

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

Reference No: 23/01007/PP
Planning hierarchy: Local
Applicant: Mr Harvey Lee
Development: Alterations (Including Removal of UPVC Windows and Installation of New Timber Sash and Case Windows) and Change of Use of Former Hotel to Create Three Studios and Six Apartments for Use as Short-Term Holiday Letting Units
Site Address: Former Bute House Hotel/Guest House, 4 West Princes Street, Rothesay, Isle of Bute

DECISION ROUTE

- Delegated - Sect 43 (A) of the Town and Country Planning (Scotland) Act 1997
- Committee - Local Government Scotland Act 1973
-

(A) THE APPLICATION

(i) Development Requiring Express Planning Permission

- Change of use of former hotel to create three studios and six apartments for use as short-term holiday letting
- Removal of existing timber sliding sash and case windows and UPVC tilt and turn windows and installation of new timber sliding sash and case windows
- Removal of roof light on north-facing roof slope
- Remedial works to the facades, flashings and guttering

(ii) Other specified operations

- Internal alterations
-

(B) RECOMMENDATION:

Having due regard to the Development Plan and all other material considerations, it is recommended that Planning Permission be **granted as a minor departure** to Local Development Plan 2 subject to the conditions, reasons and informative notes set out below.

(C) CONSULTATIONS:

Area Roads Engineer (report dated 21st August 2023)

Recommendation of refusal on the following grounds:

- The application does not meet the parking standards set out within the policy of the Council's Local Development Plan. The proposed development requires at least 9 parking bays to be provided, which is unlikely to be achievable.
- It is considered that neither the nearest local public car park nor the streets surrounding the application property are able to accommodate the increase in demand for parking that would result from the proposed development.

Environmental Health Service

No comments received.

(D) HISTORY:

Planning Permission (ref: 12/02183/PP) and Listed Building Consent (ref: 12/02184/LIB) were refused on 19th November 2012 for the replacement of white timber double hung sliding sash and case windows at the subject property with white uPVC vertical sliding sash and case windows.

Planning Permission (ref: 13/01687/PP) and Listed Building Consent (ref: 13/01690/LIB) were refused on 26th September 2013 for the replacement of white timber double hung sliding sash and case windows at the subject property with white uPVC double glazed vertical sliding sash and case windows.

Appeals against the refusals mentioned in the preceding paragraph were dismissed by a Scottish Government Reporter on 13th January 2014.

Part retrospective applications for Planning Permission (ref: 14/02744/PP) and Listed Building Consent (ref: 14/02746/LIB) were refused on 18th December 2015 for the replacement of the white timber double hung sliding sash and case windows at the subject property with white uPVC tilt and turn windows.

An application for Listed Building Consent (ref: 23/01008/LIB) is currently under consideration for the proposed works at the subject property.

(E) PUBLICITY:

Subject of Neighbour Notification (closing date 22nd August 2023) and advertised as development in a Conservation Area (closing date: 1st September 2023).

(F) REPRESENTATIONS:

No representations have been received.

Representations are published in full on the planning application file and are available to view via the [Public Access](#) section of the Council's website.

(G) SUPPORTING INFORMATION

Has the application been the subject of:

(i) **Environmental Impact Assessment Report:** Yes No

(ii) **An Appropriate Assessment under the Conservation (Natural Habitats) Regulations 1994:** Yes No

(iii) **A Design or Design/Access statement:** Yes No

Prepared by the agent, DAS Design Ltd and summarised in the assessment contained in Appendix A below. The document identifies five key design conditions associated with the property and it provides a detailed examination of the strategies and solutions deployed to address each of these conditions.

The Design Statement is published in full on the planning application file and is available to view via the [Public Access](#) section of the Council's website.

(iv) **A Sustainability Checklist (with reference to the requirements of LDP2 Policy 04):** Yes No

(v) **A report on the impact of the proposed development eg. Retail impact, transport impact, noise impact, flood risk, drainage impact etc:** Yes No

(H) PLANNING OBLIGATIONS

Is a Section 75 obligation required: Yes No

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

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

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

National Planning Framework 4 (Adopted 13th February 2023)

Part 2 – National Planning Policy

Sustainable Places

NPF4 Policy 1 – Tackling the Climate and Nature Crises

NPF4 Policy 2 – Climate Mitigation and Adaption

NPF4 Policy 3 – Biodiversity

NPF4 Policy 4 – Natural Places

NPF4 Policy 7 – Historic Assets and Places

NPF4 Policy 9 – Brownfield, Vacant and Derelict Land and Empty Buildings

NPF4 Policy 13 – Sustainable Transport

Liveable Places

NPF4 Policy 14 – Design, Quality and Place

NPF4 Policy 15 – Local Living and 20 Minute Neighbourhoods

Productive Places

NPF4 Policy 29 – Rural Development

NPF4 Policy 30 – Tourism

NPF4 Annex C

Clyde Mission

Argyll and Bute Local Development Plan 2 (Adopted 2024)

Spatial and Settlement Strategy

Policy 01 – Settlement Areas

Policy 04 – Sustainable Development

High Quality Places

Policy 05 – Design and Placemaking

Policy 08 – Sustainable Siting

Policy 10 – Design – All Development

Policy 11 – Design – Conversions and Change of Use

Policy 15 – Supporting the Protection, Conservation and Enhancement of our Historic Built Environment

Policy 17 – Conservation Areas

Diverse and Sustainable Economy

Policy 23 – Tourist Development, Accommodation, Infrastructure and Facilities

Policy 24 – Existing Tourism Uses

Policy 25 – Tourism Development Opportunities

Connected Places

Policy 33 – Public Transport Infrastructure

Policy 40 – Vehicle Parking Provision

High Quality Environment

Policy 71 – Development Impact on Local Landscape Area (LLA)

Policy 73 – Development Impact on Habitats, Species and Biodiversity

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

Consultation Response
Planning History
LDP2 Technical Notes
Argyll and Bute Sustainable Design Guidance 2006
Historic Environment Policy Statement 2019
Historic Environment Scotland – *'Managing Change in the Historic Environment'*
Publications
Technical Working Note – Rothesay Windows (December 2015)

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

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

(M) Has a Sustainability Checklist been submitted: Yes No

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

(O) Requirement for a pre-determination hearing: Yes No

(P) (i) Key Constraints/Designations Affected by the Development:

Local Landscape Area
Conservation Area
Category C Listed Building

(ii) Soils

Agricultural Land Classification: Built-up Area/Unclassified Land

Peatland/Carbon Rich Soils Classification: Class 1
Class 2
Class 3
N/A

Peat Depth Classification: N/A

Does the development relate to croft land? Yes No

Would the development restrict access to croft or better quality agricultural land? Yes No

Would the development result in fragmentation of croft / better quality agricultural land? Yes No

(iii) Woodland

Will the proposal result in loss of trees/woodland? Yes No

Does the proposal include any replacement or compensatory planting? Yes No – details to be secured by condition Not applicable

(iv) Land Status / LDP Settlement Strategy

Status of Land within the Application Brownfield Brownfield Reclaimed by Nature Greenfield

ABC LDP2 Settlement Strategy

- Settlement Area
- Countryside Area
- Remote Countryside Area
- Helensburgh & Lomond Greenbelt

ABC LDP2 Allocations/PDAs/AFAs etc:

Area for Action (ref: A1001) relating to Rothesay Town Centre/Waterfront with strategic aims for town centre, harbour development and management

(P)(v) Summary assessment and summary of determining issues and material considerations

Planning Permission is sought for the change of use of the former Bute House Hotel/Guest House located at 4 West Princes Street, Rothesay, Isle of Bute into three studios and six apartments for use as short-term holiday letting units. Bute House is currently vacant hotel/guest house (a brownfield site) that is within the main town of Rothesay on the Isle of Bute. This would reinstate the tourist use by adjusting the building to suit recent changes in the hospitality market on the one hand and the limitations of the historic premises on the other.

The building has unauthorised upvc windows that were installed in 2014 and these are to be replaced with high-quality timber, double-glazed, sliding sash and case windows; remedial works are to be carried out to the facades, flashings and guttering of the building; and the roof light on the north-facing roof slope is to be removed and the opening slated over. The proposal would also address the structural issues present in the building.

As such, the key issues are the impact on the principle of development, the impact on the built environment, and access and parking. All other minor issues are considered in the detailed assessment within the Appendix and below is a summary of these key issues.

Principle of Development

The application site is within the settlement area as defined by the Local Development Plan. Both NPF4 and LDP policies presume a favour to redevelopment of empty and vacant buildings. NPF4 Tourism Policy 30 and LDP Tourism Policies 23, 24, and 25 are also relevant in determining the principle of development.

The agent's Design Statement contains a number of points that are applicable to the tourism benefits of the proposal in the context of these policies and can be summarised as follows:

- The application seeks to retain and make efficient use of the historic (but currently vacant) Bute House Hotel/Guest House in a form that is appropriate to the changing needs of the market (i.e. the rise in demand for independent holiday accommodation) and the local economy (i.e. the shortage of modern serviced apartments in Rothesay).
- The application concerns a building that is located in the town centre of Rothesay, in close proximity to the harbour (100 metres) and the frequent ferry links to the mainland. The proposal would, therefore, utilise public transport corridors and further enhance active travel networks i.e. the train line to Wemyss Bay and the ferry connection such that visitors would not need to arrive at the premises by car.
- By proposing the re-use of a hotel/guest house, the scheme would contribute to the local economy either directly by increasing workforce demand in the hospitality sector (e.g. property management; cleaning; laundry services; etc.) or indirectly through visitors using local services and amenities.
- The proposal proposes the reinstatement of a tourism facility that has been vacant for approximately three years and is within a part of the town where there is already an established mix of residential and commercial uses and does not result in the loss of local houses (that would be contrary to NPF4).

Overall the proposal is considered to accord with the tourism policies and would provide high quality visitor accommodation in an accessible, sustainable location.

Impact on the Built Environment

The subject property, which dates from the mid to later part of the 19th century, is a Category C Listed Building that occupies a prominent position in the Rothesay Conservation Area close to the main island ferry terminal and Guildford Square.

The agent has advised that, in the years prior to the acquisition of the property by the current owner, the Bute House Hotel/Guest House had seen a gradual decline and diminishing interest with eventual closure during the Covid pandemic lockdowns.

The proposal involves the removal of all of the existing windows at the property, twenty one of which are white, uPVC, double-glazed tilt and turn windows that were installed in 2014 without the benefit of Planning Permission and Listed Building Consent. These, and the remaining timber fenestration, are to be replaced with high quality, white, two-paned, timber, double-glazed, sliding sash and case windows. Subject to ensuring that there are horns on the new windows (a feature that is present in the existing timber fenestration), this aspect of the application is warmly welcomed.

In line with guidance from Historic Environment Scotland, the works seek to avoid affecting the most significant features of interest on the building and it is considered that the Design Statement provides a cogent justification for the proposal. In addition, the implementation of the development will result in the rectification of a breach of Planning and Listed Building Control.

Having regard to all of the above, the proposal is considered to be acceptable and to preserve the character and appearance of the site in question and this part of the Rothesay Conservation Area.

Impact on Parking and the Local Road Network

Policy 40 of LDP2 states that off-street car and vehicle parking shall be provided for development in accordance with prescribed car parking standards.

There are relatively few properties in this part of Rothesay that have off-street parking so either the public car park in Guildford Square or on-street spaces are utilised. The current application is not proposing the creation of dedicated off-street parking spaces in association with the holiday letting units.

The Area Roads Engineer has recommended refusal on the grounds that the application does not meet the parking standards set out within Policy 40 of LDP2. He states that the proposed development requires at least 9 parking bays to be provided, which is unlikely to be achievable.

Furthermore, he considers that neither the nearest local public car park at Guildford Square nor the streets surrounding the application property are able to accommodate the increase in demand for parking that would result from the proposed development.

There are a number of factors to consider in this part of the assessment:

- In using the standards advocated for a hotel and dwellings that are referred to in Policy 40, there would notionally be nineteen parking spaces associated with the former and eighteen parking spaces catering for the latter. As such, the change of use from a hotel to short-term letting units would result in a notional reduction in demand for parking by one space.
- The premises is accessible by a range of modes of transport: by boat (it is located within 100 metres of Rothesay Harbour and the ferry terminal); by bus (the nearest bus stops are at Guildford Square, approximately 20 metres from the entrance); on foot; by bicycle; and by car.
- The agent has advised that, given that the target market for the serviced accommodation would be pedestrian visitors from the mainland (and further abroad), dedicated car parking provision should be deemed unnecessary in this instance. Those tourists arriving by car could be accommodated by on-street parking as well as public parking provision.
- It is understood that, due to there being no vacant land in the applicant's ownership, there are no options for providing off-street parking in relation to the proposed development.
- The aspirations that are inherent in NPF4 Policy 13 and Policy 33 of LDP2 highlight the importance of walking, cycling and proximity to public transport

links. The agent has advised that storage space for four bicycles together with e-bike charging could be accommodated in part of the ground floor of the building and this can be achieved by condition.

Whilst it is recognised that the proposal does not fully meet the provisions of Policy 40 of LDP2 in terms of off-street parking, the mitigating factors detailed in the paragraphs above are of sufficient materiality for the application to be approved as a minor departure to the Development Plan.

Conclusion

The proposal has been considered against all the relevant policies and it is considered that significant material weight should be afforded in bringing this hotel back into active use to benefit the Town Centre. The use as self-catering is a diversification of an existing hotel use, which is supported by the tourism policies. Once it is brought back into use, with the windows having been re-instated, it will enhance the Rothesay Conservation Area and having the building in use will also contribute to the economy. It is preferable to have off-street parking but, given that the hotel operated with no dedicated parking and in view of the expected future modal shift towards cycling and walking, it is not considered that lack of off-street parking is a reason for refusal. In conclusion, the proposal, if approved, will successfully contribute to the sense of place and vitality of the Town Centre.

(Q) Is the application consistent with the Development Plan: Yes No

(R) Reasons why Planning Permission should be granted

See Section (S) below.

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

Policy 40 of LDP2 states that off-street car and vehicle parking shall be provided for development in accordance with the car parking standards set out in Table 5 on Pages 67 and 68 of the plan.

There are relatively few properties in this part of Rothesay that have off-street parking so either the public car park in Guildford Square or on-street spaces are utilised. The current application is not proposing the creation of dedicated off-street parking spaces in association with the holiday letting units.

The Area Roads Engineer has recommended refusal on the grounds that the application does not meet the parking standards set out within Policy 40 of LDP2. He states that the proposed development requires at least 9 parking bays to be provided, which is unlikely to be achievable.

Furthermore, he considers that neither the nearest local public car park at Guildford Square nor the streets surrounding the application property are able to accommodate the increase in demand for parking that would result from the proposed development.

In the narrative associated with Policy 40, Paragraph 6.24 states that, *“in the Main Towns, there is an acceptance that zero parking provision can be appropriate for certain categories of developments. This is justified on the basis that some types of development are able to function effectively within these central areas without requiring on-site parking, relying instead on central area public car parking provision and the availability of public transport services.”*

As a follow-on from the above, LDP2 refers to the limited categories of development that will not be expected to provide off-street car parking on development sites in identified town centre zones and these include small scale (i.e. up to five) flatted units. This zero parking provision does not apply in this case as the number of proposed units exceeds five and the site is just outwith the identified town centre, although it is considered edge of town centre.

In terms of justifying the proposal as a minor departure from Policy 40, the following material considerations are noteworthy:

- One of the minimum requirements in the car parking standards set out in Policy 40 is that, in association with a hotel, one parking space should be provided for every three members of staff in addition to 1.2 parking spaces for every room within the establishment. In this particular case, as the hotel has fifteen rooms and up to three members of staff, there would notionally be nineteen parking spaces associated with it.

In using the parking standards associated with dwellings that are referred to in Policy 40, the proposed nine units should notionally each have two parking spaces associated with them, which would amount to a total of 18 parking spaces. As such, the change of use from a hotel to short-term letting units would result in a notional reduction in demand for parking by one space.

- The premises is accessible by a range of modes of transport: by boat (it is located within 100 metres of Rothesay Harbour and the ferry terminal); by bus (the nearest bus stops are at Guildford Square, approximately 20 metres from the entrance); on foot; by bicycle; and by car.
- The agent has advised that, given that the target market for the serviced accommodation would be pedestrian visitors from the mainland (and further abroad), dedicated car parking provision should be deemed unnecessary in this instance. He states that occasional visits from tourists with vehicles could be accommodated by on-street parking at West Princes Street as well as the public parking provision at Albert Pier (60 metres to the north-east, it currently has 17 spaces that are free of charge) and Guildford Square (10 metres to the west, it currently has 34 spaces that are chargeable between 9 a.m. and 6 p.m.).
- It is understood that, due to there being no vacant land in the applicant's ownership, there are no options for providing off-street parking in relation to the proposed development.
- The aspirations that are inherent in NPF4 Policy 13 and Policy 33 of LDP2 highlight the importance of walking, cycling and proximity to public transport links. The agent has advised that storage space for four bicycles together with

e-bike charging could be accommodated in part of the ground floor of the building and this can be achieved by condition.

Whilst it is recognised that the proposal does not fully meet the provisions of Policy 40 of LDP2 in terms of off-street parking, the mitigating factors detailed in the paragraphs above are of sufficient materiality for the application to be approved as a minor departure to the Development Plan.

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

Author of Report: Steven Gove

Date: 4th March 2024

Reviewing Officer: Kirsty Sweeney

Date: 4th March 2024

Fergus Murray
Head of Development and Economic Growth

CONDITIONS AND REASONS RELATIVE TO APPLICATION REF. NO. 23/01007/PP

Standard Time Limit Condition for Planning Permission (as defined by Regulation)

Standard Condition on Soil Management During Construction

Additional Conditions

1. Unless otherwise directed by any of the conditions below, the development shall be implemented in accordance with the details specified on the application form dated 22nd May 2023; supporting information; and the approved drawings listed in the table below unless the prior written approval of the Planning Authority is obtained for an amendment to the approved details under Section 64 of the Town and Country Planning (Scotland) Act 1997.

Plan Title.	Plan Ref. No.	Version	Date Received
Location Plan (1:1,000)	Plan 1 of 1	-	23.05.2023
Plans as Existing	Drawing No. 001	-	23.05.2023
Sections & Elevations as Existing	Drawing No. 002	-	23.05.2023
Plans as Proposed	Drawing No. 101	-	24.07.2023
Sections & Elevations as Proposed	Drawing No. 102	-	23.05.2023
Window Schedule	Drawing No. 310	-	24.07.2023
Window Details as Proposed Plan, Elevation and Section	Drawing No. 311	-	24.07.2023

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

2. Unless otherwise agreed in writing with the Planning Authority, prior to the first use of any part of the premises for short-term holiday letting purposes, all of the white uPVC windows identified in red on Drawing No. 002 'Sections & Elevations as Existing' shall be removed and replaced with the timber windows shown in Drawing No. 310 'Window Schedule' and Drawing No. 311 'Window Details as Proposed Plan, Elevation and Section' (as amended by Condition 3 below).

Reason: In order to re-introduce traditional timber fenestration into the building in a timeous manner and to successfully integrate the development with the existing Listed Building and the wider Conservation Area.

3. Notwithstanding the approved plans, and unless otherwise agreed in writing with the Planning Authority, all of the replacement windows hereby approved shall incorporate horn detailing on the exterior of the central meeting rail to match this feature that is present in the existing timber fenestration at the property.

Reason: In order to successfully integrate the development with the existing Listed Building and the wider Conservation Area and for the avoidance of doubt.

4. Prior to the commencement of any works to the exterior of the building, full details of the remedial works that are proposed to the external façade; the flashings; and the rainwater goods shall be submitted to and approved in writing by the Planning Authority. Unless otherwise agreed in writing with the Planning Authority, the works shall be undertaken in accordance with the approved details.

Reason: In order to successfully integrate the development with the existing Listed Building and the wider Conservation Area and for the avoidance of doubt.

5. A facility for the storage of cycles and the provision of e-bike charging, the details of which shall have been previously submitted to and agreed in writing with the Planning Authority, shall be provided within the application site prior to the first use of any part of the premises for short-term holiday letting purposes. Unless otherwise agreed in writing with the Planning Authority, the approved cycle storage and charging point(s) shall be retained in perpetuity for these dedicated purposes.

Reason: In the interests of facilitating the use of cycles by the occupants of the short-term holiday letting units hereby approved in accordance with the provisions of National Planning Framework 4 Policy 13 'Sustainable Transport'.

6. The short-term let accommodation hereby approved shall not be used as a main (permanent/principle) residences and shall not be occupied by any family, group or individual for a cumulative period of more than three calendar months in any one year. A register showing dates of arrivals and departures shall be maintained at the premises and shall be available at all reasonable times for inspection by the Planning Authority.

Reason: For avoidance of doubt because the development is unsuited to full time residential occupation and due to it being assessed as tourism use having regard to the relevant provisions of the Development Plan.

Note to Applicant: Specifically the occupation of the premises as a residential use (Class 9) shall require the benefit of a separate planning permission.

INFORMATIVE NOTE

The attention of the applicant/developer is drawn to Argyll and Bute Council's Approved Policy Statement 'Short-term Lets Licensing', which provides information and guidance on the requirements for obtaining a licence for short-term holiday letting units. This can be found by using the following link: https://www.argyll-bute.gov.uk/sites/default/files/2023-09/ABC_Short_Term_Let_Policy_V2_Sep_2023_0.pdf

APPENDIX A – RELATIVE TO APPLICATION NUMBER: 23/01007/PP

PLANNING LAND USE AND POLICY ASSESSMENT

Planning Permission is sought for the change of use of the former Bute House Hotel/Guest House located at 4 West Princes Street, Rothesay, Isle of Bute into three studios and six apartments for use as short-term holiday letting units.

Externally, the existing timber sash and case windows and the upvc windows that were installed in 2014 without the necessary approvals are to be replaced with high-quality timber, double-glazed, sliding sash and case windows; remedial works are to be carried out to the facades, flashings and guttering of the building; and the roof light on the north-facing roof slope is to be removed and the opening slated over.

National Planning Framework 4

The assessment of the issues in this section of the report pays due regard to the overarching **NPF4 Policy 1**, which seeks to prioritise the climate and nature crises in all decisions. Guidance from the Scottish Government advises that it is for the decision maker to determine whether the significant weight to be applied tips the balance for or against a proposal on the basis of its positive or negative contribution to climate and nature crises.

The key issues for consideration are:

- Principle of Development
- Impact on the Built Environment
- Impact on the Natural Environment
- Tourism Benefits
- Impact on Parking and the Local Road Network

A. Principle of Development

NPF4 Policy 2 seeks to ensure that new development proposals will be sited to minimise lifecycle greenhouse gas emissions as far as possible, and that proposals will be sited and designed to adapt to current and future risks from climate change.

Guidance from the Scottish Government confirms that at present there is no single accepted methodology for calculating and / or minimising emissions. The emphasis is on minimising emissions as far as possible, rather than eliminating emissions.

NPF4 Policy 9 seeks to encourage, promote and facilitate the reuse of brownfield, vacant and derelict land and empty buildings, and to help reduce the need for greenfield development.

NPF4 Policy 29 seeks to encourage rural economic activity, innovation and diversification whilst ensuring that the distinctive character of the rural area and the service function of small towns, natural assets and cultural heritage are safeguarded and enhanced.

Policy 29(a) supports those proposals that contribute to the viability, sustainability and diversity of rural communities and local rural economy, including the reuse of a redundant or unused building.

Policy 29(b) requires that proposals in rural areas should be suitably scaled, sited and designed to be in keeping with the character of the area. They should also consider how the development will contribute towards local living and take into account the transport needs of the development as appropriate for the rural location.

Policy 29(c) supports proposals in remote rural areas (such as the Isle of Bute), where new development would support local employment; would support and sustain existing communities; and would be suitable in terms of location, access, siting, design and environmental impact.

Assessment

In terms of the Settlement Strategy set out in the adopted Argyll and Bute Local Development Plan 2 (LDP2) 2024, the application site is identified as being within a 'Settlement Area' where Policy 01 presumes in favour of redevelopment of brownfield sites where the proposed development is compatible with surrounding uses; is of an appropriate scale and fit for the size of settlement in which it is proposed; respects the character and appearance of the surrounding townscape in terms of density, scale, massing, design, external finishes and access arrangements; and is in compliance with all other relevant LDP2 policies.

The application relates to the change of use of a currently vacant hotel/guest house (a brownfield site) that is within the main settlement on the Isle of Bute. The proposal would address the structural issues present in the building; would rectify previous unauthorised alterations; and would reinstate the tourist use by adjusting the programme to suit recent changes in the hospitality market on the one hand (i.e. a trend towards independent lettings), and the limitations of the historic premises on the other (i.e. the lack of space for extensive hotel facilities).

As will be explored in more detail later in this report, the proposed external alterations to the building would be appropriate in terms of their effect on the character of the Rothesay Conservation Area and the intended use would have no materially detrimental impact on parking and the local road network in this part of the Rothesay town centre.

On the basis of the foregoing, **the principle of the proposed development is considered to accord with those Policies that are referred to in the paragraphs above.**

B. Impact on the Built Environment

NPF4 Policy 7 seeks to protect and enhance historic environment assets and places, and to enable positive change as a catalyst for the regeneration of places.

Policy 7(d) only supports development proposals in or affecting Conservation Areas where they would preserve or enhance the character and appearance of the designated area and its setting. Relevant considerations include the architectural and historic character of the area; the existing density, built form and layout; and the context and siting, quality of design and suitable materials.

NPF4 Policy 14 seeks to "*encourage, promote and facilitate well-designed development that makes successful places by taking a design-led approach and applying the Place Principle.*"

Policies 14(a) and 14(b) seek to improve the quality of an area irrespective of location and advocate the adoption of the six qualities of successful places in the formulation of developments. Three of these qualities are 'pleasantness' (attractive natural and built spaces); 'distinctiveness' (supporting attention to detail of local architectural styles to be interpreted into

designs to reinforce identity); and ‘*sustainability*’ (the efficient use of resources that will allow people to live, play, work and stay in their area).

The above NPF4 Policies are underpinned in the adopted Argyll and Bute Local Development Plan 2 (LDP2) 2024 by Policy 04; Policy 05; Policy 08; Policy 10; Policy 11; Policy 15; and Policy 17.

Assessment

The application site is part of 2, 4, 6 and 8 West Princes Street, which is a Category C Listed Building that occupies a prominent position in the Rothesay Conservation Area close to the main island ferry terminal and Guildford Square. In the listing description provided by Historic Environment Scotland at the time of the designation in November 1997, it is stated that the building was constructed in the mid to later part of the 19th century and was refurbished towards the end of the 20th century.

It is described as a “*classically-detailed 4-storey tenement forming an end of terrace with shops at ground*” floor level and the architectural detailing on the elevations facing onto Watergate and West Princes Street are also highlighted.

The ‘*Statement of Special Interest*’ incorporates the following:

“This is a good example of a classically detailed tenement, with commercial premises at ground floor. The building is set prominently within the heart of Rothesay and is well-detailed, with pedimented windows, deep cornicing, and an arcaded ground floor shop front.

The building is comparatively richly detailed for its location within a relatively small town and this is characteristic of the high quality later 19th century developments in Rothesay, which was an important holiday destination during this period. The town displays a number of well-detailed buildings, including commercial residential buildings, particularly in close proximity to the pier and seafront promenade.”

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states that “*In the exercise, with respect to any buildings or other land in a conservation area... special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area*”.

The assessment of the proposal in relation to its designation as a Listed Building will principally be undertaken in the report on the application for Listed Building Consent (ref: 23/01008/LIB). However, it is considered appropriate to refer to the qualities of the building in determining the impact of the proposal on the character of the wider Conservation Area.

In this regard, the following statements are made in Historic Environment Scotland's document titled ‘*Guidance on the Principles of Listed Building Consent*’:

- The majority of Listed Buildings are adaptable and have met the needs of successive generations while retaining their character. Change should, therefore, be managed to protect a building's special interest while enabling it to remain in active use. Each case must be judged on its own merits but, in general terms, listing rarely prevents adaptation to modern requirements but ensures that work is done in a sensitive and informed manner.
- Listed Buildings will, like other buildings, require alteration and adaptation from time to time if they are to remain in beneficial use, and will be at risk if such alteration and

adaptation is unduly constrained. In most cases, such change, if approached carefully, can be managed without adversely affecting the special interest of the building.

- Where a proposal involves alteration or adaptation which will sustain or enhance the beneficial use of the building and does not adversely affect the special interest of the building, consent should normally be granted.

The agent, DAS Design Ltd, has submitted a Design Statement in support of the application and the key points can be summarised as follows:

- In the years prior to acquisition of the property by the current owner, the Bute House Hotel saw gradual decline and diminishing interest. Improvements and alterations throughout the 2000s were largely cosmetic and, despite the provision of en-suite shower rooms to most bedrooms, the hotel's structural limitations and relatively small footprint meant that satisfying contemporary expectations with regards to access, size of rooms, services and facilities normally provided by hotels was impossible. The hotel eventually closed due to the 2020-21 pandemic lockdowns.
- The application seeks to preserve the building and any features of special architectural or historic interest that it possesses. Proposals for the exterior include the replacement of unauthorised uPVC windows with high-quality timber sash and case windows and remedial works to the facades, flashings and guttering.
- A survey of the interior has identified a relatively small number of preserved historic features, such as: the main entrance door; decorative floor elements in the storm-door vestibule; cornicing in the main entrance hallway and the former dining area; two fireplaces in bedrooms; balustrades in the main staircase area and to the main access stairs (leading from the main hallway); and a historic door-closer in the hotel kitchen.

The proposed design entails preserving these historic details wherever possible or replacing them on a '*like-for-like*' basis.

As mentioned in the '*History*' of the property in Section (D) of this report and also in the agent's Design Statement, the building was the subject of unauthorised alterations in 2014 when twenty-one of the white, timber, single-glazed, sliding sash and case windows were replaced by white, uPVC, double-glazed tilt and turn windows without the benefit of Planning Permission and Listed Building Consent.

The applications that were submitted to regularise the breach and to replace the remainder of the timber windows were refused and notices were served that required the twenty one uPVC windows to be removed and traditional timber windows reinstated. In the interim period, the property has changed hands on at least two occasions and approaches have been made to the different owners with a view to securing compliance with the notices.

This is the first occasion where an owner has demonstrated a commitment to replacing the unauthorised uPVC windows and the proposed windows are to be high quality, white, two-paned, timber, double-glazed, sliding sash and case windows. Subject to ensuring that there are horns on the new windows (a feature that is present in the existing timber fenestration), this aspect of the application is warmly welcomed.

There are thirty-one timber sash and case windows in the property that were not replaced in 2014 and the present application incorporates their removal and replacement with high quality timber double-glazed equivalents.

The Council adopted a Technical Working Note (TWN) in December 2015 in order to provide clear and consistent planning advice in relation to the replacement and refurbishment of windows in Listed Buildings and in the Rothesay Conservation Area. Notwithstanding the introduction on an unauthorised basis of the uPVC windows on parts of 4 West Princes Street, the Bute House Hotel/Guest House was identified in the TWN as within the '*Town Core Prime Townscape Block*'.

In '*Prime Townscape Blocks*', the TWN expresses encouragement for the refurbishment or repair of windows; the installation of '*like-for-like*' replacements; or the installation of double-glazed units that are identical to the original windows in all other respects (providing that it can be demonstrated that the existing windows are beyond economic repair).

Based upon an external visual inspection of the existing timber windows in the application property, the timber frames are showing signs of decay and it is accepted that their replacement is justifiable. As already mentioned, the proposed windows are to be high quality, white, two-paned, timber, double-glazed, sliding sash and case windows and, whilst the submitted drawings do not show the use of horn detailing, this is a feature that is present in the existing timber fenestration and its incorporation into the new units will be required via a suitably worded condition.

Conclusion

In line with guidance from Historic Environment Scotland, the works seek to avoid affecting the most significant features of interest on the building and it is considered that the Design Statement provides a cogent justification for the proposal. In addition, the implementation of the development will result in the rectification of a breach of Planning and Listed Building Control.

Having regard to all of the above, the proposal is considered to be acceptable and to enhance the character and appearance of the site in question and this part of the Rothesay Conservation Area.

On the basis of the foregoing, and subject to suitably-worded conditions, **the proposed development is considered to accord with those Policies that are referred to in the paragraphs above.**

C. Impact on the Natural Environment

NPF4 Policy 3 seeks to protect biodiversity, reverse biodiversity loss and deliver positive effects from development and strengthen nature networks.

NPF4 Policy 4 seeks to protect, restore and enhance natural assets making best use of nature-based solutions.

The above NPF4 Policies are underpinned in the adopted Argyll and Bute Local Development Plan 2 (LDP2) 2024 by Policy 04; Policy 71; and Policy 73.

Assessment

No material biodiversity impacts have been identified in the assessment of this application by the Planning Authority and, in the particular circumstances of the proposal, no conditions relating to specific measures for biodiversity enhancement and protection are considered to be necessary.

The site for the proposed development is not within any of the following: a designated European site of natural environment conservation or protection; a National Scenic Area; a SSSI or RAMSAR site; a National Nature Reserve; or a Local Nature Conservation Site.

The site is, however, located in a Local Landscape Area (LLA) and this designation is a recognition of a locally important physical landform that is of scenic value. Policy 71 of LDP2 seeks to resist development in, or affecting, an LLA where its scale, location or design would have a significant adverse impact on the character of the landscape and one of the requirements is that an application for development within this type of area should be supported by a landscape and visual impact assessment.

No formal landscape and visual impact assessment has been submitted with the current application; however, it is considered that the submitted plans and drawings provide sufficient information to allow an appropriate form of assessment to be carried out. Given the relatively localised impact that the proposed works to the exterior of the building would have, it is considered that the proposal would have a '*neutral*' effect upon the visual qualities of the wider LLA.

On the basis of the foregoing, **the proposed development is considered to accord with those Policies that are referred to in the paragraphs above.**

D. Tourism Benefits

NPF4 Policy 30 seeks to encourage, promote and facilitate sustainable tourism development which benefits local people; is consistent with Scotland's net zero and nature commitments; and inspires people to visit the country. Its stated outcome is that communities and places enjoy economic, social and cultural benefits from tourism, supporting resilience and stimulating job creation.

NPF4 Policy 30(b) requires that proposals for tourism related development should take into account a range of factors, including: the contribution made to the local economy; compatibility with the surrounding area in terms of the nature and scale of the activity and impacts of increased visitors; and opportunities for sustainable travel and appropriate management of parking and traffic generation.

NPF4 Policy 30(e) does not support proposals for the re-use of existing buildings for short term holiday letting where the proposal would result in either an unacceptable impact on local amenity or the character of a neighbourhood or area or the loss of residential accommodation where such loss is not outweighed by demonstrable local economic benefits.

NPF4 Annex C concerns '*Spatial Planning Priorities*', which forms guidance for the preparation of Regional Spatial Strategies and Local Development Plans. Rothesay is specifically mentioned in the section on the '*Central*' area, where NPF4 refers to "*strategic sites*" and initiatives that include the '*Clyde Mission*'. In relation to the wider Clyde area, the Framework notes that:

*"[m]any business and investment sites are located along key transport corridors and new approaches may be required as investment transitions away from locations that can only be reached by car towards **more accessible areas that are connected by low carbon and active travel options.**"*

And further:

"The wider Clyde Coast, an iconic area rich in cultural heritage and natural assets, can be reimagined through collective efforts on regeneration in nearby coastal communities, such as

Dunoon and Rothesay. The area's accessibility by train and water means that it is an ideal location for low carbon tourism and leisure."

The above NPF4 Policies and Annex are underpinned in the adopted Argyll and Bute Local Development Plan 2 (LDP2) 2024 by Policy 23; Policy 24; and Policy 25.

Assessment

The agent's Design Statement contains a number of points that are applicable to the tourism benefits of the proposal in the context of NPF4 and LDP2 and these can be summarised as follows:

- The application seeks to retain and make efficient use of the historic (but currently vacant) Bute House Hotel/Guest House in a form that is appropriate to the changing needs of the market (i.e. the rise in demand for independent holiday accommodation) and the local economy (i.e. the shortage of modern serviced apartments in Rothesay)
- The application concerns a building that is located in the town centre of Rothesay, in close proximity to the harbour (100 metres) and the frequent ferry links to the mainland. The proposal would, therefore, utilise public transport corridors and further enhance active travel networks i.e. the train line to Wemyss Bay and the ferry connection such that visitors would not need to arrive at the premises by car
- By proposing the re-use of a hotel/guest house, the scheme would contribute to the local economy either directly by increasing workforce demand in the hospitality sector (e.g. property management; cleaning; laundry services; etc.) or indirectly through visitors using local services and amenities

The proposal would not be contrary to NPF4 Policy 30(e) in that it proposes the reinstatement of a tourism facility that has been vacant for approximately three years and is within a part of the town where there is already an established mix of residential and commercial uses.

On the basis of the foregoing, **the proposed development is considered to accord with those Policies and Annexes that are referred to in the paragraphs above.**

E. Impact on Parking and the Local Road Network

NPF4 Policy 13 generally seeks *"to encourage, promote and facilitate developments that prioritise walking, wheeling, cycling and public transport for everyday travel and reduce the need to travel unsustainably"*.

More specifically, **NPF4 Policy 13(b)** supports developments where it can be demonstrated that the transport requirements generated have been considered in line with the sustainable travel and investment hierarchies and where appropriate they, *inter alia*:

- Provide direct, easy, segregated and safe links to local facilities via walking, wheeling and cycling networks before occupation.
- Will be accessible by public transport, ideally supporting the use of existing services.

NPF4 Policy 15 seeks to *"encourage, promote and facilitate the application of the Place Principle and create connected and compact neighbourhoods where people can meet the majority of their daily needs within a reasonable distance of their home, preferably by walking, wheeling or cycling or using sustainable transport options."*

More specifically, **NPF4 Policy 15(a)** supports developments that would contribute to local living. To establish this, consideration will be given to existing settlement pattern and the level and quality of interconnectivity of the proposed development with the surrounding area, including local access to, *inter alia*, sustainable modes of transport such as local public transport and safe, high quality walking, wheeling and cycling networks.

The above NPF4 Policies are underpinned in the adopted Argyll and Bute Local Development Plan 2 (LDP2) 2024 by Policy 33 and Policy 40.

Assessment

Policy 40 of LDP2 states that off-street car and vehicle parking shall be provided for development in accordance with the car parking standards set out in Table 5 on Pages 67 and 68 of the plan.

There are relatively few properties in this part of Rothesay that have off-street parking so either the public car park in Guildford Square or on-street spaces are utilised. The current application is not proposing the creation of dedicated off-street parking spaces in association with the holiday letting units.

The Area Roads Engineer has recommended refusal on the grounds that the application does not meet the parking standards set out within Policy 40 of LDP2. He states that the proposed development requires at least 9 parking bays to be provided, which is unlikely to be achievable.

Furthermore, he considers that neither the nearest local public car park at Guildford Square nor the streets surrounding the application property are able to accommodate the increase in demand for parking that would result from the proposed development.

In the narrative associated with Policy 40, Paragraph 6.24 states that, *“in the Main Towns, there is an acceptance that zero parking provision can be appropriate for certain categories of developments. This is justified on the basis that some types of development are able to function effectively within these central areas without requiring on-site parking, relying instead on central area public car parking provision and the availability of public transport services.”*

As a follow-on from the above, LDP2 refers to the limited categories of development that will not be expected to provide off-street car parking on development sites in identified town centre zones and these include small scale (i.e. up to five) flatted units. This zero parking provision does not apply in this case as the number of proposed units exceeds five and the site is just outwith the identified town centre, although it is considered edge of town centre.

In terms of justifying the proposal as a minor departure from Policy 40, the following material considerations are noteworthy:

- One of the minimum requirements in the car parking standards set out in Policy 40 is that, in association with a hotel, one parking space should be provided for every three members of staff in addition to 1.2 parking spaces for every room within the establishment. In this particular case, as the hotel has fifteen rooms and up to three members of staff, there would notionally be nineteen parking spaces associated with it.

In using the parking standards associated with dwellings that are referred to in Policy 40, the proposed nine units should notionally each have two parking spaces associated with them, which would amount to a total of 18 parking spaces. As such, the change

of use from a hotel to short-term letting units would result in a notional reduction in demand for parking by one space.

- The premises is accessible by a range of modes of transport: by boat (it is located within 100 metres of Rothesay Harbour and the ferry terminal); by bus (the nearest bus stops are at Guildford Square, approximately 20 metres from the entrance); on foot; by bicycle; and by car.
- The agent considers that, given that the target market for the serviced accommodation would be pedestrian visitors from the mainland (and further abroad), dedicated car parking provision should be deemed unnecessary in this instance. He states that occasional visits from tourists with vehicles could be accommodated by on-street parking at West Princes Street as well as the public parking provision at Albert Pier (60 metres to the north-east, it currently has 17 spaces that are free of charge) and Guildford Square (10 metres to the west, it currently has 34 spaces that are chargeable between 9 a.m. and 6 p.m.).
- It is understood that, due to there being no areas of vacant land in the applicant's ownership, there are no options for providing off-street parking in relation to the proposed development.
- The aspirations that are inherent in NPF4 Policy 13 and Policy 33 of LDP2 highlight the importance of walking, cycling and proximity to public transport links. The agent has advised that storage space for four bicycles together with e-bike charging could be accommodated in part of the ground floor of the building and this can be achieved by condition.

Whilst it is recognised that the proposal does not fully meet the provisions of Policy 40 of LDP2 in terms of off-street parking, the mitigating factors detailed in the paragraphs above are of sufficient materiality for **the application to be approved as a minor departure to the Development Plan.**