

**Delegated Planning Application Report and Report of handling as required by Schedule 2 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008 relative to applications for Planning Permission.**

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**Reference No:** 13/00116/PP

**Planning Hierarchy:** Local application

**Applicant:** Clydesdale Bank

**Proposal:** External alterations including installation of pedestrian access ramp.

**Site Address:** 120 Argyll Street, Dunoon

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**DECISION ROUTE**

**(i) Local Government (Scotland) Act 1973**

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**(A) THE APPLICATION**

**(i) Development Requiring Express Planning Permission**

- External alterations;
- Formation of external ramp for disabled access.

**(ii) Other specified operations**

- None
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**(B) RECOMMENDATION:**

It is recommended that planning permission be granted subject to the condition reason and advisory notes set out below.

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**(C) HISTORY**

An application (ref. 03/02055/DET) for the formation of a disabled access ramp was withdrawn on 15 June 2006 due to concern regarding obstruction to the public footway.

Advertisement consent (ref. 06/01582/ADV) for the erection of three internally illuminated fascia signs and one projecting sign was granted on 28 August 2006 and has been implemented.

An application (ref. 10/00980/PP) for formation of external ramp and level landing and installation of automatic opening double entrance doors to achieve access for disabled users to comply with DDA requirements was refused on 19 November 2010 due to the scale of the access ramp and obstruction to the public footway.

**(D) CONSULTATIONS:**

**Area Roads Manager** (response dated 15 March 2013): No objections subject to the requirement for a Road Opening Permit.

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**(E) PUBLICITY:** None.

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**(F) REPRESENTATIONS:**

No representations have been received.

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**(G) SUPPORTING INFORMATION**

**Has the application been the subject of:**

- (i) **Environmental Statement:** No
  - (ii) **An appropriate assessment under the Conservation (Natural Habitats) Regulations 1994:** No
  - (iii) **A design or design/access statement:** No
  - (iv) **A report on the impact of the proposed development e.g. Retail impact, transport impact, noise impact, flood risk, drainage impact etc:** No.
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**(H) PLANNING OBLIGATIONS**

**Is a Section 75 agreement required:** No.

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

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**(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.**

'Argyll and Bute Local Plan' 2009

Policy LP ENV 14 Development in Special Built Environment Areas;  
Policy LP ENV19 Development Setting, Layout and Design including Appendix A Sustainable Siting and Design Principles;  
Policy LP RET6 Design of Shop Frontages;  
Policy LP TRAN1 Public Accesses and Rights of Way;  
Policy LP TRAN 3 Special Needs Access Provision.

- (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 4/2009.** n/a

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**(K) Is the proposal a Schedule 2 Development not requiring an Environmental Impact Assessment:** No.

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

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**(M) Has a sustainability check list been submitted:** No.

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**(N) Does the Council have an interest in the site:** Yes. Application encroaches onto public footway.

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**(O) Requirement for a hearing (PAN41 or other):** No.

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**(P) Assessment and summary of determining issues and material considerations**

In the 'Argyll and Bute Local Plan' (August 2009) the application premises are located within the Core Shopping Area of Dunoon. The bank premises are also located within a Special Built Environment Area which covers Argyll Street's retail core area.

The subject property is a ground floor bank premises within a three-storey tenement lock north of the junction of Argyll Street and Moir Street. The application requires to be determined by the PPSL Committee as it involves works within the public footway which is in control of the Council.

As part of major internal refurbishment and new internal layout of the bank premises, it is proposed to alter the Argyll Street and Moir Street elevations. Part of the internal refurbishment works involve blocking up the existing main entrance and forming a new entrance door on the Argyll Street elevation. This will involve the creation of an internal disabled access ramp which will also require a ramped platt on the Argyll Street footway. Unlike previously unacceptable proposals to form a large ramp structure on the public footway, this proposal involves a ramped 50mm platt to aid access to the internal ramp with minimum disruption to the public footway. The Area Roads Engineer finds the proposal acceptable as it would involve minimum alterations to the footway clear of the Moir Street junction.

The frontage alterations are considered to be acceptable in visual and design terms. The formation of the access ramp would not unduly impact on pedestrian movements along the street. The proposal would facilitate improved access into the bank premises for persons of all abilities and accordingly satisfies local plan Policy LP TRAN 3 and the Public Sector Equality Duty stemming from the Equality Act 2010.

Given all of the above, the proposal is considered to be acceptable and consistent with policies LP ENV 14, LP ENV 19 (including Appendix A: Sustainable Siting and Design Principles), LP RET6, LP TRAN1 and LP TRAN 3 of the 'Argyll and Bute Local Plan'.

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**(Q) Is the proposal consistent with the Development Plan:** Yes.

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**(R) Reasons why planning permission or a Planning Permission in Principle should be granted**

The proposal to alter the external appearance of the bank premises and install a ramped platt in the public footway to serve the premises would have no adverse consequences for townscape character or for the passage of pedestrians along the public footway. The permission has been granted having regard to policies LP ENV 14, LP ENV 19 (including Appendix A: Sustainable Siting and Design Principles), LP RET6, LP TRAN 1 and LP TRAN 3 of the 'Argyll and Bute Local Plan' (2009). The siting, scale, design and materials of the proposed frontage alterations and access ramp are considered to be acceptable and consistent with the policies above. There are no material considerations which would justify refusal of permission.

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**(S) Reasoned justification for a departure from the provisions of the Development Plan**  
n/a

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**(T) Need for notification to Scottish Ministers or Historic Scotland: No.**

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**Author of Report:** Brian Close

**Date:** 25th March 2013

**Reviewing Officer:** David Eaglesham

**Date:** 26<sup>th</sup> March 2013

**Angus Gilmour**  
**Head of Planning and Regulatory Services**

## CONDITIONS AND REASONS RELATIVE TO APPLICATION REF. NO. 13/00116/PP

1. The development shall be implemented in accordance with the details specified on the application form dated 18 January 2013 and the approved drawing reference numbers: L(-2)100, L(-2)10, L(-2)11, L(-2)12, L(90)01, 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.

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

2. Prior to the commencement of any works, samples and/or full details of all external finishes shall be submitted for the written approval of the Planning Authority. The development shall be implemented wholly in accordance with the duly approved details.

**Reason:** *In the interest of visual amenity and to help integrate the proposal within its surroundings.*

## NOTE TO APPLICANT

- This planning permission will last only for **three years** from the date of this decision notice, unless the development has been started within that period. [See section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended).]
- In order to comply with Section 27A(1) of the Town and Country Planning (Scotland) Act 1997, prior to works commencing on site it is the responsibility of the developer to complete and submit the attached 'Notice of Initiation of Development' to the Planning Authority specifying the date on which the development will start.
- In order to comply with Section 27B(1) of the Town and Country Planning (Scotland) Act 1997 it is the responsibility of the developer to submit the attached 'Notice of Completion' to the Planning Authority specifying the date upon which the development was completed.
- The Area Roads Manager advises that the proposed works will require a Road Opening Permit (S56) for works on the footway and that the timing of these works shall be agreed with the Area Roads Manager. The applicant is advised to contact the Area Roads Engineer (Mr. Paul Farrell, tel. 01369 708613) directly upon these matters.

## **APPENDIX A – RELATIVE TO APPLICATION NUMBER: 13/00116/PP**

### **PLANNING LAND USE AND POLICY ASSESSMENT**

#### **A. Location, Nature and Design of Proposed Development**

##### **i) Location**

The subject premises are situated on Argyll Street, north of its junction with Moir Street, Dunoon. The application premises are located within the Core Shopping Area of Dunoon Town Centre and within a Special Built Environment Area.

##### **ii) Nature and Design**

As part of a major internal refurbishment and to improve disabled access to the bank premises, it is proposed to make external alterations to both the Argyll Street and Moir Street frontages and construct a disabled access ramp on the Argyll Street frontage of the Clydesdale Bank premises.

The entire frontage of the bank will be refurbished where the existing main corner entrance onto Moir Street will be closed off and a new entrance created on the Argyll Street elevation. All window apertures will be enlarged and fully glazed from floor to ceiling height. Existing aluminium panelling will be replaced with porcelain tile with dark grey for stall riser and light grey to main facades. All existing fascia signage and fascia panel will be retained.

The new main entrance to the bank will require to be DDA compliant and requires a 50mm ramped platt in the footway to assist access to connect to the internal ramp. The footway platt would cover an area of 3.19 x 1.2 metres graded to the footway. Both external and internal works will be DDA compliant.

##### **ii) Assessment**

The proposal must be assessed against the provisions of Policies LP ENV 14 - Development Within Special Built Environment Areas and, LP ENV 19 - Development Setting, Layout and Design, and LP RET 6 'Design of Shop Frontages' of the 'Argyll and Bute Local Plan' (August 2009) where a high standard of appropriate design is expected in accordance with the Council's design principles.

A previous proposal (ref. 10/00980/PP) for a large external ramp was considered to be unacceptable as it would have caused an obstruction to the passage of pedestrians along the public footway. The applicants were advised by planning officers and Roads that any disabled access improvements should take place within the premises and not on the public footway. This advice has been incorporated in the current proposal.

The proposed access ramp to enable customer to access the internal ramp will be a ramped platt 50mm high and graded to the surrounding footway. The external alterations are required as part of major internal refurbishment and alterations to the layout of the bank premises. The proposed alterations are considered to improve access to the premises and the alterations are considered to be acceptable in terms of design and materials. A condition is however attached regarding the submission of external finishes for approval prior to their application on the building.

It is considered that the scale and design of the ramped platt would not obstruct pedestrian movements in this part of Argyll Street and would not result in adverse visual impact in respect of the current street scene.

The proposed alterations to the access to the building facilitate access for persons of all abilities and therefore satisfies local plan Policy LP TRAN 3 the Public Sector Equality Duty stemming from the Equality Act 2010.

**Having due regard to the above, the proposal is considered to be consistent with Policies LP ENV14, LP ENV 19 *including Appendix A Sustainable Siting and Design Principles* and LP RET6 of the 'Argyll and Bute Local Plan'.**

## **B. Roads and Associated Transport Matters**

The Area Roads Manager has no objection to the proposed ramp as it would not obstruct pedestrian movement along this section of the public footway and away from the Moir Street junction. A Road Opening Permit will be required for works in the footway and the subject of an advisory note.

Given the above, it is considered that the proposal would not be detrimental to public access along this part of Argyll Street and considered to be acceptable in terms of improving access to the bank premises whilst safeguarding access along the public footway.

**Having due regard to the above the proposal is considered to be consistent with Policies LP TRAN 1 and TRAN 3 of the Argyll and Bute Local Plan.**