historic Scotland's guidance on Managing Change in the Historic Environment - Boundaries states:- "Design to create character - use the site's location and examples of local successful buildings to determine character of development . Considerate use of local traditional colours. **Avoid 'artificial'** decorative features.

Pg 4

4.3 **Boundaries and their associated structures and fixtures often have formal design relationships with a building** or garden/ landscape. For example, a garden wall might be arranged to form a symmetrical compartment around a house, with a gateway aligned on the axis of the house. **Another type of relationship could include a stylistic similarity between the treatment of the**

boundary and the architectural characteristics of the house, such as a crenellated cope.

4.5 Design considerations were normally determined by the technological capabilities of the period,

In relation to the Seafari Petrol tank enclosure, the Council's own qualified Conservation officer clearly demonstrates disappointment at an artificial slate clad wall for the site and yet it is being adopted as a new standard for wall building in the village. I believe that this will be a future regret for the Conservation team.

There are no other slate faced garages in the village, all are white rendered - see below. There are some small slate store houses. Almost all have been painted or rendered white and none have faced enforcement . They now represent the majority.

There were many supporters who approved of the design of our development which will improve the look of this part of the village and has sustainable economic lifestyles at its core. Only one individual who, for his own particular reasons spoke against the wall finish. I can produce documentary evidence that this individual has been extremely vengeful to us, both in our work and homelives because we objected in 2014 to his placing of a 3000ltr above ground petrol tank in close proximity to our home. I have in writing from Fiona Scott that we have to stone face the wall around our property because this individual had a stone wall as a condition of his planning (so, in the interest of fairness to him rather than on any justifiable conservation grounds). Because his development was to be built adjoining an existing high traditional slate wall (which actually forms one the four sides of the boundary walls to his development, the Conservation Officer at this time and many local residents including myself did not want to see the industrial fencing, as was then proposed around the site in the conservation village as this would have been detrimental to the conservation area. As a result, the conservation officer stipulated a stone wall to surround the site to blend in with the existing setting. Because of the nature of the site (having the potential of explosion), the petrol licensing officer reportedly stipulated that the wall could not be formed from loose stone material, the developer did not want to build a traditional stone wall on the grounds of cost (Fiona Scott) and a stone clad wall was eventually conceded as a compromise which the Conservation officer was demonstrably uncomfortable with. Please see below.

Lynda Robertson, 4th April 2017 wrote "*Hard to imagine a cladded breeze block wall looking similar to the other boundary treatments in the conservation area, have you had an explanation as to why they aren't simply building a new one using techniques and materials similar to the other walls in the area?*"....."*Thanks for the link. It's not the most positive option possible, the cladding is too regular in shape and coursing and the colour too uniform. When you look at other boundary treatments in the area, the varying shapes of stone and shades of colour in the walls is a significant characteristic. Boundary treatments are a significant feature of this conservation area and represent the historical and social development of the settlement.*"

I also wrote at the time against the use of stone cladding which I believe, in accordance with the Council's and Historic Scotland's own guidance is "artificial" and "decorative". My comments are available on the planning website.

Conclusion

We appeal condition 4 on the following grounds:

- A. That the principle of this requirement is mistakenly founded on a different development setting which has no relation to our own.
- B. That the condition has been applied on the insistence of one individual who has a clear and well documented grievance against us personally. I have email evidence of this which relates to our Planning Application.
- C. That there were 4 supporters of the site design, including the white rendered wall.

- D. That the current planning application 18/01695/PP has received 6 Objections (apart from ours) which criticise the proposed composite/artificial wall proposal as being “out of keeping” with the village
- E. That the council’s own policies and guidance and Historic Environment Scotland’s guidance clearly supports boundaries, walls and garages being of the same materials and colours as existing buildings in order to create an identity and unify a site.
- F. My photographic evidence of this small village and of other Argyll and Bute and Sterling conservation areas adhering to the above Council and Historic Environment Scotland principles.
- G. I have advice from 2 very well respected professional Conservation specialists that Boundary treatments, extensions and garages should accord with existing buildings on the site in order to unify it. Also that imitation/fake, stone clad/composite walls are not compatible with conservation.

Photographic Evidence that white render is the most appropriate garage and wall finish for The Old Coach House development within Ellenabeich



Ellenabeich: a curved high white rendered wall on the left forms the entrance to the village with a slate wall contrasting it on the right.



Ellenabeich, Highland Arts: the most attractive element of the Highland Arts site is the curved white wall at the start of The Terrace. Next to it the slate clad walls are one of the most unsightly elements of the village



Ellenabeich, The Terrace. White rendered walls against white houses and white extensions with a stone wall in contrast opposite. The Old Coach House, sitting at the top of the road is part of the same grouping of properties along the UC108.



Iona, white wall against white house and stone wall adjoining stone house end. There is no stone cladding



Ellenabeich - South, White rendered shed/store/workshops with black/dark grey roofs. No stone cladding.



Cullipool Conservation Area - white render and paint used to unify development



Cullipool's most recent development and a very high profile development within Conservation Area, there is a white wall against white building and stone wall adjoining stone building.



This is the newest major development in the village where Council Officers recently approved the removal of a small existing stone wall, trees and shrubs and replacement with white rendered walls, new white rendered outbuildings and upgrade of white rendered garage.

This is, incidentally, Tony Hill's son's development. Mr Hill did not object to his son's white rendered wall and garage replacing an existing traditional stone wall to the east, nor to the removal of all the trees.



Same development as above but from a different angle.



Highland Arts, Ellenabeich - Probably the oldest outbuilding in village, also white rendered/painted. The wall has also been white rendered/painted although weather and time have removed some of this.



Fladda Lighthouse (clearly visible from Ellenabeich) - Listed, with white rendered walls and round light tower with long narrow windows. These are the successful design elements upon which the house development is based. All unified with a white outer wall containing curves.



Stirling Conservation Area, Listed Building. Pinkish rendered walls match the pinkish rendered building with rotunda.



Tobermory Conservation area: a white rendered Distillery building with attached white wall sits at the entrance/exit of the harbour car park.



Inveraray Conservation Area where white painted buildings connected with white walls are a dominant feature creating a cohesive visual identity for the town,



Ellenabeich: Curved white rendered wall provides a boundary for a white rendered house, enabling residents to sit out and enjoy their amenity. Hanging baskets look lovely against the white render.



Ellenabeich - summer tourist season. Climbing plants and floral baskets look beautiful against white rendered wall, creating attractive features which are enjoyed by all. This is what I had hoped for to create an attractive enhancement within a car park setting



Ellenabeich, another white rendered garage with a high, curved white rendered wall attached looks correct within the setting of the village..

(8) If the Local Review Body determines that it requires further information on “specified matters” please indicate which of the following procedure you would prefer to provide such information :-

- (a) Dealt with by written submission
- (b) Dealt with by Local Hearing
- (c) Dealt with by written submission and site inspection
- (d) Dealt with by local hearing and site inspection**

NB It is a matter solely for the Local Review Body to determine if further information is required and, if so, how it should be obtained.

(9) Please list in the schedule all documentation submitted as part of the application for review ensuring that each document corresponds to the numbering in the sections below:-

Schedule of documents submitted with Notice of Review (**Note: 3 paper copies of each of the documents referred to in the schedule below must be attached**):

No.	Detail
1	Argyll and Bute Council's Draft Conservation Area Appraisal and Management Plan https://www.argyll-bute.gov.uk/sites/default/files/ellenabeich_draft_conservation_area_appraisal_oct_17.pdf
2	Argyll and Bute Council - Local Development Plan SG LDP ENV 17 Development in Conservation Areas and Special Built Environment https://www.argyll-bute.gov.uk/sites/default/files/Unknown/supplementary_guidance_adopted_march_2016_env_9_added_june_2016.pdf

3	https://www.historicenvironment.scot/archives-and-research/publications/publication/?publicationId=00c41790-175c-418e-8b8f-a60b0089b6b3 Historic Environment Scotland - Guidelines - Boundaries.
4	
5	
6	
7	
8	
9	
10	

If insufficient space please continue on a separate page. Is this is attached? (Please tick to confirm)

Submitted by

(Please Sign)

Wendy Bruce

Dated: 12 November 2018

Important Notes for Guidance

1. All matters which the applicant intends to raise in the review must be set out in or accompany this Notice of Review
2. All documents, materials and evidence which the applicant intends to rely on in the Review must accompany the Notice of Review UNLESS further information is required under Regulation 15 or by authority of the Hearing Session Rules.
3. Guidance on the procedures can be found on the Council's website – www.argyll-bute.gov.uk/
4. If in doubt how to proceed please contact 01546 604392/604269 or email localreviewprocess@argyll-bute.gov.uk
5. Once completed this form can be either emailed to localreviewprocess@argyll-bute.gov.uk or returned by post to *Committee Services (Local Review Board), Kilmory, Lochgilphead, Argyll, PA31 8RT*
6. You will receive an acknowledgement of this form, usually by electronic mail (if applicable), within 14 days of the receipt of your form and supporting documentation.

If you have any queries relating to the completion of this form please contact
Committee Services on 01546 604392/604269 or email localreviewprocess@argyll-bute.gov.uk

For official use only

Date form issued

Issued by (please sign)