

**STATEMENT OF CASE
FOR
ARGYLL AND BUTE COUNCIL
LOCAL REVIEW BODY**

**REFUSAL OF PLANNING PERMISSION FOR DEMOLITION OF
EXTENSION AND ALTERATIONS TO HALL TO CREATE FLAT ON
UPPER LEVEL WITH CAR PARKING SPACE AND EXTERNAL
ALTERATIONS 140 EDWARD STREET, DUNOON, ARGYLL PA23 7BN.**

APPEAL REF. NO. 11/00004/REFPLA

LOCAL REVIEW BODY REF. 11/0003/LRB

PLANNING PERMISSION APPLICATION

REFERENCE NUMBER 10/01623/PP

**REQUEST FOR FURTHER INFORMATION BY WRITTEN
SUBMISSIONS**

23rd May 2011

REQUEST FOR FURTHER INFORMATION BY WRITTEN SUBMISSIONS

The planning authority is Argyll and Bute Council ('the Council'). The appellant is Alister McAlister.

An application for planning permission (ref. 10/01623/PP) for demolition of extension and alterations to hall to create flat on upper level with car parking space and external alterations at 140 Edward Street, Dunoon ('the appeal site') was refused under delegated powers on 15th February 2011. The planning application has been appealed and is the subject of referral to a Local Review Body.

With reference to the Request for Further Information by Written Submissions Ref. AB7 (Reg 15) dated 20th May 2011, the following information requested under section (8) is provided by Development Management.

1. *With reference to page 2 of the submission by the Applicant's agent - to seek written clarification in respect of the following statement "The Planning Officer's opinion changed from the alteration of the redline boundary being 'non material' to 'material'".*

Comment : Following various verbal and written exchanges, it was suggested to the applicant that he submit a revised red line boundary to include the two car parking spaces where the department may have been able to inform owners/objectors and other interested parties of the changes, in order to avoid the applicant making a fresh application. However, the 'material' nature of the changes and uncertainty over the usage and ownership of these spaces (belonging to ACHA) meant that the department could not re-notify neighbours or other interested parties of the changes made. The only way forward would have been to withdraw that application and resubmit a fresh application (with the two ACHA car parking spaces within the red line) as instructed in the department's letter dated 6th January 2011. Whilst the department can generally inform neighbours/interested parties of minor changes or in relation to specific comments, it could not in this instance act on behalf of the applicant, his agent and ACHA in terms of the possible car parking spaces that had not been properly justified during the course of the application.

It should be noted that the agent had been informed of the requirement to have the two dedicated car parking spaces within the application red line boundary on several occasions before and during the course of this application.

2. *Written clarification on their interpretation of Policy LP TRANS 6 in Town centre locations and other locations.*

Comment: Policy LP TRAN6 'Vehicle Parking Provision of the Argyll and Bute Local Plan sets out off-street car parking standards in addition to tolerance of zero car parking provision. Zero car parking provision is only applicable within Town Centre zones including Core Shopping Areas. In this instance, the subject property lies outwith Dunoon Town Centre zone where the off-street car parking provision is specified in Appendix C: Access and Car Parking Standards of the Argyll and Bute Local Plan. Within Appendix C, a three bedroom flatted unit would require a minimum of 2 off-street car parking spaces. This is the minimum standard required in the adopted Local Plan and Roads have requested similar in their consultee response dated 8th December 2010. It should also be noted that the two car parking spaces require to be allocated to the proposed development and to date; the department has not received a mechanism to achieve allocated and dedicated car parking.