

**Argyll and Bute Council  
Development and Infrastructure Services**

**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**

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**Reference No:** 19/01410/PP

**Planning Hierarchy:** Local Application

**Applicant:** Simply UK

**Proposal:** Demolition of existing buildings and erection of residential care home (amended design)

**Site Address:** 102A Sinclair Street, Helensburgh

**SUPPLEMENTARY REPORT NO. 2**

**1.0 INTRODUCTION**

The purpose of this report is to advise Members of the contents of a representation submitted by Richard M. Cullen dated 19<sup>th</sup> August on behalf of "Friends of Prince Albert Terrace and Birch Cottages". The was submitted to the Director of Development and Infrastructure as well as all of the PPSL Committee Members.

**2.0 DETAIL OF REPRESENTATION**

This representation has been submitted in response to the publication the Report of Handling and is summarised below. The full version of the representation is available on the Council's website [www.argyll-bute.gov.uk](http://www.argyll-bute.gov.uk)

- There is concern that the officer has disregarded advice from Historic Environment Scotland and the Planning Authority's own Conservation Officer.
- The Council have an interest in the site, and one would have thought, should be setting a standard for appropriate design in a Conservation Area. These proposals fall short of the standards required and this is illustrated in the number of objections received.
- All objectors are seeking appropriate development for this site and a design that recognises the significance of its setting.
- The Case Officer pays no regard to the valid points raised by residents and most importantly Statutory Consultees.
- Given the significant number of objections including a letter of no support from Historic Environment Scotland we request the planning application is refused.
- The opportunity for a pre-determination hearing is welcomed in order to put forward the case for refusal in person. We would request that the case officer responsible

for this report on handling is also present at that hearing to account for his findings in this report.

The proposed scheme put forward by Simply UK should be refused planning permission on the following basis:

- Scottish Planning Policy states that the planning system should not allow development at any cost. We believe the proposals present an “any cost” development (paragraph 28) and do not represent sustainable development as per the requirements of SPP
- The scheme is not supported by Historic Scotland – Letter dated 23 July 2019. The proposals massing, scale and height are all considered to pose an adverse impact on the War Memorial and open space.
- The Planning Authority Conservation Officer does not support the proposal design or materials used and shares the concerns of Historic Environment Scotland.
- The Planning Officer has deemed these proposals a “minor departure from the Development Plan”. This is strongly contested. The applicant fails to competently assess the character of the area, has a complete disregard for the importance of the War Memorial, and has not provided a design that complies with the requirements of the Development Plan and Supplementary Guidance. There is no such allowance as a “minor departure” and in this case the proposals, should they be approved, are at risk of further challenge.
- The Planning Officer has failed to adequately assess the proposals against the requirements of adopted Planning Policy, the proposals do not comply with the following policies LDP DM1, LDP 3, LDP 8, LDP 9, SG LDP ENV 16(a), ENV 17 and SG LDP REC/COM 2.

### **3.0 CONCLUSION**

It is not considered that the content of this representation raises any new issues which are not covered in the report. A pre-determination Hearing is being recommended for this application which would allow Members to visit the site and explore these issues in more detail.

### **4.0 RECOMMENDATION**

The contents of this representation do not change the recommendation set out in the Report of Handling. It is recommended that planning permission be granted as a minor departure subject to the conditions and a pre-determination public Hearing.

**Author of Report:** Sandra Davies

**Date:** 20<sup>th</sup> August 2019

**Reviewing Officer:** Peter Bain

**Date:** 20<sup>th</sup> August 2019

**Fergus Murray**  
**Head of Development and Economic Growth**