

LOCAL REVIEW BODY REFERENCE 09/0002/LRB

PLANNING APPLICATION REFERENCE 09/00790/DET

ERECTION OF AMBULANCE STATION

VICTORIA INFIRMARY, 93 EAST KING STREET, HELENSBURGH, G84 7BU

**RESPONSE TO REPRESENTATIONS / FURTHER INFORMATION DATED 12
FEBRUARY 2010 PROVIDED BY ROSS MCLAUGHLIN, DEVELOPMENT
MANAGER, ARGYLL & BUTE COUNCIL**

1. In Para. 2 of his report, the Development Manager confirms that health is a material consideration, but also confirms that Planning Officers considered it to be a minor consideration when assessing the application. Given the importance of this development in trying to address specific problems relating to the failure to achieve the required ambulance response times within the Helensburgh & Lomond Area, and how the proposed development is also integral to delivering the Scottish Government's agreed vision for the Vale of Level Hospital, it is considered that health should be a major material consideration that is sufficient to outweigh the provisions of the Development Plan.
2. The Development Manager confirms that the range of considerations that might be considered material in planning terms is, in practice, very wide and falls to be determined in the context of each individual case. He confirms that Scottish Government policy is a material consideration yet no reference has been made to the recently announced Scottish Government policy relating to the Vale of Leven Hospital having been taken into account, in which the Scottish Ambulance Service, within the Helensburgh & Lomond Area, is integral in delivering.
3. The Development Manager confirms that Community Plans are a material consideration yet there is no reference to the Helensburgh & Lomond Area Plan having been taken into account which identifies health care as an area priority.
4. Legitimate public concern is also highlighted as a material consideration yet no reference has been made to the high level of public concern relating to the decision to refuse this application as was previously highlighted in the headline front page story in the Helensburgh Advertiser on 13 August 2009.

5. The Development Manager states that in assessing the hospital and its grounds, it was considered that there were alternative sites within the complex. The site visit with Planning Officers, the Developer and NHS officials to consider alternative sites within the complex did not take place until 2 September 2009, at which stage the application had already been refused on 10 August 2009. An amended decision notice was issued on 31 August 2009 as the first notice failed to comply with the current planning regulations. Argyll & Bute Community Health Partnership (CHP) officials confirmed that the alternative sites considered ***“were all far too small and in one case, further into the site than the existing location, and none of them addressed the ambulance parking and decontamination requirements”***.
6. It is stated that ***“it is for the Planning Officer to assess both the weight to be attached to each material planning consideration and whether individually or together they are sufficient to outweigh the provisions of the Development Plan”***. It is considered that a number of the material considerations listed above were not taken into account and insufficient weight was given to those that were when the decision was taken to refuse the application. The Development Manager confirms that as specified in Planning Circular 4/2009, it is for the decision maker, **now the Local Review Body** (LRB) in this case, to assess both the weight to be attached to each material consideration and whether individually or together they are sufficient to outweigh the provisions of the Development Plan. It should also be pointed out that it is for the LRB alone to consider what the range of material considerations might be and that these can only be determined by members of the LRB in the context of each individual case.
7. It is concerning that at Para. 4 of the report, it is confirmed that a detailed report was not submitted by the Conservation Officer during determination of the application and that an amplified report has only now been prepared on his submitted reasons for refusal. The decision to refuse the application was therefore taken without a detailed report being available to those who refused the application.
8. The Conservation Officer confirms that the site is NOT located within one of the two Helensburgh conservation areas but states that the surrounding area exhibits many of the characteristics that define Helensburgh as a ***“garden city”***. Helensburgh is certainly not a city and I am not aware of it ever having been identified locally as a ***“garden”*** town. The Conservation Officer’s description that ***“the surrounding area exhibits many of the characteristics that define Helensburgh as a garden city”*** is incorrect. Along the rear of the site can be found ex local authority housing. Also, along East King Street on the opposite side of the street from the front of the site are ex local authority flats. To the east of the site is a block of three ex local authority houses with a large unkempt overgrown vacant site to the east of that block. To the west of the site is another vacant unkempt overgrown site.

9. The Conservation Officer states that ***“virtually all the town’s component buildings, public and private, are of architectural quality”***. This is certainly not the case and anyone who knows the town would not make such a totally misleading statement.
10. The Conservation Officer confirms in his report that the site has been developed, but much to the listed buildings ***“detriment”***. He further states that ***“the encroachment that has occurred has significantly compromised this”*** (an appropriate curtilage). These statements confirm that the listed building has already been degraded. There are already a number of other modern buildings around the site which have long detracted from the listed building and its setting.
11. The Conservation Officer further states that ***“an appreciation of the listed buildings principle facade remains largely unaffected from East King Street”***. It is considered that this statement is not accurate as the view of the building from most of East King Street has been lost by previous developments within the site and by trees on and adjacent to the site which all help to block the view of the front of the listed building. The buildings principle elevations are no longer visible from most viewpoints. It is clear that in the past, no special attention was paid to siting and design of other buildings now on the site in order that the listed buildings character and setting were not eroded. It is clear that the buildings character and its setting were eroded long ago by earlier developments prior to the current proposal. It is considered that the current layout does not create a sense of open space and certainly does not give open views of the listed building. On the contrary, it is considered that the site is cluttered with very little open space. The only location where a reasonable view of the listed building can be obtained is directly in front of the building on East King Street and even at this location, much of the lower level of the building is hidden by trees, hedges and other vegetation.
12. The Conservation Officer states that ***“In a designated conservation area, the planning authority must ensure that development proposals preserve or enhance the character and appearance of the area. In my opinion, this proposal satisfies neither of these important criteria”***. This statement is totally inappropriate with regards to this application as it leads the reader to believe that the proposed development is within a designated conservation area. The proposed development is **NOT** within a designated conservation area as is confirmed elsewhere within his report and referred to in Para. 8 above and should therefore not have been made.

Councillor George S Freeman JP

Ward 9 - Lomond North

20th February 2010