

UPDATE ON RECENT SCOTTISH GOVERNMENT PLANNING DECISIONS

A) INTRODUCTION

This report advises of appeal decisions by the Scottish Government Directorate for Planning and Environmental Appeals relative to the case set out below

B) RECOMMENDATION

Members are asked to note the contents of the report.

C) DETAILS OF APPEAL DECISIONS

PLANNING APPEAL DECISION –PPA-130-2019– Dismissed
ENFORCEMENT NOTICE APPEAL ENA-130-2003– Dismissed
Change of use of dwellinghouse to family mediation centre
Athole Cottage, 20C Wellington Street, Dunoon

Planning application 10/01036/PP was refused following a hearing by notice dated 26 October 2010 on the grounds that:

- (a) the use would adversely affect the privacy and amenity of the neighbouring properties and would introduce an incompatible and incongruous use into a quiet residential area, and
- (b) the operation of the centre would materially increase the use of the access lane which has substandard width and insufficient visibility splays to accommodate the likely volume of traffic with a consequent detrimental impact on road safety.

An Enforcement Notice was served on 3 November 2010.

Appeals against the refusal of planning permission and enforcement notice were submitted to Scottish Ministers in December 2010.

The Reporter concluded that there would be insufficient parking for the proposed use and that road safety would be diminished. He also considered that increasing the level of vehicular activity on the private lane throughout the day on six days of the week would harm the quiet residential character of the area and the amenity of local residents. He therefore dismissed the appeal against the refusal of planning permission.

The Reporter also dismissed the enforcement notice appeal and upheld the enforcement notice, which therefore takes effect from 24 February 2011. The Notice allows a period of 6 months for compliance.

D) IMPLICATIONS

Policy: None

Financial: None

Personnel: None

Equal Opportunities: None

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