

Ref:
AB1

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

OFFICIAL USE
15/10/10
Date Received MJ

NOTICE OF REVIEW

10/0011/CRB.

Notice of Request for Review under Section 43(a)8 of the Town and Country Planning (Scotland) Act 1997 and the Town and Country Planning (Schemes of Delegation and Local Review Procedures (Scotland) Regulations 2008

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

(1) APPLICANT FOR REVIEW

Name

Address

Postcode

Tel. No.

Email

(2) AGENT (if any)

Name

Address

Postcode

Tel. No.

Email

(3) Do you wish correspondence to be sent to you or your agent

(4) (a) Reference Number of Planning Application
 (b) Date of Submission
 (c) Date of Decision Notice (if applicable)

(5) Address of Appeal Property

(6) Description of Proposal

ERECTOR OF CONSERVATOR

(7)

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

PLEASE SEE ATTACHED.

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

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

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

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

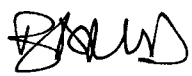
(9) Please list in the schedule all documentation submitted as part of the application for review ensuring that each document corresponds to the numbering in the sections below:-

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

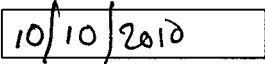
No.	Detail
1	WRITTEN RESPONSE
2	LOCATION PLAN pd/07/000
3	SITE PLAN pd/07/001
4	EXISTING ELEVATIONS pd/07/002
5	PROPOSED ELEVATIONS pd/07/004
6	PROPOSED SK PLAN - pd/07/003
7	PROPOSED SECTIONS pd/09/006
8	EXISTING PLAN pd/07/005
9	
10	

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

Submitted by
(Please Sign)



Dated



Important Notes for Guidance

1. All matters which the applicant intends to raise in the review must be set out in or accompany this Notice of Review
2. All documents, materials and evidence which the applicant intends to rely on in the Review must accompany the Notice of Review **UNLESS** further information is required under Regulation 15 or by authority of the Hearing Session Rules.
3. Guidance on the procedures can be found on the Council's website – www.argyll-bute.gov.uk/
4. If in doubt how to proceed please contact 01546 604331 or email localreviewprocess@argyll-bute.gov.uk
5. Once completed this form can be either emailed to localreviewprocess@argyll-bute.gov.uk or returned by post to **Committee Services (Local Review Board), Kilmory, Lochgilphead, Argyll, PA31 8RT**
6. You will receive an acknowledgement of this form, usually by electronic mail (if applicable), within 14 days of the receipt of your form and supporting documentation.

If you have any queries relating to the completion of this form please contact Committee Services on 01546 604331 or email localreviewprocess@argyll-bute.gov.uk

For official use only

Date form issued



Issued by (please sign)





BARI REID
ARCHITECTURAL SERVICES

ambleside
tobermory
isle of mull
PA75 6QA

13/10/2010

Planning Services,
Lorn House,
Albany Street,
Oban,
Argyll,
PA34 4AR

Dear Sirs,

Appeal to the Local Review Board re: Erection of Conservatory @ Arldale, 6 Western Road, Tobermory Isle of Mull 10/00225/PP

In response to the refusal of the above application we would like to appeal the decision for the reasons outlined below:

The main basis of the refusal is that the elevated position of the conservatory creates overlooking into the garden of the property "trewince" to the rear, as the floor level inside arldale (subject of application) is elevated it would be impractical to have a lower floor level in the proposed conservatory. The sloping nature of the site (and area in general) mean that dwellings on a slope naturally overlook the dwellings and gardens below them, it is felt that the proposed conservatory does not introduce any new overlooking, this was illustrated in drawing pd/07/006 which was submitted to the department but does not seem to have been included in the referred set of drawings. The proposed conservatory is formed over the existing patio doors to the living room of arldale, from these doors and from the windows to the existing dining room, the boundary of arldale and trewince can be seen, therefore the entire garden area of trewince is currently overlooked and the proposal does not make the current situation any worse.

Although the department have deemed the conservatory to be introducing a new habitable space, it should be noted that an unheated conservatory on the west coast of Scotland would only be an occasional space very dependent on weather.

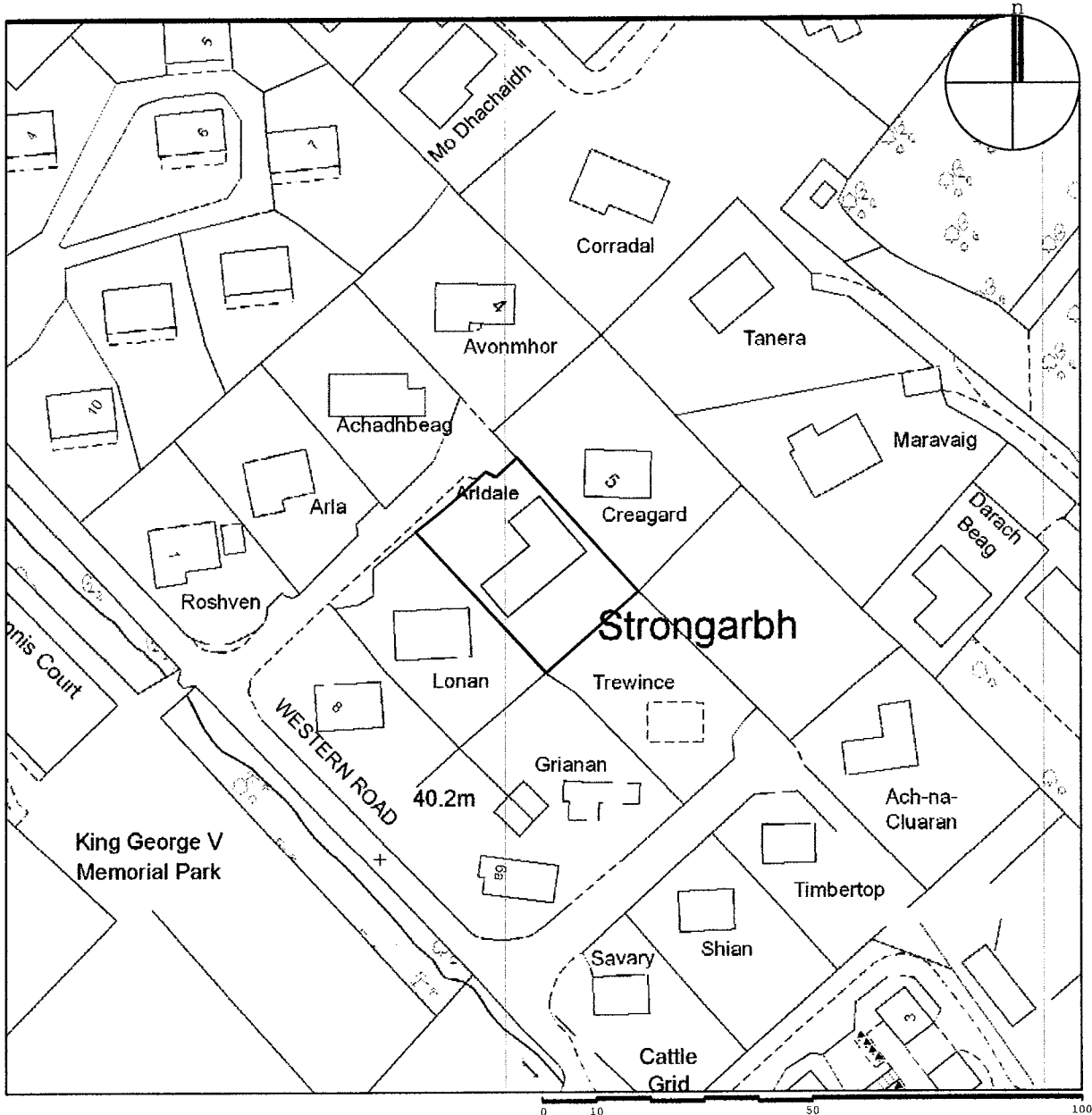
The (retrospective) application was made on the advice of the planning department although it seems the proposed development would normally fall within the scope of permitted development rights for the area; The floor area of the new extension is 12m² and the existing conservatory 9m², a total of 21m² which falls below both the 24m² and 30% of the existing dwelling (178m²) limit. The proposed roof is not higher than the highest point of the existing roof and as the proposal sits further than 2m from the boundary the 4m height rule does not apply. The proposal does not bring the building line any closer to the public road or occupy more than 30% of the total site area - it is unclear why the proposal is not considered valid for permitted development.

During the advertisement period for the application no representations were made opposing the development indicating that the neighbours surrounding the property feel there will be no negative impact from the conservatory on their garden amenity space.

It is hoped that in light of the above points and attached drawings the local review board would acknowledge that the problem of overlooking is one that has existed since the original house was built and that the proposed conservatory does not change the current condition.

Regards,

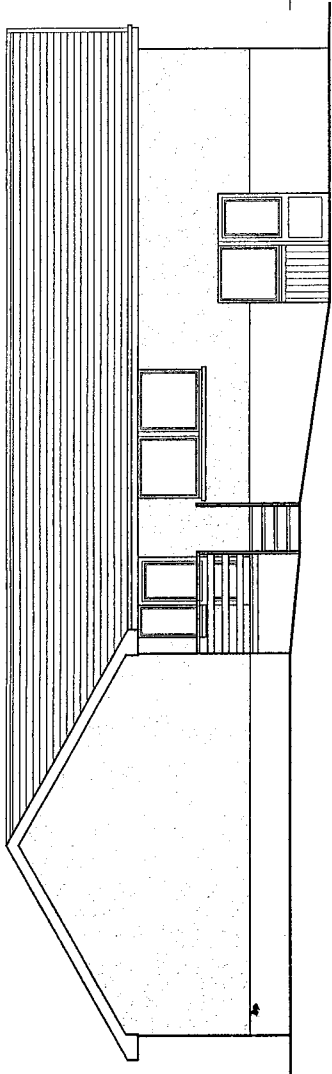
bari reid



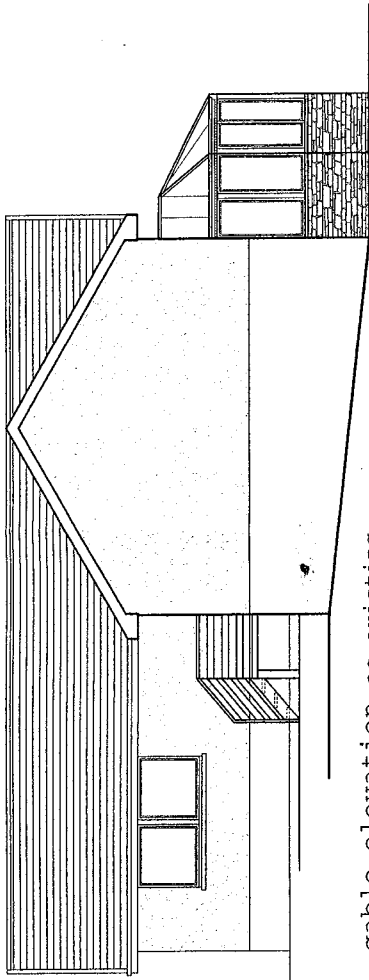
location plan
1:1250

project: proposed conservatory @ arldale
 title: location
 scale: as noted
 date: 21/01/10

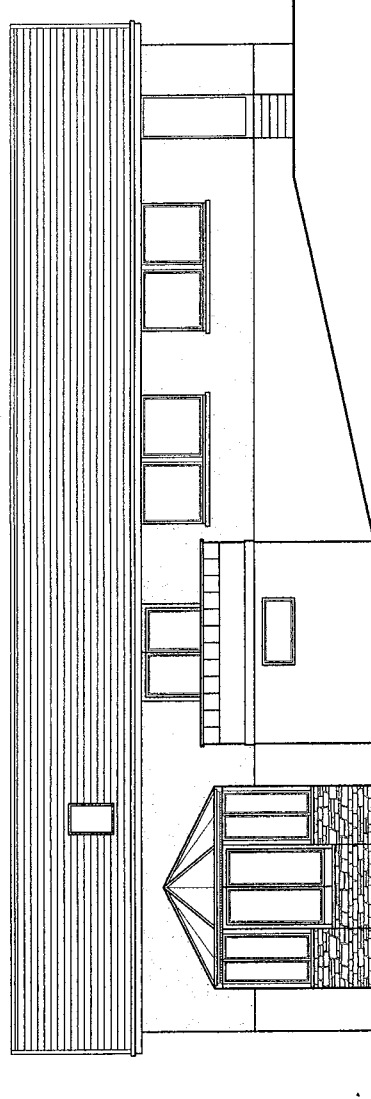
PAUL REID
 ARCHITECTURAL DESIGN



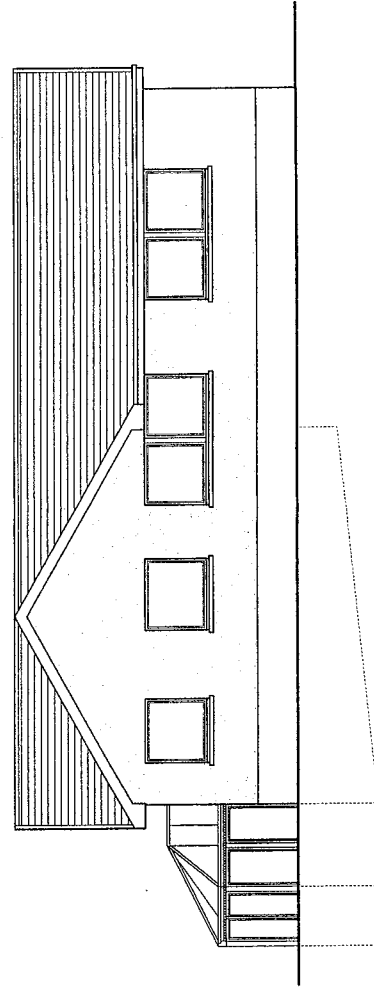
front elevation as existing
1:100



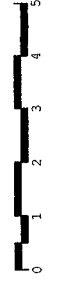
gable elevation as existing
1:100



rear elevation as existing
1:100

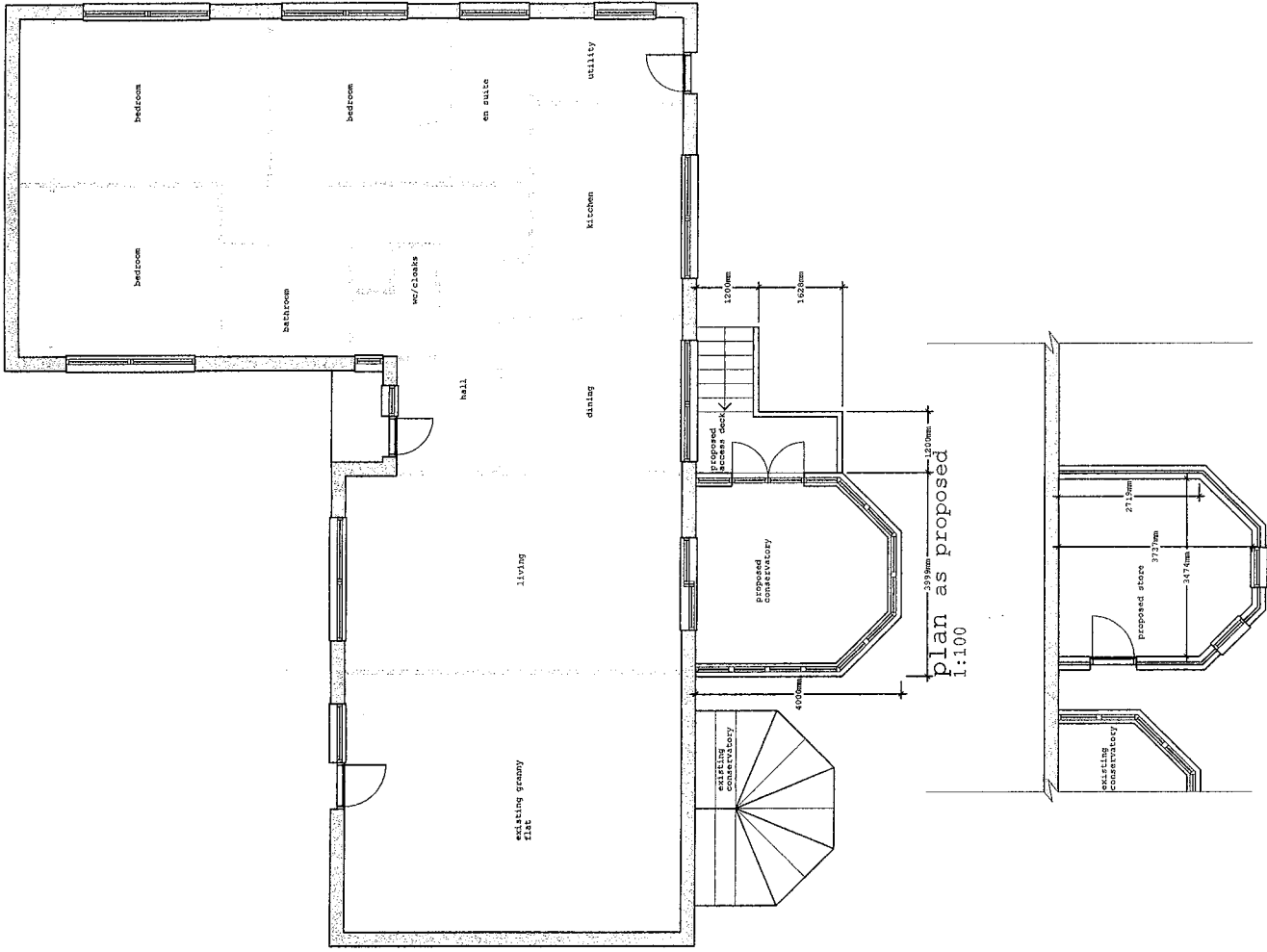


side elevation as existing
1:100



project: proposed conservatory @ aridale
title: existing
scale: as noted
date: 21/01/10
drawing: pd/07/002

BAL ZED
ARCHITECTURAL DESIGN
e: info@balzed.com
t: 01454 732 632

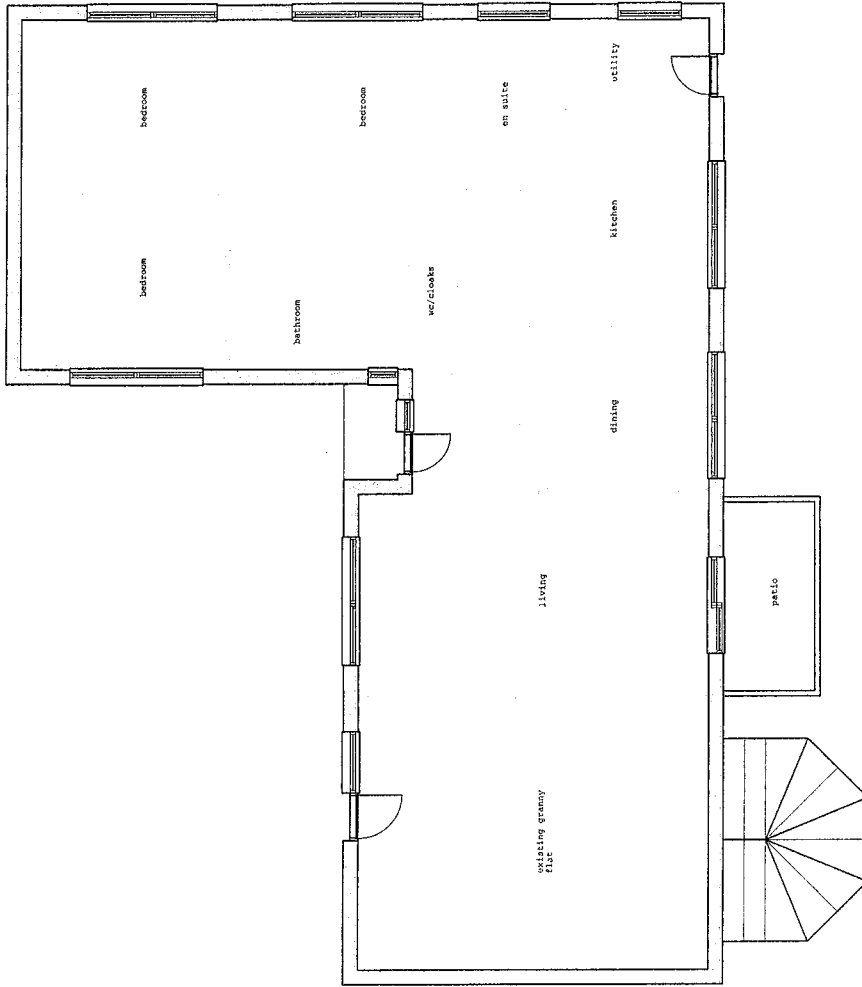


plan as proposed
1:100

underbuilding plan
1:100

project: proposed conservatory @ aridale
 title: proposed
 scale: as noted
 date: 21/01/10
 drawing: pd/07/003

BA 2610
 ARCHITECTURAL DESIGN
 e: info@barfield.com
 t: 07593 802 602

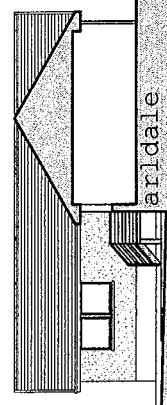
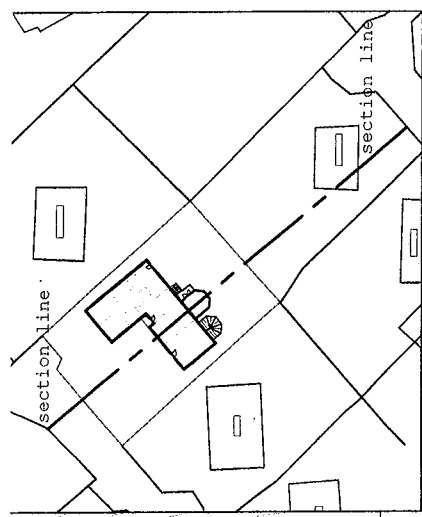


plan as existing
1:100

project: proposed conservatory @ aridale
title: existing
scale: as noted
date: 21/01/10
drawing: pd/07/005

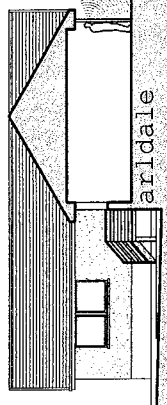
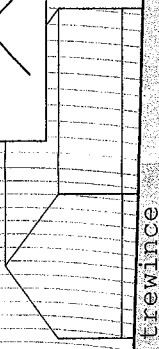
PAUL ZBID
ARCHITECTURAL DESIGN
e: info@aridale.com
t: 07499 472 652





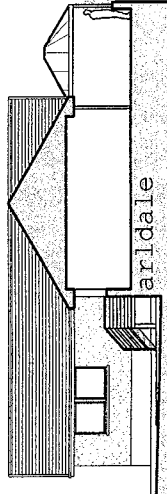
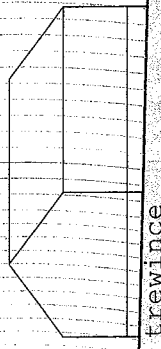
existing condition
1:200

boundary



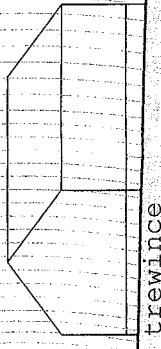
proposed condition
1:200

boundary



proposed condition
1:200

boundary



project: proposed conservatory @ arldale
 title: sketch sections
 scale: as noted
 date: 12/05/10
 drawing: pd/07/006

BAI 2GD
 ARCHITECTURAL DESIGN
 e: info@arldale.com
 t: 07559 522 622