

Submission to Local Review Body

by

Iain Torrance

In respect of non-determination of Planning Application 20/00898/PP

for

**Demolition of rear extension and erection of front and rear two storey
extensions**

at

Tigh na Torran, Lochgair, PA31 8SD

Introduction

This is a submission to the Local Review Body in respect of the request to make a determination of Planning Application 20/00898/PP (“the Application”) on the basis of non-determination by Planning within the prescribed period for determination of the Application.

I will leave it to the LRB’s Legal and Regulatory Support to comment to the LRB on the “Refusal” by the Planning Department after the Notice of Review had been accepted.

I summarise in Section 1 what I consider to be the salient points and then consider each of these points in greater detail in Section 2. In Section 3 the relevant comparator properties are considered with conclusions on the pattern of development and planning history.

The parking matter as a ground for refusal has been resolved. I make an additional submission of a letter dated 20 November from my Architect and Agent, Bowman Stewart, that gives their views with a revised parking layout approved by Roads Department.

Section 1 – Summary

1. The Report of Handling (“The Report”)

I view The Report as less than comprehensive and it fails to address the 2017 Planning Approval for Gallanach Cottage, which is a direct comparator. The Report of Handling for Gallanach Cottage varies greatly from The Report both in the consideration and identification of the relevant issues. The report also fails to properly analyse whether the new extension ‘dominates’ the existing property.

The matters at issue with The Report are detailed in Section 2.

2. Property Improvement

LDP 9 references the benefits of property improvement and this should be weighed in the judgement. It is my position that insufficient weight has been given to the benefit to the community of making the property habitable (it is on the Empty Homes Register) and improving the appearance of a run-down and very dated property.

In deciding to relocate to a rural area I chose Argyll for its natural beauty. I chose Lochgair, in particular, as it offered high speed internet connection. In purchasing the house, I considered that there was the potential to modernize and extend the property to become a properly functioning family with a study to facilitate working from home. The plot size is restricted, so extending to the side or rear (i.e. in addition to the proposed rear utility room and stairs) was not possible. Accordingly, the extension to the front was the only possible design solution to achieve a properly functioning family home that can be used to work from home.

I am firmly of the view that the impact of the Application and my ability to work from a home office in Lochgair aligns, all be it on a small scale, with the many of the key objectives of the LDP. I consider this in detail at Section 4. In that context I strongly believe that the Council should support Applications such as this that (1) modernise and bring back into use residential property, (2) provide properly functional family living space and (3) create a proper environment for working from home.

The determination of whether a development has a detrimental impact has to take as the starting point the now existing position. It is my view, and the view of the Lochgair community, that the current condition and appearance of the property is a negative to the visual amenity of Lochgair. I also strongly believe the Application results in a significant improvement to the function and appearance of the property and enhances the visual amenity of area.

3. Local Opinion

Since the date of serving the Notice of Review the Plans have been posted on the Lochgair Association website. The plans have been viewed 61 times by members of the Association, with three positive postings and other supportive emails were received. There were no adverse comments. The comments focus on the proposal being an improvement to the area and the need for flexibility in planning decisions

In addition, Councillor Dougie Philand supports the Application, see email at Appendix A.

The Lochgair Association also supports the Application, see email at Appendix A:

I have been asked by the chair of The Lochgair Association (SCIO) to pass on to you the support of our members for your planning application. The consensus of members is that plans to improve the look of Tigh na Torran would be warmly welcomed. It, along with neighbouring houses overlooking Loch Gair. are very distinct architecturally, and therefore an extension to the property would not adversely affect the amenity aspect of the village.

I suggest local opinion should be a positive factor that should be taken into account by the LRB. Indeed, I would go further and suggest that the best judges of local visual amenity are the Lochgair residents themselves.

4. Recommendation for Refusal - LDP 9

The Recommendation in The Report is to refuse permission under LDP 9.

By reason of siting, scale, massing, form, material finishes and detailed design, the proposed development will not reflect the character of the existing house, but will result in an overly dominant extension relative to the existing property and as such will have an unduly detrimental impact upon local visual amenity contrary to Local Development Plan policy LDP 9 and Supplementary Guidance on Sustainable Siting and Design Principles.

'Domination' & Visual Impact on Amenity

In Section 2, in my response to The Report, I show that the new extension does not dominate the existing property. In all public views of the property the extension is subservient, and it is subservient on all calculations. It is my position, supported by local opinion, that the extension and the changes will have a positive impact on the local visual amenity.

The judgment of the 'impact' should hold in the balance the existing property against the outcome were the Application to be approved; taken in the context of the local area and planning history. It is my position that The Report fails to properly consider these matters.

Material finishes

These were selected to be in the Argyll style rather than those of the existing 1960s kit house. However, I am open to other finishes as a Planning Condition as noted in Section 2

Design

The design is very similar to that approved for Gallanach Cottage and is broadly similar to many designs throughout Argyll. I therefore hold that Application has some precedent and is appropriate for the property. The degree of flexibility seemingly shown in planning approvals along Shore Road has resulted in a mix of property types. The consideration of the Application should reflect and accept that fact, not require an impossible exact precedent.

5. Conclusion

I consider that the Application not only fully meets the planning requirements, indeed I consider the proposal exceeds the requirements and is positive for the property and the local area. The Application was carefully prepared by a reputable local architect with a design brief to improve and modernise the property and move the overall appearance towards the 'Argyll style'. The views of my Architect in respect of the design, and conformity with planning policy, is an additional submission.

The starting point of a run-down 1960s kit house was challenging but the outcome is successful and improves the property and the visual amenity of Shore Road. The extension comfortably passes the test of not dominating the existing property.

It is demonstrated in this submission that considerable flexibility has been shown in planning approvals along Shore Road. I had expected the application to be welcomed. I did not expect there to be no communication of the Planning Department's views for five months, and for those views to ultimately be so negative.

The local councillor and the Lochgair community clearly support the Application and judge it as an enhancement to the area. I believe that the local community are the best judges of what represents an improvement to the amenity of their own area.

I therefore ask that the LRB approve the Application, acknowledging local opinion, thereby bringing a property back into use, improving the appearance and function of the property and enhancing the visual amenity of Lochgair.

Section 2 – Detailed Comments

1. Report of Handling

There are a number of points in the Report of Handling that merit comment.

a Time to respond to the Application.

The Planning Officer has apologised that the department did not raise any concerns in writing to my Agent until some 5 months after the submission of the above application for planning permission.

b ‘Positive Dialogue’

The Planning Officer, in dialogue with my agent, expressed some willingness to consider a front extension. However, he maintained a position that the extension should protrude no more than 800mm (Appendix B; email of 18 October). This should be contrasted with the Gallanach Cottage approval of 1.9m where the extension elevation is in much closer proximity to the road. The position of the Planning Officer entirely defeated the design objectives of the extension, so a ‘positive dialogue’ was neither credible nor possible.

c Old Manse

The Report states that *“a front addition of similar scale, massing and form to the precedent at Tayvallich submitted by the applicant, or at “The Old Manse, Lochgair” is likely to have been supported”*. The Old Manse extension has a depth of 1.7m and the Tayvallich house extension has a depth of 1.6m. I struggle greatly to reconcile this comment with the view expressed in the email of 18 October - referred to above - that a maximum depth of 800mm was required. In any event the first communication of this position was in The Report; no such view was expressed to my Agent.

d Planning approval for Gallanach Cottage

There is no reference in The Report to the 2017 Approval (17/01879/PP) for Gallanach Cottage which I consider to be an important precedent for the Application. The relative Report of Handling and the Approved Plans for 17/01879/PP are included at Appendix C and D, respectively. My observations of The Report in comparison to Gallanach Cottage Report of Handling are;

- there is no reference to any precedent in the Gallanach report but there is an extensive review of precedents in The Report. However, The Report ignores the Gallanach precedent.
- there is no concern on sizing, massing or visual impact in the Gallanach report despite that extension being only 7m from the road, 1.9m in depth and of the same height as the existing property. Whereas the Application is for a new extension 20m from the public road.

e Domination and Impact of Perspective on 'Domination'/Property Orientation

The requirement under LDP 8.2(a) is that the extension “*should not dominate the original building by size, scale, proportion or design*” The important wording is “dominate” for which the Cambridge English Dictionary definition is: *more important, strong, or noticeable than anything else of the same type*. Hence the wording of the planning policy has a precise test - it is whether the front extension could be judged to be larger or more noticeable than the existing building. The planning policy makes no specific reference to ‘massing’, but it is cited as a reason for refusal. However, as massing is a reference to volume it seems incongruous that an extension that is 29% by volume of the existing house should be judged to ‘dominate’ the house.

The Report states that by ‘sizing’ the extension dominates the existing property – but on all calculations of size the front extension does not dominate; it is a third of the front elevation (less than a quarter of the front elevation if the garage is included) is 62% of the house depth and 29% of the existing house by volume (‘mass’); the volume calculation excludes the volumes of the rear extension and the garage.

However, The Report attempts to make a case that domination results from the view of the property. It makes a generalised reference to the impact of perspective “*Taking into account the effects of perspective (where nearer objects appear larger and take visual precedence over objects behind) and prevailing ground levels, the strong gabled form of the front extension will dominate the traditional simple form and character of the existing house behind*”. However, what is not stated in this explanation of perspective is that the greater the distance of the objects from the viewer the less the visual precedence of the near object.

Further in my opinion, the conclusion on domination is entirely wrong as the Report does not consider the particular circumstances of the property:

- the property orientation with respect to Shore Road,
- the distance of the property from Shore Road,
- prevalent view, and
- the topography of the site.

My comments on each of these points are:

(i) Property Orientation

The Report states “*There is a variety of house styles however one important common feature is that they have a generally rectangular plan and volumetrically simple pitched roof form oriented such that the line of the main roof ridge runs generally parallel with the public road*” [Author’s underlining]. The Report also states “*The simple roof form of this house, with ridge orientated generally in line with the line of the front boundary is a strong element of its character*”

The Report is inaccurate in that Tigh na Torran is not orientated in parallel to the road, it is differentiated from other Shore Road properties in this regard. This is clearly shown from the Location Plan that was appended to The Report.

(ii) Prevalent View

The orientation of the property, noted above, results in the prevalent view of the property being from the junction of the access drive and the public road.



In this above prevalent view the near corner of the new extension would be at 21m distance and the corner of the house is nearer at 20m, the garage corner (to boundary) is closer still at 17m. Accordingly the roof ridge of the new extension would appear no higher than the roof ridge of the house. The double garage front elevation is clearly visible in the view thereby further reducing any domination concern. I note that the photographs attached to the DM Site Assessment Check Sheet were taken when the garage was demolished. Therefore, it is possible that there was not the opportunity for a proper consideration of the visual impact of the new garage.

In addition the side elevations of both the house and garage are visible in the above view, the side elevation of the house is nearer and the depth of the house side elevation is greater than that of the extension, even further reducing the domination issue – indeed making the new extension entirely subservient.

If (after the building of the front extension) the passer-by was to walk along Shore Road the far front elevation of the house would come increasingly into view, until at the other boundary of the property the view is effectively a straight on view of the property, as per the plans.



It is accepted that in this perspective the front roof point of the new front extension would be slightly higher than the ridge of the house - acknowledged to be slightly accentuated by the upward sloping ground - but the front extension would not dominate. Indeed, as noted elsewhere, the distance from the public view to the front elevation of the new extension (at 20m) reduces the relative elevation of the new extension with respect to the roof line of the existing house.

The combined areas of the visible flanking front elevations, roof planes and dormers would be more than twice the area of the facing front elevation of the front extension (see also application plans). The garage frontage further supports the subservience of the new extension in this view.

Hence the report's assertion that "*the proposed development will obscure much of the existing house from public view and will visually dominate it*" is entirely incorrect. No view of the house from the public road can achieve this. The prevalent perspective (or indeed any public perspective) simply does not result in domination, it results in subservience of the new extension.

(iii) Distance of Property from Shore Road

The property is set back 25m from Shore Road and the front elevation of the new front extension would be 20m from Shore Road. There is no mention of this in The Report's consideration of perspective. As noted above although the text, regarding perspective, in The Report is accurate what is not noted is that the greater the distance of the objects from the viewer the less the visual precedence of the near object.

Hence the 20m and 25m distances to the Shore Road is a material consideration

I am concerned at the absence of a balancing of the comment by reflecting on the distance of the extension from the road. In addition, the greater proximity of the approved Gallanach Cottage extension to the road would result in far greater 'dominance', by this perspective argument, than the Application for the front extension for Tigh na Torran. However, the Report of Handling for the Gallanach extension does not consider that issue.

Additional local context is given by the stair tower for Lochview in the view from the Shore Road.



It can be seen the roof ridge of the protruding tower appears higher than the main ridge of the house. If the passer-by were to walk down the loch side of the road the far house elevation would be obscured by the protrusion. Therefore, it puts into context the importance of the angle of view and distance from the object.

(iv) Topography

The ground slopes across the site; downwards towards the garage. This results in there being increasingly more visible wall footings visible on the front elevation of the house nearer the garage.



The white wall footings in the above photograph are 110cm adjacent to the garage and 45cm at the far corner of the front elevation.

This further increases the domination of the house; especially in the prevalent view, but also in all other views.

In addition to the above, the Report does not consider the benefit of the glazing reducing the visual impact of the extension, in particular the vertical/sloping velux roof lights on each side elevation of the new extension.

It is therefore clear that on all public views of the property the new extension would be subservient to the existing property.

2. Property Improvement

LDP 9 references the benefits of property improvement and this should be weighed in the judgement.

I acquired the property a year ago and I had intended the property to be a family home and to work/live at Tigh na Torran by the end of 2020 but the delay in a planning decision have prevented that. The development is constrained by the plot size, so extending to the side or rear (i.e. in addition to the proposed rear utility room and stairs) was not possible. Accordingly, the extension to

the front was the only possible design solution to achieve a properly functioning family home that can be used to work from home. I had looked forward to returning to an area where I spent many happy holidays as a child growing up in Scotland and also looked forward to contributing to the Lochgair and Argyll community.

I would also mention that Tigh na Torran is on the Council's Empty Property Register. It is not fit for proper habitation as it requires at a minimum a new heating system, internal works, woodworm treatment and rewiring. The roof is sagging and leaking, so it requires replacing. However, my personal favourites are the exploded back boiler and the corroded and leaking copper mains water supply pipe.

The works envisioned in the Application would represent a material investment. Indeed, investment has already been made at the property with the works to the demolition of single garage and building of new double garage now largely completed. The opinion of neighbours and the Lochgair community is very unfavourable towards the existing property – it being viewed as not only 'rundown' but also of inappropriate design for its location.

I am firmly of the view that the impact of the Application and my ability to work from a home office in Lochgair aligns, all be it on a small scale, with a considerable number of the key objectives of the LDP. I consider this in detail at Section 4.

It is my position that insufficient weight has been given to the benefit to the community of making the property habitable (it is on the Empty Homes Register) and of improving the appearance and function of a run-down and very dated property.

As evidenced at 3. below the Application is very much supported by the Lochgair community and the design is considered by the community as an improvement both to the property itself and the area.

3. Local Opinion

No objection was filed in relation to the Application.

Since the date of serving the Notice of Review I have taken active steps to notify the Lochgair community of the position and to seek views on the Application.

The Plans have been posted on the Lochgair Association website. The posting and plans have been viewed 61 times members of the Association, with three positive postings.

In addition, I asked the Association to email the text of the posting and the plans directly to all members of the Association. In addition, there were seven positive emails, all supported the Application. There were no adverse comments. The comments focus on the Application being an improvement to the property and the area and the need for flexibility in planning decisions

In addition, Councillor Dougie Philand supports the Application (see Appendix A).

Importantly the Lochgair Association also supports the Application (see Appendix A).

I strongly advocate that local opinion should be a positive factor that should be taken into account by the LRB. Indeed, I would go further and suggest that the best judges of local visual amenity are the local residents themselves.

The text of the postings and all the emails received are at Appendix A.

4. Design & Context

a Design

The existing house is a 'kit house' built in the mid 1960s. The overall design brief was to achieve an appearance of a traditional Argyll house to be more in keeping with the older properties on Shore Road of Gair Cottage and Gallanach Cottage. In achieving that design brief I consider the Application sits very comfortably with the design of Achnabreac and Lochside; these being more modern houses but also echoing the traditional Argyll style. It will also resonate with the Old Manse.

The brief was challenged by the shallow pitch of the roof which necessitated a positioning of the eaves of the extension which has not found favour with the Planning Officer. However, it is considered that the overall outcome is a significant improvement to the property. I advocate that the issues raised in the Report with respect to the eaves are more a matters of architectural taste than matters of true planning substance under LDP 9. The inclusion of vertical/sloping velux roof lights on each side elevation of the new extension also mitigates the concern.

The flat roofed dormers have been repositioned and their flat roofs changed to pitched roofs. They will accordingly give a balance to the front elevation. It is noted that design element is supported in The Report.

The single brick layered garage has been demolished and replaced with a double garage built to modern standards that will have larch clad vertically folding doors. The larch cladding would balance the use of larch on new extension and dormer facings. This garage also effectively extends the front elevation reducing the relative visual impact of the front extension.

b Context

As noted above I consider the design also needs to be seen in the context of the local architecture particularly the residential properties on Shore Road. I particularly note that general theme of the properties is the Argyll style of house with three traditional Argyll Houses (Gair Cottage, Gallanach Cottage and 6 Gallanach) and two more modern houses (Lochside and Achnabreac).

It appears there was considerable flexibility in the approvals for three comparator properties:

Lochside

This property was known locally as the 'Tin House'. The approval for the effective redevelopment included a change to slate roof, more traditional harling, a stair tower facing the road, a bay window overhanging the loch and octangular 'viewing tower. I also understand, from local residents, that the property has a higher ridge than the original house. The outcome was a considerable change from the original building with architectural forms without any precedent in the village.

Gallanach Cottage

This property has been extended from the original cottage which has lengthened the front elevation. The building is parallel to the Shore Road, being set back some 9m. The planning permission (17/01879/PP) for the front extension (replacing the existing entrance extension) was granted in 2017. There was no precedent in the village for this design although, like the Application, it is of common form in Argyll.

Achnabreac

This property has been considerably changed and expanded from what I understand to have been a similar house to both Tigh na Torran and Taobh nan Loch. I also understand, from local residents, that the property now has a higher ridge than the original house. It also now has a front extension protruding on approximately a third of the front elevation. The form of design is frequently seen in new build properties in Argyll, although there is no precedent on Shore Road.

Photographs and further details of these three properties are at Section 3 below.

Having regard to the approvals for the above properties I suggest that a strict adherence to a requirement for an exact planning precedent for the Application would be inconsistent to previous planning decisions in the area. In addition, the outcome to the planning decisions is a variety of building forms along Shore Road and the Application should be appropriately considered in that context.

The design of the new extension is very similar to that approved for Gallanach Cottage and is broadly similar to many designs throughout Argyll. In addition, Achnabreac and Derryinver on the Shore Road have protruding living space on the front elevations. I content that the visual impact of the Gallanach Cottage approval is greater than the proposal due the nearer proximity of the Gallanach Cottage extension to the road. The design of the front extension was also constrained by the shallow roof pitch, typical of a 1960s kit house.

The Report infers that it is a necessary condition that there has to be a direct comparator in size and design. I believe this is an unreasonable position. Indeed had that planning constraint been applied to Lochside, Achnabreac or Gallanach Cottage they would not have been approved as there is (was) no such direct comparator for those approvals.

It is my position that the design is a positive change and that the requirement under LDP 9 that *"the appearance of the building or amenity of the area is not adversely impacted"* is more than met. That is also the view of all local opinion, for example, *"Every house in Lochgair is different, particularly along the stretch of road from Gallanach to the footbridge, and I see your proposed plans as adding to the surrounding area rather than being out of keeping with it. We walk past the house every day and have no objection to your proposals"* (Appendix A, email from Jennifer Swanson).

c Material Finishes

The requested finishes are white harling to existing walls, Scottish larch cladding to front extension and faces of dormers and black slate for the roof. The current materials of pebbledash wall and concrete tiles do not sit comfortably with the vast majority of houses on Shore Road (the exception being the neighbouring sister property of Taobh an Loch

It is my position that the use of larch for the extension is consistent with 8.2(b) as it complements and appropriately balances the larch cladding on the vertically folding garage doors and white harling on the garage walls. In addition, the choice of larch is consistent with the Council's sustainability objectives and there is precedent for wood cladding on Shore Road.

It is accepted that the choice of materials are at variance to the existing 'house materials' but it is my position that the choice of materials are consistent with those of a traditional Argyll House and positively impact on the amenity of the area. Nevertheless, I would be open to a planning condition for alternative materials. I note that 'cedral' timber cladding was approved in respect of Gallanach Cottage or a white harling finish would be another alternative.

SECTION 3 - Comparator Properties and History

It is generally useful when evaluating a planning application to consider the planning history of the area and how the planning decisions associated with those properties have come into existence.

I consider therefore the properties to consider are those on the Shore Road as well as Old Manse and Red House. Therefore, a summary of each property and history is relevant;

Old Manse

This property is not situated on the Shore Road but it is on the shore in a prominent position. It is considered here by virtue of the extension which although on the rear elevation of the property is very visible from Shore Road. I consider the extension is very similar to that in the Application and the Planning Officer notes in The Report he is 'sympathetic' to an extension of this nature being approved. The extension has a depth of 1.7m.



The Old Manse, Lochgair Shoreline – has a protruding elevation with broken eaves line, white harling, black slates, pitched roof dormers

'Fishermans Cottages'

These are two single storey, wood clad, metal roofed, properties situated directly on the shore and with their edge immediately adjacent to the shore road and with no front garden. They have never been occupied as residential properties, one having previously been the village shop. They are noted for their use of wood cladding in the context of Scottish larch cladding being proposed in the Application.



6 Gallanach

This is an old single story house with white harling and tiled roof. One elevation of the property is immediately adjacent to the road, indeed that elevation has been curtailed in order to permit proper vehicular use of Shore Road

Gallanach Cottage

This is a 1½ Victorian cottage with white harling and black slate roof and flat roofed dormers. The house is situated parallel to the road, set back some 9m. The property has been extended from the original cottage.



Historic photograph of Lochgair, the original Gallanach Cottage on left, white elevation of 6 Gallanach in middle ground, Tin House (Lochside) at right foreground

The extension lengthened the front elevation from the original cottage. The building is parallel to the Shore Road, being set back some 9m



Current view of Gallanach Cottage, the Approved extension demolishes the existing forward extension and replaces with full height front extension on approximately a third of the front elevation

The planning permission (17/01879/PP) for the extension to the front extension (replacing the existing 'lean to' entrance shown in the photograph) was granted in 2017. The Approved depth of the extension was 1.9m and the Approval included the use of 'cedral' timber cladding.

Lochside

This property on this site was previously known as the 'Tin House' – planning permission was granted for the current property in 1998. It has not been possible to view the planning permission online but it is understood from local residents that Lochside is considerably larger than the Tin House with a higher ridge line, greater massing on the site, and a disrupted eaves line. The property is on a very restricted site footprint; constrained by the loch on one side and shore road on the other side. The design results in an outcome of significant visible massing.

The overall design of the property is at variance to all the properties in the village. The particular features that contrast with other properties are the height of the property, the use of a stair tower and an angulated viewing tower. These contrasts are particularly noticeable as it is in a prominent position on the shoreline and the only house on the loch side of the road. The prominent position is accentuated from being positioned directly adjacent to the shore road – on a curve in that road.

However, it is not contested that the overall design does work well, but it appears that considerable latitude was given by the Planning Officer in approving this property.



Historic photograph of Lochgair showing Tin House (Lochside) in centre middle ground



Lochside -There is no precedent in the area for the stair tower or the viewing tower. Ridge height is understood to be higher than the original property The Old Manse is in background

Taobh an Loch

Taobh an Loch is almost identical to Tigh na Torran as a 1 ½ Macleod Kit House built in c. 1964. It is understood that these houses were built as managers' houses for the hydro-electric scheme. Taobh an Loch is pebble dashed on the facades with a concrete tiled roof. The two houses are very much out of keeping with other houses on the shore line and the opinion of villagers is that both houses negatively impact the shore line.

Notably, when walking along Shore Road, the first view of Taobh an Loch is more 'lateral' than that for Tigh na Torran. The difference results from Taobh an Loch being closer to the road and the route of the road relative to the property.



Lastly the porch is in wood cladding so the use of Scottish larch cladding in the Application would reflect the material choice of the neighbouring property.

Tigh na Torran (subject of the Application)

Tigh na Torran is almost identical to Taobh an Loch as a 1½ Macleod Kit House built in c. 1964. It is understood that Tigh na Torran and Taobh an Loch were built as managers' houses for the hydro-electric scheme. Tigh na Torran is pebble dashed on the facades with a concrete tiled roof. The two houses are very much out of keeping with other houses on the shore line and the opinion of villagers is that both houses negatively impact the shore line. Tigh na Torran is situated approximately 25m from the shore road, being further set back from the road than Taobh an Loch due to the curvature of the road.

The single garage was very similar to that Taobh an Loch, but it has been demolished and a new double garage is in the final phase of construction. Photographs are included in Section 2.

Achnabreac

This property has been the subject of a number of planning consents and it is understood it was originally similar to Tigh na Torran and Taobh an Loch. It has not been possible to view the planning permission online but it is understood that the overall size and of the property has been greatly increased with a higher and steeper ridge line and significant forward protrusion on front elevation. The property has a black slate roof and pale coloured harling.



The design is not considered to be in keeping with any comparable property so again it is considered that considerable latitude was given by the Planning Officer in approving this property. The visual impact of the protrusion on the front elevation is comparable to that in the Application. Achnabreac is estimated to be set back some 60m from the shore road and is in an elevated position relative to the neighbouring property Tigh na Torran.

Gair Cottage

Gair Cottage is a 1 ½ Victorian house in the Argyll style with white harling and black slate roof with pointed dormers. The property is estimated at being set back 7m from Shore Road. The property has been extended; lengthening the front elevation. A small porch has been added to the front.



Derryinver

Derryinver is a bungalow thought to have been built in the 1970s and has a forward protruding elevation. It is generally not in keeping with other houses on the Shore Road but it should be viewed as in keeping with other houses (presumably built at the same time) on the continuation of Shore Road as it progresses up the hill. The front elevation is set back 12m from Shore Road.



Red House

Red House is a single storey house that has resulted from the combination of two cottages and a barn. It has white harling and a black slate roof. It is positioned on the track beyond the ford and is visible from the village. Notably Red House is the only property with a facing view on the front elevation of Tigh na Torran, but that view is from the garden on the shore side of the track. The owner of Red House is in favour of the Application and views the existing property as somewhat of an eyesore.

House at Tayvallich

A photograph of 'House at Tayvallich' is also included in this section as it is referenced in The Report



House extension at Tayvallich, shows a larch clad extension, with a broken eaves line.

The Planning Officer states in The Report he is 'sympathetic' to an extension of this nature being approved. There are design similarities with the Application but it should be mentioned that the above original property has a higher ridge height and steeper roof pitch than Tigh na Torran. Accordingly the visual impact of the extension on this property is stronger than the Application for Tigh na Torran, particularly noting the proximity to the public road.

Concluding Observations

The pattern of development along the shore line (Lochside, Taobh an Loch, Tigh na Torran, Achhabreac and Derryinver) has shown very little planning consistency with the older established comparator properties (Old Manse, Unknown, Fishermen's Cottages, 6 Gallanach, Gallanach Cottage, Gair Cottage and Red Roof Cottage). Accordingly, I believe that a degree of planning flexibility is appropriate to the design in Planning Applications for this location but consistent with the objectives of enhancing the amenity of the area and an improving the housing stock.

The location of properties along Shore Road is generally very close to that road. There are three properties directly on Shore Road (Fishermen's Cottages, 6 Gallanach and Lochside) and four positioned at 12m or less (Gallanach Cottage, Taobh an Loch, Gair Cottage and Derryinver) and only two at greater than 12m from the road; Tigh na Torran at 25m and Achhabreac at 60m.

SECTION 4 – Alignment with LDP Key Objectives

KEY OBJECTIVE A

To make Argyll and Bute's Main Towns and Key Settlements increasingly attractive places where people want to live, work and invest;

The Key Challenge we face...

There is an urgent need to reverse static or falling populations in some of our smaller rural communities by making them better places to live particularly for economically active families.

I'll be investing in the local economy by rebuilding the house. I can re-locate from London and use a home office and work in Lochgair. The development to a family property that facilitates home working will make the property an attractive asset to the community for use in the longer term for sustaining population in Lochgair

KEY OBJECTIVE B

To secure the economic and social regeneration of our smaller rural communities;

The Key Challenge we face...

That we can adequately respond to the very different and changing needs of our communities throughout Argyll and Bute.

Undoubtably the ability to maintain and improve our quality of life is being affected by the impact COVID is having on working trends, the economy and housing needs. The planned changes to the house incorporate a modern properly equipped and functioning home office within the family home

KEY OBJECTIVE C

To work in partnership with local communities in a way that recognises their particular needs to deliver successful and sustainable local regeneration;

The Key Challenge we face...

That we can create the best possible environment for competitive businesses, entrepreneurship and innovation to thrive without undermining our future potential in delivering economic growth.

I have reached out to the local community and have received complete and comprehensive support for my planned changes to the house. The development of the property to a work from home functionality is fully aligned with successful and sustainable regeneration

KEY OBJECTIVE D

To support the continued diversification and sustainable growth of Argyll and Bute's economy with a particular focus on our sustainable assets in terms of renewables, tourism, forestry, food and drink, including agriculture, fishing, aquaculture and whisky production;

The Key Challenge we face...

That we can successfully accommodate sustainable economic growth without harming our outstanding environment.

The nature of my work in the financial services industry provides some diversification to the traditional Argyll and Bute industries without harming the environment. The planned changes to the house will be carried out by local contractors.

KEY OBJECTIVE E

To ensure the outstanding quality of the natural, historic and cultural environment is protected, conserved and enhanced;

The Key Challenge we face...

That we can deliver all our housing needs in places where people want to live.

Feedback from the local community is supportive of the changes to the house and are viewed as an improvement and enhancement to the existing uninhabited structure. The design intent is to improve the property by modifying a 1960's kit house to achieve an appearance of a traditional style Argyll house. The new design will be more in keeping with older properties on Shore Road, thus protecting, conserving and enhancing Lochgair's Shore Road.

KEY OBJECTIVE F

To meet our future housing needs, including affordable, throughout Argyll and Bute;

The Key Challenge we face...

That our transport infrastructure is made easier and more appealing to use and we, at the same time, embrace the use of new technologies to reduce the need to travel.

The nature of my work in the financial industry allows me to use new technologies that reduce the need to travel and enables me to work 'remotely' from home.

KEY OBJECTIVE G

To continue to improve Argyll and Bute's connectivity, transport infrastructure, integration between land use, transportation and associated networks;

The Key Challenge we face...

That the cost of resources will continue to rise and that the provision of infrastructure in challenging economic conditions will be increasingly difficult to deliver.

N/A – but it is noted that the provision/availability of fibre internet is a key determining factor for the property to be used as a work location.

KEY OBJECTIVE H

To optimise the use of our scarce resources, including our existing infrastructure, vacant and derelict land and reduce consumption;

The Key Challenge we face...

That we can mitigate and adapt to the growing impacts of climate change in an affordable way at a local level.

The house is vacant and is on the Councils Empty Property Register and is not fit for proper habitation. The planned changes to the house will improve the property and change the status from vacant to occupied. The plans include energy efficiency improvements.

KEY OBJECTIVE I

To address the impacts of climate change in everything we do and reduce our carbon footprint;

The use of a home office reduces travel. The plans include energy efficiency improvements.

Appendix A - Local Opinion

1. Email from Councillor Douglas Philander

From: [Philander, Dougie](#)

Sent: 13 November 2020 12:52

To: [Iain Robert Torrance](#)

Subject: RE: Tigh na Torran, Lochgair - Planning Application [OFFICIAL]

Classification: OFFICIAL

Dear Iain, many thanks for your e mail and its contents. Having viewed the information lodged on the planning portal for proposed application 20/00898/PP I am of the view to support your application.

Particularly in view of the recent application lodged for Gallanach Cottage Lochgair which was of a similar design. It is important that renovating the property to a standard which improves the local vista is essential and I do believe given the previous decision at Gallanach Cottage the Planning department has set a precedence for such a design that you are proposing.

I have not been approached by any members of the local community nor the community council objecting to this application and therefore I would wish to register my support for your application.

Hope this is of assistance to you.

Kind Regards

Dougie

2. Email from The Lochgair Association

From: [Lochgair Association](#)

Sent: 22 November 2020 23:28

To: [Iain Robert Torrance](#)

Subject: Re: IAIN TORRANCE sent you a new message

Hi Iain

Apologies for emailing you so late. I completely forgot to check mail today.

The following are two separate supporting responses posted on the Lochgair website:

- I agree with Michael Reid's recorded positive endorsement of the proposed development.
- I have examined the plans in question and fully support this application. This house is probably the least attractive in the village and the proposals would enhance both its utility and appearance. The design seems to me to fit well with the extensively altered house next door.

I have been asked by the chair of The Lochgair Association (SCIO) to pass on to you the support of our members for your planning application. The consensus of members is that plans to improve the look of Tigh na Torran would be warmly welcomed. It, along with neighbouring houses overlooking Loch Gair, are very distinct architecturally, and therefore an extension to the property would not adversely affect the amenity aspect of the village.

Good luck with presenting your case

Marion Lacey, on behalf of The Lochgair Association (SCIO)

3. Postings on the Forum of the Lochgair Association

I posted the plans and explanation on the Forum Page of the Lochgair Association Website and invited comment:

iaintorrance

Nov 1
Tigh na Torran

Hi

I bought Tigh na Torran from Robert Duncan just over a year ago and this is my first post on the site.

The works on the garage at Tigh na Torran are nearly completed (after many delays from COVID) with the vertical folding larch clad doors hopefully fitted soon. In May this year I submitted a planning application for the house, the main changes being; white harling, black slate, pointed roof dormers, larch clad extension to the front of 4.65m. I thought the overall changes were an improvement but after five months was told by planners they disagreed and would not support, Therefore I have asked for a decision by Local Review Body.

I accept all are entitled to their opinion and I think it would be helpful if the Local Review Body had the benefit of local opinion. I would therefore be grateful if any comments on the plans could be posted here. I will attempt to upload the plans, but will need any comments in the next two weeks!

I am currently using Tigh na Torran as an office in the day, so if you want to see the plans in paper form do drop by and I will gladly show them to you - observing Covid protocols !!

Best wishes to all, stay safe

Iain

The above posting was viewed by [51] Forum Members and the following comments were made on the Forum:

Michael Reid

I think that the plans for the house are fine and not out of context. Achhabreac next door used to be similar and has been extended more. The proposed design is not unlike what was approved for Gallanach Cottage and is of a style that is common in

other parts of Argyll and the highlands. The house is currently tired and dated and I support the application to modernise it and bring it back into regular use.

Reply

S
Y

stephenm

We at Gallanach Cottage gained permission for something akin to what you are wanting, albeit we decided to scale back the plans so never implemented the bigger design. Can't see how they would object to a 60's kit house being modernised. They should approve.

Reply

Y

duncancampbell40

The demographics of Argyll mean that growing the population is vital. It is crucial therefore that planning is flexible and responsive to this end. We have no objections to these plans and hope they will be dealt with in a timely and positive way.

Duncan and Wilma Campbell

[*Lochside*]

4. Emails received from the Lochgair Community

The Lochgair Association forwarded the plans to Association members with an email similar to my posting. I received the following emails:

From: [Barry Meredith](#)
Sent: 14 November 2020 14:18
To: [Iain Robert Torrance](#)
Subject: Re: Planning

Hi Iain,

Really like the plans. We think it would improve the look of that part of the village. You have our full support on this. What is your next move?

Regards Barry & Vivienne Meredith

From: [Jennifer Swanson](#)
Sent: 14 November 2020 09:44

To: iaintorrance@outlook.com

Subject: planning application

Hello Iain,

Marion forwarded your email and I wanted to let you know that I'm supportive of your planning proposal. I can't see the most up-to-date documents online but the original application looked good and it's nice to see something being done with the house. Every house in Lochgair is different, particularly along the stretch of road from Gallanach to the footbridge, and I see your proposed plans as adding to the surrounding area rather than being out of keeping with it. We walk past the house every day and have no objection to your proposals.

Good luck!

On 14 Nov 2020, at 09:40, gordon.swanson <gordon.swanson@btinternet.com> wrote:

Hi Iain

I am happy to support your appeal for the proposed changes to Tigh na Torrance. The plans don't clash with any of the other houses in the village and would actually sit well on the site. Given that you are seeking to improve the amenity and appearance of a nondescript bungalow I would regard your proposals as an improvement to the area.

Hope this is of use.

All the best

Gordon Swanson
1 Upper Lochgair.

From: Deirdre Bruce

Sent: 11 November 2020 11:04

To: iaintorrance@outlook.com

Subject: Planning

Dear Iain

Do the council have specific reasons why they do not agree with the plans you have submitted or have they just disagreed with you.

I think that anything that would enhance the house should be passed and as far as I am concerned I would totally support your plans for this work to be carried out.

Yours sincerely

Fred Bruce

Waterford Lochgair

From: [Douglas Murray](#)
Sent: 31 October 2020 12:10
To: [Iain Robert Torrance](#)
Subject: Re: Tigh na Torran - Planning Application

Dear Iain,

Many thanks for sending plans of the proposed alteration and extension to your house in Lochgair.

My wife and I have no objection to these proposals and wish you success with your application.

Kind regards,

Douglas Murray

(Redhouse, Lochgair)

APPENDIX B

Correspondence with Planning Department

From: [Shewan, Norman](#)

Sent: 28 October 2020 12:06

To: '[Iain Robert Torrance](#)'

Cc: [Kathryn Macdonald](#)

Subject: RE: 20/00898/PP - Tigh na Torran, Lochgair, PA31 8SD [OFFICIAL]

Classification: OFFICIAL

Dear Mr. Torrance,

Thank you for your e-mail of 27th October and attached statement in respect of the above.

Firstly, I do appreciate your disappointment that I did not set out my concerns in writing to your agent until some 5 months after the submission of the above application for planning permission. This was partly due to COVID related working restrictions but I fully accept that this issue does not entirely justify the regrettable delay beyond the agreed extension of the determination period. Please accept my genuine and sincere apologies for this delay and for the inconvenience and frustration which this has caused you.

The review process has notified me of the submission of your notice of review dated 25th October and invited me to submit any statement of case on behalf of the Development Management Service.

My representations to the review process will include my report of handling and will address all material considerations including the original application documents and all relevant supporting information submitted to the planning authority prior to your notice of review on 25th October. My representations will also address any additional information or supporting statements which has been submitted through the review process.

Provided that your latest statement (e-mailed to me on 27th) forms part of your submitted notice of review then I will have the opportunity to comment on the salient points as required through the review process.

By submitting a notice of review you have effectively terminated determination of the planning application by the Development Management Service as of 25th October. Since your latest statement has been submitted after that date, I must advise you that it cannot now form part of my report of handling and that it would not be procedurally correct or helpful to comment on it outside of the review process. I assure you that I would have been more than happy to comment fully on your statement (and to continue dialogue) if it had been submitted prior to the notice of review.

Procedure now requires that any further comments by the Development Management Service regarding this case be made through the review process according to the relevant regulations.

Please contact the Local Review process directly if you have any further enquiries with regard to the review.

It's not a significant issue but for the benefit any further correspondence, my surname is spelled "Shewan."

Best Regards,

Norman

Norman Shewan
Planning Officer
MAKI Team
Development Management
Development and Economic Growth
Argyll and Bute Council



From: [Iain Robert Torrance](#)
Sent: 27 October 2020 21:13
To: Norman.Shewan@argyll-bute.gov.uk
Cc: [Kathryn Macdonald](#)
Subject: 20/00898/PP - Tigh na Torran, Lochgair, PA31 8SD

Dear Mr Shewen

I email to advise that I have requested the Application for Tigh na Torran be considered by the LRB.

I attach a letter which responds to your email correspondence with Bowan Stewart.

Yours faithfully

Iain Torrance

From: Shewan, Norman <Norman.Shewan@argyll-bute.gov.uk>
Sent: 23 October 2020 10:57
To: Kathryn Macdonald <kathryn@bowmanstewart.co.uk>
Subject: RE: 20/00898/PP - Tigh na Torran, Lochgair [OFFICIAL]

Classification: OFFICIAL

Kathryn,

Thanks for your phone call yesterday. I thought that it was a very helpful discussion.

I acknowledge receipt of your subsequent e-mail clarifying the proposed external material finishes as white wet-dash render walls with some untreated larch cladding and slate roof.

However, the fundamental objections relate to the siting of the proposed extension on the principal elevation fronting the road in conjunction with its scale, height and form (1 ¾ storey form) relative to the existing house. In these regards my assessment is that the extension will fail to reflect or respect the character and appearance of the existing building and that this will be detrimental to the character of the original house and its local setting.

The materials are a much more secondary issue, if I can put it that way, and the use of materials to match the original house is superficial to an extent without the principal issues of siting, scale and form being addressed.

As such my previous assessment and advice still stands notwithstanding clarification of material finishes.

Please advise me how your client would like to proceed.

Best Regards,

Norman

From: Kathryn Macdonald [<mailto:kathryn@bowmanstewart.co.uk>]

Sent: 22 October 2020 15:01

To: Shewan, Norman <Norman.Shewan@argyll-bute.gov.uk>

Subject: RE: 20/00898/PP - Tigh na Torran, Lochgair [OFFICIAL]

Hi Norman,

Further to our discussions and my discussion with my client, I wished to confirm that there was a slight error by me in my drawing when I describe the proposed finishes.

My client would instead prefer these to be as follows:

Walls – White wet dash render, untreated Larch cladding

Roof - Dwelling, Front and back extensions – Spanish slate

Windows - PVCu framed, White

Rainwater goods - PVCu, White

It was therefore our intention to allow these extensions to allow this 1.5 storey 1960's prefabricated house have more of a traditional Argyll cottage style appearance along with having an honest and contrasting front extension.

Do you believe that these alterations and our design intention may allow the application to be determined favourably at all, and if so please let me know if you would wish me to update my drawing to show these finishes instead?

I look forward to hearing from you.

With kind regards,
Kathryn

Dear Norman,

Thank you for your email detailing your concerns. Regarding your first point, please see attached the updated site plan showing the parking and turning area as requested.

Regarding your second point, I'm not sure if you have analysed this correctly as the existing dwelling house was designed as a 1 ½ storey dwelling, as can be seen from the attached document showing the existing photographs. This document also shows the photographs of the neighbouring property (Toabh an Loch), which indicates that both of these properties were perhaps built at the same time as they are almost identical in design, apart from Toabh an Loch already having a small timber clad front extension. The photographs also show that they were designed as 1 ½ storey dwelling houses by their dormer windows and gable windows being in the same positions.

You also note that altering the proposal to retain the eaves line would be acceptable, however the existing dwelling already has an interrupted eaves line to the front façade and I would therefore argue that the introduction of this front extension would actually be more desirable than the existing dwellinghouse and also have a more positive impact on the character of the surrounding area as it would reflect a similar style of design that is seen in the neighbouring buildings, as seen from my attached photographs. It reflects the property at Lochside, with a pitched roof and broken eaves facing the road, Achabereac with a pitched front gable, Gair Cottage with a pitched roof dormers and broken eaves line, and Derryinver with larger pitched roof gable end facing the road. Therefore I

would say that this extension is in fact in keeping with the local areas character along this single track road.

I acknowledge your concern over the front extension being a 1 ¾ storey extension, and in one of our earlier sketches we did look at a lower ridge height for this front extension however we did feel that there was capacity for this to meet the existing ridge in this case. The ridge height for this extension would not be higher than the existing house and the roof pitch of the existing property is reflected in this front extension. Also this dwelling house is one of the smaller properties along this road and therefore it is felt that this extension would not be overbearing or dominant, as can be seen from the attached photographs of neighbouring properties.

I also note that the design of the front extension was to encourage views across the shore but also allows for South facing windows, to allow as much solar gain as possible into the property, which will in turn increase the energy efficiency of the property somewhat along with the implementation of solar thermal panels to the rear extension.

Regarding the materials for the front extension, this is proposed to be untreated Larch cladding, to give a more modern contrast to the existing dwelling. The neighbouring property (Taobh an Loch) has an existing timber clad extension, therefore there is a precedent of using timber clad extensions in the area, we therefore felt that using this precedent but producing a better example of this by using high quality sustainable Scottish Larch would be encouraged.

We therefore feel that our current proposals actually do meet the SG LDP on Sustainable Siting and Design Principles and LDP 9 as we feel that the building has been designed to increase the desirability of the existing dwelling and therefore the surrounding area and elements of this design also reflect components of the existing dwellings in the surrounding neighbouring properties and therefore is in keeping character with this area. We are also encouraging suitability and energy efficiency in the development by our material choice and solar thermal panels.

From: Shewan, Norman <Norman.Shewan@argyll-bute.gov.uk>

Sent: 18 October 2020 18:46

To: Kathryn Macdonald <kathryn@bowmanstewart.co.uk>

Subject: 20/00898/PP - Tigh na Torran, Lochgair. [OFFICIAL]

Classification: OFFICIAL

Kathryn,

Please accept my apologies for the delay in contacting you with regard to this application however there are several issues which require addressing in order that we can move forward towards a favourable recommendation.

1. Access and parking

The Council's Roads and Amenity Services has deferred making comment on this application pending receipt of a block plan demonstrating that parking and turning for 3 vehicles can be provided within the site. Can you submit a revised site plan at a minimum scale of 1:200 showing parking spaces and turning.

2. Design

The design, in terms of siting, scale, massing, form, design and materials, relative to the existing house and the local development pattern, has been assessed as being inappropriate with regard to planning policy and supplementary guidance including LDP 9 and SG LDP on Sustainable Siting and Design Principles, particularly paragraphs 8.1 & 8.2 – "Alterations, Extensions, Conversions,"

The alteration of an existing single-storey bungalow (with dormer windows) by constructing a 1 ¾ storey style addition projecting some 4.65 metres in front of the principle elevation of the existing house will be unduly dominant in relation to the principle elevation does not reflect the character of the original dwelling house. Such a visually dominant and prominent extension will adversely affect the appearance of the building and the amenity of the surrounding area. The proposed development cannot therefore be supported in its present form.

I appreciate your clients aspiration to open up internal views out towards the loch and would be supportive of a highly glazed bay with eaves level that lines through with existing; roof pitch matching the main house; and a ridge height which is substantially below that of the original cottage. A bay window would normally project some 600-800mm in front of the front wall of the principle elevation. This would result in the loss of a ground floor 'snug' (unless this can be provided in an alternative location) and the double height space above it. A smaller gallery/study on the 1st floor hallway may still be possible although it would be more intimate.

I would be grateful if you could advise whether your client is prepared to amend the design in relation to the alterations on the front elevation along the lines of the above advice or whether he would like to proceed with the application as submitted. In the latter instance, it is very likely that the application will not be supported.

Best Regards,

Norman

Appendix C – Report of Handling for Gallanach Cottage (17/01879/PP)

Appendix D – Approved Plans for Gallanach Cottage (17/01879/PP)

Appendix E – Comment Submitted to Planning by Michael Reid