

# Public Document Pack

## **Argyll and Bute Council** **Comhairle Earra Ghaidheal agus Bhoid**

Corporate Services  
Director: Nigel Stewart



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25 September 2007

### **NOTICE OF MEETING**

A meeting of the **HELENSBURGH & LOMOND AREA COMMITTEE** will be held in the **VICTORIA HALLS, SINCLAIR STREET, HELENSBURGH** on **TUESDAY, 2 OCTOBER 2007** at **9:30 AM**, which you are requested to attend.

Nigel Stewart  
Director of Corporate Services

### **BUSINESS**

#### **1. APOLOGIES FOR ABSENCE**

#### **2. DECLARATIONS OF INTEREST**

#### **3. CORPORATE SERVICES**

- (a) Minute of Meeting of Helensburgh and Lomond Area Committee held on 4th September 2007 (Pages 1 - 6)
- (b) Minute of PAN 41 Hearing held on 29th August 2007 in regard to Planning Applications ref. 07/00329/DET (Avonwynd Limited) 16 Millig Street, Helensburgh and 07/00345/CONAC (Pages 7 - 14)
- (c) Minute of Discretionary Hearing 4th September 2007 Planning Application Reference 07/01030DET - T Mobile, Helensburgh Bowling Club (Pages 15 - 20)
- (d) Minute of Discretionary Hearing 4th September 2007 Planning Application Reference 07/00761/DET - o2 UK Ltd, Helensburgh Golf Club (Pages 21 - 26)

#### **4. DEVELOPMENT SERVICES**

- (a) Monthly list of delegated decisions by the head of planning (Pages 27 - 40)

- (b) Planning Application - Iona Stables, Lower Colgrain Farm, Helensburgh (Pages 41 - 52)
- (c) Planning Application - 24C East King Street, Helensburgh 07/01303/DET and 07/01346/LIB (Pages 53 - 72)
- E1 (d) 07/00189/ENFBOC & 05/01585/DET (Pages 73 - 74)

## **5. COMMUNITY SERVICES**

- (a) Applications for financial assistance under the Education Development Grants Scheme (Pages 75 - 82)
- (b) Applications for financial assistance under the Leisure Development Grants Scheme (Pages 83 - 88)

## **6. OPERATIONAL SERVICES**

- (a) Helensburgh Pier Car Park - Fireworks Display (Pages 89 - 90)
- (b) Helensburgh & Lomond Surplus Car Park Income (Pages 91 - 92)

The Committee will be asked to pass a resolution in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973 to exclude the public for items of business with an “E” on the grounds that it is likely to involve the disclosure of exempt information as defined in the appropriate paragraph of Part I of Schedule 7a to the Local Government (Scotland) Act 1973.

The appropriate paragraph is:-

**Paragraph 13** Information which, if disclosed to the public, would reveal that the authority proposes-

- (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
- (b) to make an order or direction under any enactment.

## **HELENSBURGH & LOMOND AREA COMMITTEE**

Councillor Vivien Dance  
Councillor Daniel Kelly  
Councillor Ellen Morton  
Councillor William Petrie  
Councillor James Robb

Councillor George Freeman (Vice-Chair)  
Councillor David Kinniburgh  
Councillor Gary Mulvaney  
Councillor Al Reay

Contact: Helen Pearce 01436 658823

**MINUTES of MEETING of HELENSBURGH & LOMOND AREA COMMITTEE held in the  
VICTORIA HALLS, SINCLAIR STREET, HELENSBURGH  
on TUESDAY, 4 SEPTEMBER 2007**

**Present:** Councillor George Freeman (Chair)

|                             |                           |
|-----------------------------|---------------------------|
| Councillor Vivien Dance     | Councillor Daniel Kelly   |
| Councillor James Robb       | Councillor William Petrie |
| Councillor David Kinniburgh | Councillor Al Reay        |
| Councillor Gary Mulvaney    |                           |

**Attending:** Kenneth Macdonald, Area Corporate Services Manager  
Andy Law, Director of Operational Services  
Howard Young, Area Team Leader, Development Services  
Lorna Campbell, Community Learning & Regeneration Manager  
Ian Downie, Senior Development Officer, European Unit  
Sandra Davies, Planning Officer  
Helen Pearce, Committee Assistant  
Jane Gillies, Committee Assistant

**1. APOLOGIES FOR ABSENCE**

Councillor Ellen Morton

**2. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**3. CORPORATE SERVICES**

**(a) MINUTE OF MEETING OF HELENSBURGH & LOMOND AREA  
COMMITTEE HELD ON 13TH AUGUST 2007**

The Minute of the meeting of the Area Committee held on 13<sup>th</sup> August 2007 was approved as a correct record.

**4. DEVELOPMENT SERVICES**

**(a) REPORT BY DIRECTOR OF CORPORATE SERVICES IN REGARD TO  
POLITICAL MANAGEMENT ARRANGEMENTS - DEVELOPMENT  
CONTROL**

Members considered a report by the Head of Democratic Services and Governance in regard to the future arrangements for dealing with development control and related issues.

**Decision:**

It was unanimously agreed to recommend that:

- (a) the approach outlined in the report be agreed in principle;
- (b) the Council should seek to implement an early training regime for members of the regulatory cohort;
- (c) further discussion take place with Members in regard to the details of the delegations detailed in Appendix 1 of the report; and
- (d) the Council should seek to introduce the new arrangements in early 2008.

(Ref: Report by the Head of Democratic Services & Governance, submitted)

(b) **MONTHLY LIST OF DELEGATED DECISIONS BY THE HEAD OF PLANNING**

Members considered, and noted, lists of delegated Building Standards and Town & Country Planning decisions made since the last meeting.

(c) **PLANNING APPLICATION - LAND TO THE NORTH OF LIMEKILN HOUSE, FERRY ROAD, ROSNEATH**

It was agreed that consideration of this application be continued for two months, to allow the applicant to submit a flood risk assessment.

(Ref: Report dated 20<sup>th</sup> August 2007 by the Head of Planning, submitted)

(d) **PLANNING APPLICATION - PLOT 1, ROWMORE, GARELOCHHEAD**

Approved subject to the conditions set out in the report dated 28<sup>th</sup> August 2007 by the Head of Planning.

(Ref: Report dated 28<sup>th</sup> August 2007 by the Head of Planning, submitted)

(e) **PLANNING APPLICATION - HIGHFIELD, UPPER TORWOODHILL ROAD, RHU**

It was agreed that retrospective planning permission be granted.

(Ref: Report dated 15<sup>th</sup> August 2007 by the Head of Planning, submitted)

**5. COMMUNITY SERVICES**

(a) **APPLICATIONS FOR FINANCIAL ASSISTANCE UNDER THE EDUCATION DEVELOPMENT GRANTS SCHEME**

Members considered an application from Gibson Community Centre for financial assistance under the Education Development Grants Scheme towards the operational costs of the Gibson Hall.

**Decision:**

It was agreed:

- (a) to note the contents of the report;
- (b) to continue to review the current system for dealing with grant applications at area level in an attempt to introduce a more strategic approach;
- (c) that it would be unfair to make changes to the current system without first giving reasonable notice to those groups, organisations and individuals who may be adversely affected by such changes;
- (d) that the Area Committee should consult with those groups, organisations and individuals who may be affected by any proposed changes prior to the implementation of such changes to the current system;
- (e) that if changes are to be introduced, the Area Committee should aim to introduce these at the start of the financial year 2008/09 so as to give groups, organisations and individuals reasonable notice of such changes; and
- (f) that given the reduced Education Development Grant budget available to the Area Committee for 2007/08, a grant of £4,500 be awarded to the Gibson Community Centre, which is in line with the grant awarded in 2006/07.

(Ref: Report by the Area Community Learning & Regeneration Manager, submitted)

(b) **APPLICATIONS FOR FINANCIAL ASSISTANCE UNDER THE LEISURE DEVELOPMENT GRANTS SCHEME**

Members considered applications from Gibson Community Centre and Cardross Country Dance Club for financial assistance under the Leisure Development Grants Scheme.

**Decision:**

It was agreed:

- (g) to note the contents of the report;
- (h) to continue to review the current system for dealing with grant applications at area level in an attempt to introduce a more strategic approach;
- (i) that it would be unfair to make changes to the current system without first giving reasonable notice to those groups, organisations and individuals who may be adversely affected by such changes;

- (j) that the Area Committee should consult with those groups, organisations and individuals who may be affected by any proposed changes prior to the implementation of such changes to the current system;
- (k) that if changes are to be introduced, the Area Committee should aim to introduce these at the start of the financial year 2008/09 so as to give groups, organisations and individuals reasonable notice of such changes;
- (l) that a grant of £1,570 be awarded to the Gibson Community Centre; and
- (m) that a grant of £626 be awarded to the Cardross Country Dance Club.

(Ref: Report by the Area Community Learning & Regeneration Manager, submitted)

## **6. INTERIM BUSINESS CASE FOR TOWN CENTRE / WATERFRONT**

Members considered a report dated 6<sup>th</sup> August 2007 by the Head of Strategic Finance in regard to the Initial Business Case for the regeneration of Helensburgh town centre and waterfront, a revised copy of which was circulated.

### **Decision:**

Members unanimously agreed to confirm that the revised Initial Business Case represents a fair summary of the project in its current state.

(Ref: Report dated 6<sup>th</sup> August 2007 by the Head of Strategic Finance and revised Initial Business Case, submitted)

The Committee resolved in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973 to exclude the public for the following items of business on the grounds that they were likely to involve the disclosure of exempt information as defined in Paragraphs 9 and 13 of Part 1 of Schedule 7A to the Local Government (Scotland) Act 1973.

## **7. CONSULTATION FROM HISTORIC SCOTLAND**

Members considered a report dated 18<sup>th</sup> June 2007 by the Area Team Leader, Development Control in regard to a proposed listing of a building.

### **Decision:**

It was agreed to advise Historic Scotland that following a site visit by the Area Committee it was the unanimous view that the structure is not worthy of listing.

(Ref: Report dated 18<sup>th</sup> June 2007 by the Head of Planning, submitted)

**8. 06/00143/ENFOTH**

Members considered a report dated 14<sup>th</sup> August 2007 by the Head of Planning in regard to enforcement action ref. 06/00143/ENFOTH.

**Decision:**

It was agreed to take no further action and to close this enforcement case.

(Ref: Report dated 14<sup>th</sup> August 2007 by the Head of Planning, submitted)

**9. 06/00220/ENFOTH**

Members considered a report dated 15<sup>th</sup> August 2007 by the Head of Planning in regard to enforcement action ref. 06/00220/ENFOTH.

**Decision:**

It was agreed to take no further action and to close this enforcement case.

(Ref: Report dated 15<sup>th</sup> August 2007 by the Head of Planning, submitted)

**10. REPORT BY SENIOR ESTATES SURVEYOR IN REGARD TO HELENSBURGH ENTERPRISE CENTRE**

Members considered, and noted, a report dated 29<sup>th</sup> August 2007 by the Director of Corporate Services in regard to the lease of the Helensburgh Enterprise Centre.

**Decision:**

a) It was agreed that a 6 month trial period would commence for the let of one of the interview rooms on the ground floor of the Municipal Buildings to Business Development Associates: and

b) It was agreed that a further report would be submitted to the Area Committee in 6 months.

(Ref: Report dated 29<sup>th</sup> August 2007 by the Director of Corporate Services, submitted)

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**ARGYLL AND BUTE COUNCIL**

Note in connection with the PAN 41 Hearing held in the Victoria Halls on Tuesday 29<sup>th</sup> August 2007 in regard to planning applications ref. 07/00329/DET (Avonwynd Limited – Partial demolition of dwelling house and erection of 12 flats – 16 Millig Street, Helensburgh) and 07/00345/CONAC (Avonwynd Limited – Partial demolition of private dwelling house with fire damage and retention of façade - 16 Millig Street, Helensburgh).

**Present:** Councillor George Freeman (Chairman)  
 Councillor Vivien Dance  
 Councillor Daniel Kelly  
 Councillor David Kinniburgh  
 Councillor Ellen Morton  
 Councillor Gary Mulvaney  
 Councillor William Petrie  
 Councillor Al Reay  
 Councillor James Robb

**Also Present:** Kenneth Macdonald, Area Corporate Services Manager  
 Jane Gillies, Committee Assistant  
 Helen Pearce, Committee Assistant  
 Howard Young, Area Team Leader, Development Control  
 A & JL Ritchie, Avonwynd Ltd., Applicants  
 Ewan Lawrence, Architecture Design & Development  
 Solutions, Agent for the applicant  
 David Wilson, “ “ “  
 David Campbell “ “ “  
 Alasdair Bell, Agent for the applicants

John Warren, Warren Planning Consultants, Agent for 22 householders who had objected  
 Professor A S Morris, Helensburgh & District Civic Society  
 Richard Glen, Objector  
 Colin Shannon, Objector  
 Sheila Baker, Objector  
 John Johnston, Objector  
 Angela Shannon, Objector  
 Fiona M Brough, Objector  
 Robert Kirk, Objector

**Apologies** None

In accordance with the decision of the Helensburgh & Lomond Area Committee on 13<sup>th</sup> August 2007, a hearing was held in regard to:

- (a) planning application ref. 07/00329/DET: Partial demolition of dwelling house and erection of 12 flats - 16 Millig Street, Helensburgh; and
- (b) 07/00345/CONAC: Partial demolition of private dwelling house with fire damage and retention of façade – 16 Millig Street, Helensburgh.

Following introductions the Chairman explained to those present the format for the meeting, adding that the committee would deal with the two applications concurrently.

The Chairman then invited Mr Howard Young, Area Team Leader, Development Control to address the meeting.

Mr Young referred to the reports dated 19<sup>th</sup> July 2007 and 12<sup>th</sup> July 2007 by the Head of Planning, which set out the basis of the planning assessment, and outlined the proposal.

He concluded by recommending that (a) application ref. 07/00329/DET be granted as a minor departure from Policy BE7 of the adopted Local Plan subject to the conditions set out in the report dated 19<sup>th</sup> July 2007 by the Head of Planning; and (b) application ref.07/00345/CONAC be granted subject to the conditions set out in the report dated 12<sup>th</sup> July 2007 by the Head of Planning.

Mr Campbell, on behalf of the Applicant, stated that he supported the recommendations in the reports by the Head of Planning. He stated that the history of the site, which has been vacant for over 10 years, is well known. The building suffered fire damage in 2005 and has deteriorated considerably since. He expressed the view that development of this site would be attractive to families who wished to 'downsize' in property terms, and thereby free up much needed family sized accommodation in Helensburgh. The constraints of the site had required to be considered. Access and traffic safety have been fully considered, and there will be retention of selected landscaping. He stated that the development would not be visible from Millig Street / Queen Street and that the he original proposals have been modified after extensive consultation with planning and roads officers. A topographical survey and a tree survey have been carried out. He concluded by saying that the applicants are happy to accept the conditions set out in the reports by the Head of Planning and asked Members to support the applications.

Mr Warren, on behalf of 22 households who had submitted objections to the proposal, stated that the objections were not founded upon a desire to resist development. Quality development should be promoted, but in this case the main concern is the proposed extension to the property. The draft Helensburgh Conservation Area Appraisal reflects the view that Helensburgh is famous for its 'grid-iron' layout, characterised by large dwellings and large plots. The proposal by Avonwynd represents, in the view of the objectors, overdevelopment and cramming, which would erode the character of the area and would be contrary to the aspirations of the Council and local groups such as the Civic Society, as set out in the Appraisal document. He pointed out that the Head of Planning admitted in his report that this proposal is 'marginal'.

He stated that in his view the planning report is fair, but he challenged the assertion therein that there would be no adverse effect on the amount of light into the garden of 23 Queen Street. He stated that the upper windows of the development would overlook 23 Queen Street and would have a detrimental

effect on the outlook from the garden of that property. He expressed concern that the original application had been for restoration, then one had been submitted for restoration and four flats, followed by the current proposal, which would involve major development at the rear of the property and which has given rise to great concern. Further concern was expressed that approximately half of the front garden area would be converted into a car park and that this would necessitate the felling of good quality mature trees.

He expressed the view that the T-shaped extension moved away from the tradition layouts and that this would set a bad precedent. The fact that the property has deteriorated should not, in his view, mean that a lenient approach should be taken to the acceptability or otherwise of the development. A smaller scheme, with a maximum of three storeys and limited to the existing footprint, fitting with the amenity of the area, would be more appropriate

Mr Glen, a resident at 23 Queen Street for over 20 years, stated that he would be delighted to see development on the site, but that the current proposal is excessive, particularly at the back area which extends to virtually the whole length of his garden. He expressed concern that virtually all of his shrubs and plants will be overshadowed by the 4-storey 'edifice', and that the amenity and privacy of his property would be severely compromised should the development proceed.

Mr Shannon stated that this proposal represents a high density, low quality development in terms of space for play and the size of the proposed windows. The flats are not the same standard as the surrounding properties. He expressed the view that the proposal should be for low density, high quality housing.

Mrs Baker expressed concern that the proposal would lead to an increase of traffic along Millig Street, which has no pavements, and along Campbell Street, the surface of which is in poor condition and would only be made worse by such an increase.

Professor Morris stated that the main concern of the members of the Civic Society is that this proposal represents a major change to the approach to development in the Conservation Area of Upper Helensburgh. He accepted that change must happen, but asserted that such change must be controlled and that this proposal goes too far. The proportions of existing houses garden ground are consistent in the area, but this proposal represents a change to the pattern, which is accepted by the Head of Planning in his report. He suggested that determination of these applications might be premature until such time as the Committee had had an opportunity to consider the terms of the Conservation Area report, which would be presented to the Council soon.

Councillor Mulvaney asked for clarification in terms of the distance between the windows of the two adjacent properties and whether this is acceptable in terms of planning policy.

Mr Warren replied that he was satisfied that the required 18 metre separation would be met.

Councillor Mulvaney asked how the proposed ridge height would compare with other properties within the vicinity.

Mr Campbell replied that the ridge height will be lower than adjoining properties and will be the same as the existing property.

Councillor Mulvaney asked how Mr Young had come to the view that sunlight / daylight within the neighbouring property would not be affected.

Mr Young replied that the Architect has to assess this for the application. When asked if the garden is taken into the measurement, Mr Young replied that the key impact is on the building rather than the garden.

Councillor Reay enquired if LPE ENV 19 is a material consideration in assessing the application.

Mr Young confirmed this to be so and advised that this was covered within the report.

Councillor Reay asked what rooms would be served by the proposed velux windows.

Mr Campbell responded that these would be bedrooms in the main. He pointed out that the main living areas would not overlook the adjacent property.

Councillor Dance asked what market these flats would be aimed at and how sale of the flats could be restricted to ensure that family sized accommodation in the Helensburgh would be freed up. .

Mr Campbell replied that the flats would be suited to couples or smaller families, but that he could not offer any guarantee as to who might purchase the properties.

Councillor Dance referred to the assertion made by one of the objectors that the footprint of the development would represent a doubling in size over the existing footprint and asked Mr Young to clarify this.

Mr Young replied that, excluding the modern mansard extension, the footprint would almost double.

Councillor Dance asked about the timescale for maintenance of landscaping, and Mr Young advised that there is a clause within the conditions requiring a ten year maintenance period.

Councillor Morton asked about the impact the application would have on the appearance of Millig Street.

Mr Wilson advised that the trees planted around the development would be between 3.5m and 5m high and would be oak, chestnut, etc., but the area would require to be tidied up before these could be planted. The area is heavily overgrown at present and there are drainage problems. If nothing is done the existing trees will die. The proposed planting will have an initial effect but in the longer term they will act as a screen and there will probably

be the same view of the development as at present. There will be smaller trees among the larger ones, and within 5-10 years thick cover will screen everything. Because of the nature of the houses, he has tried to provide native trees.

Councillor Robb asked why Mr Young had changed his opinion in terms of the development of 12 flats.

Mr Young advised that he had not changed his opinion but that the proposal for 12 flats has to be measured and assessed against planning policies.

Councillor Reay asked if garden areas would be allocated to each flat to provide individual amenity areas.

Mr Campbell stated that the garden area would be factored in common by the owners.

Councillor Reay asked if garden areas would be allocated to each flat to provide individual amenity areas.

Mr Campbell stated that the garden area would be factored in common by the owners.

Mr Young, summing up, stated that he had assessed the applications against relevant policies, and that it represents a departure from Policy BE7, which states that the new development must preserve or enhance the area. In his view there would be an environmental gain with the development, and he recommended approval of the applications subject to the conditions set out in the respective reports.

Mr Lawrence, summing up, endorsed the recommendations. He pointed out that there is no reference in the new Local Plan to any requirements in regard to density. The architectural detail is high quality and will be well screened. There are no objections from Council services. The properties will be 2-bedroom flats within a building of 3 storeys with roof accommodation, and he asked members to approve the applications.

Mr Warren, summing up, stated that the rationale behind the designation of the area as a Conservation Area was the proportions of buildings against garden ground. If the proposal goes ahead the character of the area will be damaged and would set a bad precedent which could be repeated elsewhere in the Conservation Area. The spirit of Policy BE7 is, in his view, to avoid overdevelopment and he asked members to refuse the applications.

Professor Morris, summing up, reiterated that his key concern is the proposed density and that the concept of change from low density to high density, and the change of proportions between building and grounds would set a bad precedent.

Councillor Reay said that this area has been a scar on the landscape for many years and he expressed disappointment that the fabric of the building had not been preserved / restored. Whilst he was not against the principle of

development of the site he expressed concern that the loss of trees and the reduction in the garden area would have an adverse effect.

Councillor Dance welcomed development of homes for people in Helensburgh, but stated that she was not convinced that this proposal would represent an enhancement to the area. She was looking, instead, for a sympathetic development that would complement the area, and was not prepared to consider the current state of the property as a material consideration.

Councillor Freeman said that taking into account the length of time over which the building has been deteriorating he was concerned that nothing will happen on the site and he was therefore sympathetic towards approval of the applications.

Councillor Robb acknowledged the housing pressures in Helensburgh but stated that he had difficulty squaring this with the proposed development. He did not feel that members should be pressured into making a wrong decision because the property had been allowed to fall into disrepair.

Councillor Mulvaney stated that he was not concerned about the issue of precedence as he did not foresee such a development occurring elsewhere. In terms of the scale of the development he considered that it would be visible in spite of the landscaping proposals. He was satisfied that the ridge heights are similar to existing properties in the vicinity and that the application is in line with emerging policy.

Councillor Mulvaney stated that he was not concerned about the issue of precedence as he did not foresee such a development occurring elsewhere. In terms of the scale of the development he considered that it would be visible in spite of the landscaping proposals. He was satisfied that the ridge heights are similar to existing properties in the vicinity and that the application is in line with emerging policy.

Councillor Reay said that every effort must be taken to retain the character of the Conservation Area. It cannot be achieved through this application.

Councillor Morton said this proposal would not meet with her understanding of what is meant by affordable housing. Whilst sympathetic to the notion of smaller gardens, she expressed concern that the proposal for 12 flats would be too large for the setting.

Councillor Dance reiterated that there would be no control over who would live in the proposed flats as this would be subject to market forces. She agreed that any development should be complementary to the area.

Motion in regard to application ref.07/00329/DET:

The proposed development at 16 Millig Street involves the conversion and extension of an existing two-and-a-half storey Victorian / Edwardian villa

situated in the Upper Helensburgh Conservation area, bordered on either side by B listed buildings will increase the footprint of the existing building by 63% and will incorporate two additional symmetrical wings, 12 flatted dwellings and 24 dedicated parking spaces.

Policy BE7 of the adopted Local Plan presumes against planning applications in Conservation Areas where plot sizes are less than 0.1 of a hectare per dwelling. The application site is 0.3375 hectares in which it is proposed to construct 12 flatted dwellings. The resultant density, scale and massing of the proposed development is therefore contrary to Policy BE7

Although the winged extensions in the proposal are symmetrical and appear to conform to the principles of the Council's Design Guide, they are nevertheless disproportionate to the scale of the original building. A design smaller in scale to that proposed would be more in keeping with the proportions of the original building and the adjacent listed properties could be considered acceptable.

The resultant massing and scale of the rear elevation increases this aspect of its bulk by more than 100% and is excessively dominant. It also incorporates six single windows – all of which are opaque bathroom windows – six double windows and two single and two double 'velux' roof windows. Four of the double windows will overlook the dwelling house and garden of 23 Queen Street as will the two single and two double 'velux' roof windows. As such, it severely impacts upon both the visual amenity and privacy of this property and, albeit to a lesser extent, that of the properties at 25 Queen Street and 14 Millig Street and therefore contravenes Policy BE7 sub paragraphs (a) and (b) as well as Policy LP ENV 19 paragraph B of the Finalised Draft Local Plan (Development Setting, Layout and Design) which will resist developments which result in inappropriate densities affecting and overshadowing adjacent sites, especially in conservation areas.

This proposal represents a clear contravention and departure from the guiding principles of Policy BE7. The increased footprint of 63% is both excessive and disproportionate in the context of the existing building and plot size. Furthermore, the affect on the amenity and privacy of 23 Queen Street further exacerbates this contravention.

It is noted that Policy ENV 14 of the Finalised Draft Local Plan is not as prescriptive on plot sizes as is Policy BE7 of the adopted Local Plan. Nevertheless, these elements of an application are crucial and should be considered as relevant. For the reasons given above, it is moved that the application be refused.

Moved by Councillor A Reay  
Seconded by Councillor E Morton

Amendment in regard to application ref.07/00329/DET:

That the application be approved as a minor departure from Policy BE7 of the adopted Local Plan subject to the conditions set out in the report dated 19<sup>th</sup> July 2007 by the Head of Planning.

Moved by Councillor Freeman  
Seconded by Councillor Kelly

Upon a show of hands there voted 6 for the motion and 3 for the amendment. Accordingly the motion was carried.

Application ref. 07/00345/CONAC:

It was unanimously agreed that this application be refused on the grounds that although fire damaged, the existing building is of architectural merit, has townscape value, can be retained and its location within an established residential area does not rule out its reuse. The proposed redevelopment scheme submitted under application 07/00329/DET is considered unacceptable. Consequently, the proposed partial demolition of the building is contrary to the Memorandum of Guidance on listed buildings and conservation areas which only supports demolition if the building is of little townscape value, if its structural condition rules out its retention at reasonable cost, if its form or location makes its re-use extremely difficult and where there are acceptable proposals for its redevelopment.

Corporate Services  
31 August 2007



Note of Discretionary HearingHeld at the Bowling Club, Sinclair Street, Helensburgh on Tuesday 4<sup>th</sup>  
September 2007Planning Application Reference 07/01030/DET: (T-Mobile (UK) Ltd –  
Replacement of an existing 10m high flagpole with 15m high flagpole  
supporting telecommunications apparatus and ground based  
development – Helensburgh Bowling Club, Sinclair Street,  
Helensburgh).

**Present:** Councillor George Freeman (Chairman)  
 Councillor Vivien Dance  
 Councillor Daniel Kelly  
 Councillor David Kinniburgh  
 Councillor Gary Mulvaney  
 Councillor William Petrie  
 Councillor Al Reay  
 Councillor James Robb

**Also Present:** Kenneth Macdonald, Area Corporate Services Manager  
 Jane Gillies, Committee Assistant  
 Helen Pearce, Committee Assistant  
 Howard Young, Area Team Leader, Development Control  
 Susan McMorow, Agent for applicant (T-Mobile)  
 Colin Ward, Objector  
 Leslie Cox, Objector

**Apologies** Councillor Ellen Morton

In accordance with the decision of the Helensburgh & Lomond Area Committee on 13<sup>th</sup> August 2007, a hearing was held in regard to planning application ref. 07/01030/DET: T-Mobile (UK) Ltd – Replacement of an existing 10m high flagpole with 15m high flagpole supporting telecommunications apparatus and ground based development – Helensburgh Bowling Club, Sinclair Street, Helensburgh

Following introductions the Chairman explained to those present the procedure for the meeting, and asked those wishing to speak to make themselves known.

The Chairman then invited Mr Howard Young, Area Team Leader, Development Control to address the meeting.

Mr Young referred to the report dated 18<sup>th</sup> July 2007 by the Head of Planning, which set out the basis of the planning assessment, and outlined the proposal. He concluded by stating that he considered the application to be acceptable, it meets policy and therefore his recommendation is for approval, subject to conditions contained within his report.

Ms McMorrow, on behalf of the applicant, stated that the application is for 3G coverage, and that the mast has to be sited close to where the coverage is required, and that flagpoles are often used. She continued saying that there would be minimal impact on the view as it is masked by trees. Other options have been investigated and this site was found to be most suitable for the purpose. She confirmed that the proposed mast cannot be shared, as this would require a different structure, and that an ICNIRP certificate was supplied with the application. Many studies have been carried out and the application is well within international guidelines. A number of other sites in the area have been investigated and have been found not to be suitable. Ms McMorrow concluded that they are obliged to meet Government guidelines for coverage.

Mr Colin Ward, speaking on behalf of the Objectors, stated that this was a working day and during the holiday period, therefore many of the objectors were unable to attend. An application for this site was objected to three years ago. He stated, this is an inappropriate application and is flawed and should be rejected. The proposed mast will not look like a flagpole and will stand high above the existing street furniture; it will be a large commercial mast, with no comparison to the existing flagpole. He asked that the Council consider the long term consequences and the possibility of mast sharing. T-Mobile is the second company to apply for this site, and approval could lead to unsightly masts over Helensburgh. There are numerous references emphasising the importance of conservation areas. Guidelines mitigate against the application as this is a sensitive, inappropriate development. Councillors should minimise public concerns, enhance the environment, respect the character of the area and safeguard local amenity, protect the environment and protect the view. It is felt that the proposed mast will dwarf the surrounding lamp posts. He continued, this is a green space and the committee do not need to accept the recommendation. The objectors strongly oppose the report. The Council must take into account what effect there will be if the application is granted and how other applications could be rejected. T-Mobile is to provide 80% coverage nationally, but this does not have to be in Helensburgh. It would be preferable to choose a site where multi-use masts can be sited, as other providers will ask for additional masts in close proximity. There is an old folk's home and houses with small children surrounding this area which make it an unsuitable location. There are no exceptional circumstances for siting the mast here, and the Council should take account of health and anxiety. There is a degree of imbalance and bias against having a horrible piece of industrial furniture on the main route for the National Park. It is difficult to see how permission could be denied for other providers if this application is approved.

Mr Cox stated that the proposed mast will be twice the height of the street lamps and four times the height of the existing flagpole. It will be visible from all of Sinclair Street. It will not be surrounded by trees as this would deflect the signal back, and there is a lack of technical information from T-Mobile.

In response to questions from Councillor Reay, Ms McMorrow confirmed that the proposed mast will be higher than the existing pole and that a mast at the

top of Sinclair Street would be unsuitable for the search area. Ms McMorrow added that the antenna would be contained within the structure, and it will be shrouded to match the rest of the structure, and that the antenna will cover 360°

Councillor Milvanney asked about the potential of the mast to be used for sharing, and was there likely to be another application from another provider, to which Mr Young advised that the Members have to judge the application before them on its own merit.

Councillor Dance asked Mr Young for guidance on health risks, i.e. who is vulnerable. Mr Young responded that it is up the decision maker to decide whether people would feel vulnerable or not.

Councillor Robb stated that there would be three sites in Helensburgh if this application is approved and questioned if this would be sufficient. Ms McMorrow replied that it would depend on user demand. This prompted a further question by Councillor Robb, asking why an increase in users requires more coverage. Ms McMorrow responded that use of internet, connection to lap-tops relate to 3G, so there could be different requirements.

Councillor Robb asked a further question about the minimum height for operation, to which Ms McMorrow replied that it would require to be 15m. She added that they would not be able to increase the height at a later date because of the style of the mast.

Councillors Reay and Robb both had concerns about the close proximity of the old folk's home and health risks.

In summing up, Mr Young said the report was fair and reasonable. It covered a balance of factors, economic development, social inclusion, impact on the environment. The application will not have a detrimental impact, and the emissions would not be a health risk. There was a previous refusal on this site, but there is a material change from the previous application, and his recommendation is to approve the application.

Ms McMorrow did not wish to add anything further to her previous statement.

Mr Campbell feared that if the application is approved there could be proliferation of the site in the future, and that this will be replaced by other masts; that there is a whole mass of inaccurate statements which are unreasonable and impossible to put forward; that the view of the mast will cause fear and anxiety. He urged Members to take the wider, long term view of these issues, and reminded the committee that the positioning was out of keeping with the area, and concluded that it would be a major planning disaster if it proceeds.

Councillor Milvanney said he was part of the committee at the time of the last application for this site, and that the new application has a reduced height and narrower mast. There are quite tenuous arguments regarding health. It won't

be seen from gardens, etc., there is demand for 3G coverage in Helensburgh, and he is minded to agree with the recommendation.

Councillor Reay said there would be significant visual impact. A larger mast applied for at the top of Sinclair Street had not been built, and he was minded to move rejection of the application.

Councillor Dance said each case has to be dealt with in isolation. There are concerns regarding health risks, and there are material concerns for residents. NPPG19 is seven years old and has not been turned into planning policy. She is not convinced of the health risks, and has to look at what is best for her Ward and Helensburgh, and thought it would not merit approval.

Councillor Robb was supportive of the application, adding that there would be a competitive disadvantage if this is not brought forward, but he would reject the application on grounds of visual impact.

It was agreed that the meeting be adjourned and reconvened in the Victoria Halls at 2.20 pm.

#### Motion

Councillor Mulvanney moved approval of the recommendation, seconded by Councillor Freeman.

#### Amendment:

Councillor Reay moved refusal of the application on the grounds that the mast height of 10m will exceed the existing tree height by a very substantial amount and this will introduce an incongruous industrial feature into an area, which is primarily residential in character. The combination of a modern industrial structure projecting above the surrounding trees and appearing as a skyline development in an area predominately residential in character would be visually intrusive, visually discordant and would have a detrimental impact on the character and amenity of adjoining properties and the surrounding area. The proposal is therefore contrary to Policies DC1 and H5 of the adopted Dumbarton District Wide Local Plan, which requires a new development to maintain or enhance the amenity of the surrounding area, and Policy DC11 of the adopted Local Plan which requires telecommunications equipment to be sited and designed to minimise its environmental and visual impact. The site in question is in the Upper Helensburgh Conservation Area and is also marked on the adopted Local Plan and the draft Local Plan as seen both from the road and from adjacent properties, any of which have listed building status and are of architectural quality. Consequently, the visual impact of the proposed development within the conservation area would, for the reasons set out above, be unacceptable and will neither preserve nor enhance the character of the conservation area. The proposal is therefore contrary to Policy BE3 of the adopted Dumbarton District Wide Local Plan which requires new development to be of a high standard of design and have regard to the traditional architectural and historic character of an area.

Proposed by Councillor Reay; seconded by Councillor Dance.

Upon a show of hands there voted 3 for the amendment, and 4 for the motion. Accordingly the motion was carried, and the application approved, subject to the conditions and reasons contained within the report by Head of Planning dated 18<sup>th</sup> July 2007.

Corporate Services  
07 September 2007

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**Note of Discretionary Hearing****Held in the Victoria Halls, Sinclair Street on Tuesday 4<sup>th</sup> September 2007****Planning Application Reference 07/00761/DET – Erection of timber monopole telecoms base station including ancillary equipment - Helensburgh Golf Club, 25 East Abercromby Street, Helensburgh**

**Present:** Councillor George Freeman (Chairman)  
Councillor Gary Mulvaney  
Councillor Daniel Kelly  
Councillor Vivien Dance  
Councillor Al Reay

**Also**

**Present:** Neil McCarry, Walker Fraser & Steele, Agent for the Applicant  
Ginny Hall, 02(UK) Ltd, Applicant  
John Kane, 02(UK) Ltd, Applicant  
Norman Rodger, Objector (Helensburgh Green Belt Group)  
Martin Gildea, Objector  
Colin Buchanan, Objector  
Kenneth Macdonald, Area Corporate Services Manager  
Howard Young, Area Team Leader, Development Control  
Jane Gillies, Area Committee Services Assistant  
Helen Pearce, Area Committee Services Assistant

**Apologies:** Councillor Ellen Morton

Councillors David Kinniburgh and William Petrie, having earlier declared respective non-pecuniary interests in this matter, were not present.

Councillor James Robb also declared a non-pecuniary interest in this matter as he is a member of the Helensburgh Golf Club and retired to the public gallery and took no part in the discussion.

In accordance with the decision of the Helensburgh & Lomond Area Committee on 13<sup>th</sup> August 2007 a discretionary hearing was held in regard to planning application reference 07/00761/DET – Erection of timber monopole telecoms base station including ancillary equipment - Helensburgh Golf Club, 25 East Abercromby Street, Helensburgh

Following introductions the Chairman outlined to those present the procedure for the meeting and invited Mr Howard Young to address the meeting.

Mr Young referred to the report dated 23<sup>rd</sup> July 2007 by the Head of Planning, which set out the basis of the planning assessment and outlined the proposal. He asked Members to note that, as advised at the meeting on 13<sup>th</sup> August, a further nine letters of representation had been received since the report had been prepared.

The authors of these letters had been invited to this discretionary hearing, but as no new issues had been raised and the points were already addressed in the report he considered there was no need to prepare a supplementary report.

Mr Young stated that the applicants identified a need for adequate operational coverage in the area. Alternative sites had been investigated but the Golf Course site had been identified as the only one which met the needs of the applicant. A previous application for a steel lattice design of mast had been withdrawn. He advised that an ICNIRP (International Commission on Non-Ionising Radiation Protection) certificate had been submitted, thus meeting the government 'precautionary' standard for radio frequency radiation. He concluded by recommending that application be approved subject to the conditions set out in the report by the Head of Planning.

Ms Ginnie Hall, speaking for the applicants, stated that the planning report was very detailed and no repetition was required. She advised that a site was required North East of Helensburgh to ensure O2's customers had maximum coverage. Coverage maps were distributed for information. She explained that the proposal would ensure that there were no gaps in the service and this would then negate the need for further masts. She continued that the site would be separated by a band of trees and therefore would not be visual from the 1<sup>st</sup> tee on the golf course, with only a slight view through the trees from some residential properties at certain times of the year. She stated that the proposal complied with the policies and confirmed that there was no existing site in the area suitable for sharing. She concluded by stating that a full search had been undertaken and this was the only suitable site. Other sites considered included Drumfork Farm and other locations on the golf course. She informed the meeting that the proposed site is the only one where there is minimal visual impact, good topography and a willing provider (Helensburgh Golf Club).

Mr Norman Rodger, speaking on behalf of the Helensburgh Green Belt Group, advised that the Group were not opposed to the erection of masts in principle, but that the siting and design had to be justified in accordance with the commitment to site identification best practice. He stated that the consultation and communication process carried out by the applicant had been unsatisfactory and that requests for a meeting with the Group and local residents had not been granted. He further stated that the timescales set by O2 for giving information to the public and interested parties and responding to requests for further information were unsatisfactory. This was contrary to the company's 10 best practice commitments, and failure to meet with the residents was indicative of their approach. He continued that O2 had claimed that they had surveyed 10 sites in Helensburgh and that 8 of these had been discounted, leaving only 2 options, although there is no evidence that technical surveys had indeed been carried out at these other sites. As the current proposal was a new design and application, a monopole rather than a high steel lattice type, he enquired as to whether a new submission had also been put forward for the alternative site as it appeared that the final decision had been taken based purely on cost grounds.



He continued that the golf course was reported as being the cheapest and easiest option, which was understandable but a site as far away from homes as possible would have been a more suitable location and if this site was the only option, then a point further East on the course should have been surveyed and there was no evidence to support that this had been done. He concluded by stating that claims to have investigated other sites were misleading as no technical coverage plot surveys had been provided, and that in light of the applicants failure to adhere to the 10 best practice commitments for site identification the application should be refused.

Mr Colin Buchanan, on behalf of objectors, urged the Committee to give weight to the health issue and that the ICNIRP guidelines are inappropriate. He referred to the Bio-initiative Report which refers to the ICNIRP guidelines as being outdated and based on faulty assumptions which should be replaced. He continued that there must be accountability for decisions being made, not just based on the ICNIRP guidelines but by democratically elected bodies. He stated that decision makers must also take into account the law and under EU law they are obliged to act on the basis of precautionary principle and not to (a) proceed in the face of serious scientifically based doubt; (b) proceed without being able to give reasonable assurance of safety; and (c) continue without seriously monitoring the effects of safety. He appealed to councillors to reaffirm their dignity as public representatives, not to put public health at risk and to reject the application on the basis of the precautionary principle, having concluded that they cannot with any degree of certainty affirm that those living within the range of the mast will not suffer serious health risks.

Mr Martin Gildea, on behalf of objectors, advised that it is their belief that there are alternative sites available. He reiterated the point made that there was a lack of communication between the applicant and the public, with only 8 letters being sent out detailing the proposal and enclosing a map of a different area. Mr Gildea stated that the approach of the applicant appeared to be that planning permission had been applied for and that it was then left with local residents to object if they so wished. He stated that he was unclear from the planning officer's report whether the application was for a 2G or a 3G mast. He referred to the rejection of the Drumfork Farm site on the basis that the trees which currently provide screening of the site are due to be felled within the next few years. He asserted that the felling of the trees would not render the site any more visible, and that the site is significantly further from residential properties than is the case with the proposed Golf Course site. He continued by stating that the applicant had claimed that the Golf Club was unwilling to allow them to look at other sites within the course, but that he (Mr Gildea) had information refuting this. He pointed out that 2G coverage is already adequate and that there is no requirement for an additional mast, but even if this was required the applicant should be seeking to share an existing mast. In the event that the application is for a 3G mast, Mr Gildea advised that this is not a vital public service. He pointed out that if the draft Local Plan is adopted the Golf Club may sell off a portion of it's land for residential development and that if this transpires the mast would be closer than 85 metres to these properties. He asked the Committee to also bear in mind that the golf clubhouse is also a residential building.

He concluded by stating that in accordance with the prudent avoidance principle other sites would be more appropriate, and that in accordance with the precautionary avoidance principle the Golf Club site is not appropriate.

Councillor Mulvaney enquired whether the alternative site at Drumfork Farm also lies within the Green Belt, and whether this site might also be opposed by the Group. Mr Rodger confirmed that the site lies within the Green Belt, but that this was not the issue, only the currently proposed design and location.

Councillor Mulvaney asked (a) what the technical reasons were for discounting the alternative site (b) for clarification in terms of whether the application was for a 2G or a 3G mast; and (c) how many customers requiring the service. Ms Hall stated that the application is for a 2G mast. She advised that the mast must be sited as near as is possible to the centre of the area where the customers live. The further away it is, the less likely it is that the service could be provided. Mr Kane stated that currently there are gaps in coverage, and that customers seek to have in-building coverage which makes it more important that the mast be sited as near as possible to the customer area. He declined to comment on the number of customers due to issues of commercial confidentiality.

Councillor Reay stated that he thought that he was under the impression that there already existed adequate 2G coverage. Ms Hall advised that this is not the case, and referred to the blot map circulated earlier.

Councillor Dance referred to the consultation and communication process and asked the applicants if they were content that they had met their 10 commitments. Ms Hall replied that they had initially given the site an amber rating which required them to undertake local consultations, meet with various groups and provide further information, which they had done.

Councillor Dance expressed surprise that the applicants had rejected the Drumfork Farm site on the grounds of the anticipated felling of trees and asked what guarantee there was that the trees at the Golf Course would not be felled in the future. Mr Young advised that as none of the trees are currently protected under a Tree Preservation Order the Council would have little control over what the Golf Club may do in this regard.

In response to a query from Councillor Dance Mr Young confirmed that he was satisfied that all the concerns expressed in the 58 letters of objection had been addressed in the report.

In response to a request from Councillor Dance, Mr Young clarified the position in terms of government guidance in regard to the taking into account of health concerns.

Mr Young, summing up, reiterated that the application was for a 2G system mast. The application had been assessed against the policy criteria and found to be in accordance therewith. He therefore recommended that the application be approved, subject to the conditions set out in the report.

Ms Hall, summing up, stated that all necessary consultations had been undertaken. Alternative sites had been investigated and a full and thorough search conducted. It was concluded that the chosen site at the golf club provided a higher level of screening and further planting would take place around the base, this would ensure that the impact on the area was minimal. It was, in the view of her company, the only site which met all the criteria to provide the required service to O2 customers.

Mr Rodger stated that nothing had been said during the course of the meeting to cause him to change his opinion. He stated that he retained concerns about the proposed site and maintained that an alternative site was still a possibility. He stated that he had only seen evidence of a technical investigation having been carried out at 3 sites he found it hard to accept that the chosen site was the only one suitable. He urged the Committee to request to see the evaluations of other locations on the golf course.

Mr Buchanan stated that if health is not an issue in this case then the perception of the fears certainly is. He stated that he, personally, was terrified for himself and his relatives living near a mast site. He urged the Committee reflect the public concern.

Mr Gildea stated that he had a number of examples whereby local councils had rejected similar applications and reiterated the point that if a 2G system was required the applicants should seek to share one of the other existing masts.

Councillor Reay expressed concern that NPPG 19 is not prescriptive enough and he felt that there the guidance was unclear. He asked if it might be appropriate to continue consideration of this pending further clarification on the matter being sought. Mr Young advised that it was likely that any response would merely reiterate the NPPG 19 guidelines.

Councillor Dance stated that she also still had concerns about the mast, the health implications, the fact that NPPG 19 may be out of date, requiring the committee to make a decision and live with the responsibility. She expressed surprise that the only suitable site identified within the Green Belt area was only 85 metres from residential properties. Taking this into account, together with the level of public concern and the initial amber rating given to the site by the applicants led her to believe that the application did not stack up.

Councillor Mulvaney concluded that this type of application was always controversial as no one wants a site near to them but he was satisfied that there is a need for effective coverage.

Motion:

That consideration of this application be continued pending the receipt of clarification / further guidance from the Government in regard to National Planning Policy Guidance 19.

Moved by Councillor A Reay  
Seconded by Councillor V Dance

Amendment:

That the application be approved subject to the conditions set out in the report dated 23<sup>rd</sup> July 2007 by the Head of Planning.

Moved by Councillor G Mulvaney  
Seconded by Councillor D Kelly

Upon a show of hands there voted 2 for the motion and 3 for the amendment.

**Decision:**

That the application be approved subject to the conditions set out in the report dated 23<sup>rd</sup> July 2007 by the Head of Planning.

Corporate Services  
6<sup>th</sup> September 2007

**BUILDING STANDARDS  
DELEGATED DECISIONS SINCE LAST COMMITTEE  
Helensburgh and Lomond**

| <b>CASENO</b>     | <b>APPLICANT NAME/PROPOSAL<br/>AND SITE ADDRESS</b>   | <b>RECEIVED<br/>DATE</b> | <b>VETTED<br/>DATE</b> | <b>DECISION</b> | <b>DECISION</b> |
|-------------------|---|--------------------------|------------------------|-----------------|-----------------|
| 04/00997/MTP/A    | Mr A Kerr<br><br>36 West Clyde Street Helensburgh Dunbartonshire<br>G84 8AW<br>Changes to kitchen and bathroom layout and<br>formation of ensuite shower room                                       | 17/05/2007               | 31/05/2007             | 21/08/2007      | WARAPP          |
| 05/00279/ALT/B    | Ardlui Hotel And Marina<br><br>Ardlui Marina Ardlui Arrochar Dunbartonshire<br><br>Amendment to external drainage layout  | 07/09/2007               | 13/09/2007             | 13/09/2007      | WARAPP          |
| 06/00240/MULTIP/A | Ms Louise Ballantine<br><br>Broompark Cottage Shore Road Cove Argyll And Bute<br>G84 0LY<br>Various changes to construction materials and change<br>in rainwater drainage design to soakaway system | 09/05/2007               | 18/05/2007             | 29/08/2007      | WARAPP          |
| 06/00736/ALTEXT/A | Mr G Boyd<br><br>Whistlers Hill Aros Road Rhu Argyll And Bute G84<br>8NJ<br>Various changes to layout   | 15/08/2007               | 17/08/2007             | 20/08/2007      | WARAPP          |
| 06/00894/ALTEXT/A | Cardross Parish Church<br><br>Cardross Parish Church Hall Station Road Cardross<br>Argyll And Bute G82 5NL<br>Amendment - Change to drainage layout   | 03/09/2007               | 05/09/2007             | 11/09/2007      | WARAPP          |
| 07/00128/LATECC   | Argyll And Bute Council<br><br>Victoria Halls Sinclair Street Helensburgh Argyll And<br>Bute G84 8TU<br>Installation of switch sockets in Jubilee room on<br>ground floor                           | 02/02/2007               | 14/02/2007             | 20/08/2007      | WARAPP          |
| 07/00151/EXTEND/A | James Boyd Aitken<br><br>104 East King Street Helensburgh Argyll And Bute<br>G84 7RG<br>Amendment - Omission of velux roof window   | 23/08/2007               | 27/08/2007             | 27/08/2007      | WARAPP          |

**WARAPP=Building Warrant Approved WARREF=Building Warrant Refused  
WARWIT=Building Warrant Withdrawn COMF=Letter of Comfort issued COMFR=Letter of Comfort refused  
EXEMPT=Exempt Building Warrant LOCWIT= Letter of Comfort withdrawn SUPERS=Superseded by new Building**

|                 |  |            |            |            |        |
|-----------------|--|------------|------------|------------|--------|
| 07/00514/LATECC | Education Department<br><br>Rosneath Primary School Clachan Road Rosneath<br>Argyll And Bute G84 0RJ<br>Installation of additional sockets   | 18/04/2007 |            | 20/08/2007 | WARAPP |
| 07/00525/MULTIP | Dr And Mrs Troup<br><br>35 George Street Helensburgh Argyll And Bute G84 7EU<br>Demolish existing garage and outbuildings and erect two storey extension to rear of property.                              | 20/04/2007 | 05/07/2007 | 29/08/2007 | WARAPP |
| 07/00531/MULTIP | Mr And Mrs Nicol<br><br>1 Glen Drive Helensburgh Argyll And Bute G84 9BJ<br><br>Enlargement of existing porch, formation of dormer to form showerroom, enlarge bedroom and alter existing bedroom          | 24/04/2007 | 04/07/2007 | 27/08/2007 | WARAPP |
| 07/00640/ERECDW | Callum Williamson Ltd<br><br>Whistlefield Road Garelochhead Helensburgh Argyll And Bute G84 0EL<br>Erection of six dwellinghouses  | 30/04/2007 | 26/06/2007 | 14/09/2007 | WARAPP |
| 07/00704/MULTIP | Mr And Mrs A Etchells<br><br>3 Upper Sutherland Crescent Helensburgh Argyll And Bute G84 9PQ<br>Demolition of garage, alterations and erection of single storey rear extension and 2 storey side extension | 15/05/2007 | 17/07/2007 | 22/08/2007 | WARAPP |
| 07/00709/CONV10 | Mr D McCowan<br><br>Auchendennan Farm Arden Argyll And Bute G83 8RB<br><br>Conversion of store to office accommodation   | 16/05/2007 | 05/06/2007 | 04/09/2007 | WARAPP |
| 07/00785/EXTEND | Mr And Mrs J Spy<br><br>33 Redgauntlet Road Helensburgh Argyll And Bute G84 7TR<br>Erection of conservatory  | 04/06/2007 | 12/07/2007 | 27/08/2007 | WARAPP |
| 07/00814/EXTEND | Mr And Mrs Paton<br><br>244 West Princes Street Helensburgh Argyll And Bute G84 8HA<br>Erection of two storey side extension   | 14/06/2007 | 27/07/2007 | 23/08/2007 | WARAPP |

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EXEMPT=Exempt Building Warrant   LOCWIT= Letter of Comfort withdrawn   SUPERS=Superceded by new Building**

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|-----------------|---|------------|------------|------------|--------|
| 07/00819/MULTIP | Mr And Mrs I C Michie<br><br>Rosgaradh West Dhuhill Drive Helensburgh Argyll And Bute G84 9AW<br>Formation of dormer to extend bedrooms and form en suite | 15/06/2007 | 17/08/2007 | 22/08/2007 | WARAPP |
| 07/00843/EXTEND | Mr And Mrs R McIntyre<br><br>Mamore Farm Peaton Road Rahane Helensburgh Argyll And Bute G84 0QW<br>Erection of conservatory to front elevation            | 20/06/2007 | 20/08/2007 | 14/09/2007 | WARAPP |
| 07/00907/EXTEND | Brian Lamont<br><br>33 Feorlin Way Garelochhead Argyll And Bute G84 0DL<br>Erection of rear single storey extension                                       | 06/07/2007 | 24/07/2007 | 23/08/2007 | WARAPP |
| 07/00942/EXTEND | Mr And Mrs McQuillan<br><br>4 Macleod Drive Helensburgh Argyll And Bute G84 9QS<br>Erection of rear extension   | 16/07/2007 | 29/08/2007 | 11/09/2007 | WARAPP |
| 07/00943/ALTER  | Mrs Lesley Keating<br><br>40 West Argyle Street Helensburgh Argyll And Bute G84 8DD<br>Alterations to form opening between kitchen and livingroom         | 16/07/2007 | 17/08/2007 | 22/08/2007 | WARAPP |
| 07/00969/EXTEND | Mr A Plenderleith<br><br>2 Abbotsford Drive Helensburgh Argyll And Bute G84 7SX<br>Erection of side extension   | 20/07/2007 | 06/08/2007 | 21/08/2007 | WARAPP |
| 07/00971/ALTEXT | Mr N Sandison<br><br>10 Muirend Road Cardross Argyll And Bute G82 5LG<br><br>Extension to form porch and alteration to form window.                       | 23/07/2007 | 06/08/2007 | 07/09/2007 | WARAPP |
| 07/00982/CONV02 | Mr And Mrs S McCulloch<br><br>5 Bruce Court Cardross Argyll And Bute G82 5QN<br><br>Conversion of integral garage to form family room and store           | 24/07/2007 | 15/08/2007 | 07/09/2007 | WARAPP |

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|-----------------|--|------------|------------|------------|--------|
| 07/00990/MULTIP | Mr A Kelenfoldi<br>30 Kirkmichael Road Helensburgh Argyll And Bute<br>G84 7NQ<br>Erection of two storey extension  | 27/07/2007 | 15/08/2007 | 31/08/2007 | WARAPP |
| 07/00992/DEMOL  | Baronial Properties<br>Former DRB Marine And Storage Site Rosneath Argyll<br>Demolition of boatyard building   | 30/07/2007 | 17/08/2007 | 22/08/2007 | WARAPP |
| 07/01047/ALTEXT | Mr And Mrs Duncan<br>11A Muirend Road Cardross Argyll And Bute G82 5LQ<br>Alteration and extension to house  | 06/08/2007 | 21/08/2007 | 13/09/2007 | WARAPP |
| 07/01053/ERECT  | Mr And Mrs J Hosea<br>61 John Street Helensburgh Argyll And Bute G84 9JZ<br>Demolition of double garage and replacement double garage erected                | 07/08/2007 | 10/08/2007 | 27/08/2007 | WARAPP |
| 07/01061/ALTER  | Mr And Mrs Freer<br>33 East Montrose Street Helensburgh Argyll And Bute<br>G84 7HR<br>Removal of non load bearing wall between kitchen and dining room       | 09/08/2007 | 17/08/2007 | 03/09/2007 | WARAPP |
| 07/01082/ALTER  | Dr And Mrs B Calder<br>34 Queen Street Helensburgh Argyll And Bute G84 9QL<br>Alterations to form sittingroom, cloakroom and 2 no door openings              | 13/08/2007 | 27/08/2007 | 11/09/2007 | WARAPP |
| 07/01101/ERECDW | Callum Williamson Ltd<br>Wayside (Site Of Scottish Water's Former Filter Station) Whistlefield Garelochhead Argyll And Bute<br>Erection of detached dwelling | 22/08/2007 | 03/09/2007 | 14/09/2007 | WARAPP |
| 07/01123/MULTIP | Neil S Butler<br>19 Johnson Court Helensburgh Argyll And Bute G84 7LJ<br>Alterations to increase size of window and electrical sockets on separating wall    | 30/08/2007 | 07/09/2007 | 11/09/2007 | WARAPP |

**WARAPP=Building Warrant Approved WARREF=Building Warrant Refused**  
**WARWIT=Building Warrant Withdrawn COMF=Letter of Comfort issued COMFR=Letter of Comfort refused**  
**EXEMPT=Exempt Building Warrant LOCWIT= Letter of Comfort withdrawn SUPERS=Superseded by new Building**



5 Braid Avenue Cardross Argyll And Bute G82 5QF

Conversion of integral garage to form apartment

***WARAPP=Building Warrant Approved WARREF=Building Warrant Refused  
WARWIT=Building Warrant Withdrawn COMF=Letter of Comfort issued COMFR=Letter of Comfort refused  
EXEMPT=Exempt Building Warrant LOCWIT= Letter of Comfort withdrawn SUPERS=Superceded by new Building***

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**TOWN AND COUNTRY PLANNING  
DELEGATED DECISIONS SINCE LAST COMMITTEE**

**Helensburgh and Lomond**

***Application Types:***    ***ADV App. for Advertisement Consent,  
ART4 App. Required by ARTICLE 4 Dir,  
CLAWU App. for Cert. of Law Use/Dev. (Existing),  
CLWP App. for Cert. of Law Use/Dev. (Proposed),  
COU App. for Change of Use Consent,  
CPD Council Permitted Dev Consultation,  
DET App. for Detailed Consent,  
FDP Forest Design Plan Consultation,  
FELLIC Felling Licence Consultation,  
GDCON Government Dept. Consultation,  
HAZCON App. for Hazardous Substances Consent,  
HYDRO Hydro Board Consultation,  
LIB Listed Building Consent,  
LIBECC App. for Consent for ecclesiastical building,  
MFF Marine Fish Farm Consultation,  
MIN App. for Mineral Consent,  
NID Not. of intent to develop app.,  
NMA Not. for Non-Material Amnt,  
OUT App. for Permission in Principle,  
PNAGRI Prior Not. Agriculture,  
PNDEM Prior Not. Demolition,  
PNELEC Prior Not. Electricity,  
PNFOR Prior Not. Forestry,  
PNGAS Prior Not. Gas Supplier,  
PREAPP Pre App. Enquiry,  
REM App. of Reserved Matters,  
TELNOT Telecoms Notification,  
TPO Tree Preservation Order,  
VARCON App. for Variation of Condition(s),  
WGS Woodland Grant Scheme Consultation***

***Decision Types:***    ***PER Approved  
WDN Withdrawn  
NOO No Objections  
AAR Application Required  
CGR Certificate Granted  
OBR Objections Raised  
PDD Permitted Development  
PRE Permission Required  
NRR New App. Required***



**TOWN AND COUNTRY PLANNING  
DELEGATED DECISIONS SINCE LAST COMMITTEE  
Helensburgh and Lomond**

| <b>App No</b>   | <b>Applicant name, address and proposal</b>  | <b>Valid date</b>     | <b>Decision date</b> | <b>Decision</b> |
|-----------------|--|-----------------------|----------------------|-----------------|
| 07/01643/DET    | Mr And Mrs A Tolhurst<br><br>Site At Clachan Farm Rosneath Argyll And Bute<br><br>Erection of dwellinghouse and installation of shared septic tank                         | 27/08/2007            | 14/09/2007           | WDN             |
| 07/01496/PNAGRI | Grant Montgomery<br><br>Ardardan Estate Cardross Dumbarton Argyll And Bute<br><br>Erection of cattle building  | 08/08/2007<br>G82 5HD | 20/08/2007           | PDD             |
| 07/01475/DET    | Mr And Mrs J Hosea<br><br>61 John Street Helensburgh Argyll And Bute G84 9JZ<br><br>Erection of replacement double garage  | 07/08/2007            | 07/09/2007           | PER             |
| 07/01376/COU    | Argyll And Bute Council<br><br>Kidston Park Rhu Road Lower Helensburgh Argyll And Bute<br><br>Part Change of Use of carpark to site mobile snack caravan from 0700 to 2000 | 25/07/2007            | 29/08/2007           | WDN             |
| 07/01366/DET    | Mr Craig Holborn<br><br>32 East Abercromby Street Helensburgh Argyll And Bute G84 7SQ<br><br>Erection of double garage   | 20/07/2007            | 12/09/2007           | PER             |
| 07/01363/DET    | Mr And Mrs Duncan<br><br>11A Muirend Road Cardross Argyll And Bute G82 5LQ<br><br>Erection of single storey extension to side  | 20/07/2007            | 20/08/2007           | PER             |

**TOWN AND COUNTRY PLANNING  
DELEGATED DECISIONS SINCE LAST COMMITTEE  
Helensburgh and Lomond**

| <b>App No</b> | <b>Applicant name, address and proposal</b>   | <b>Valid date</b> | <b>Decision date</b> | <b>Decision</b> |
|---------------|---|-------------------|----------------------|-----------------|
| 07/01357/DET  | Mr A Plenderleith<br>2 Abbotsford Drive Helensburgh Argyll And Bute G84 7SX<br><br>Erection of an extension   | 30/07/2007        | 11/09/2007           | PER             |
| 07/01356/DET  | Mr And Mrs Green<br>Braeholme Hall Road Rhu Argyll And Bute<br><br>Alteration to boundary fence to form vehicle access and driveway, erection of garage | 06/08/2007        | 07/09/2007           | PER             |
| 07/01315/DET  | Mr And Mrs Birch<br>Clearwater South Ailey Road Cove Argyll And Bute G84 0PN<br><br>Installation of replacement windows                                 | 16/07/2007        | 27/08/2007           | PER             |
| 07/01304/DET  | Estate Director Clyde<br>H M Naval Base Clyde Faslane Argyll And Bute G84 8HL<br><br>Erection of covered boat repair area                               | 12/07/2007        | 10/09/2007           | PER             |
| 07/01301/DET  | Mr And Mrs J McMeeking<br>Ramah House Ferry Road Rhu Argyll And Bute G84 8NF<br><br>Erection of two storey extension                                    | 10/07/2007        | 20/08/2007           | PER             |
| 07/01248/DET  | Mrs Chalmers<br>Argyll Coach House Garelochhead Argyll And Bute G84 0EN<br><br>Erection of extension to rear  | 09/07/2007        | 20/08/2007           | PER             |

**TOWN AND COUNTRY PLANNING  
DELEGATED DECISIONS SINCE LAST COMMITTEE  
Helensburgh and Lomond**

| App No                              | Applicant name, address and proposal  | Valid date | Decision date | Decision |
|-------------------------------------|---|------------|---------------|----------|
| 07/01223/DET                        | Mr Martin Drake<br><br>23 Blackhill Drive Helensburgh Argyll And Bute G84 9AF<br><br>Erection of decking  | 19/07/2007 | 29/08/2007    | PER      |
| 07/01191/LIB                        | Mr N MacCormack And Mr A Bown<br><br>Flats 2, 3 And 4 Lyleston House Cardross Dumbarton Argyll And Bute G82 5HF<br><br>Replacement of single glazed timber sashes with double glazed timber sashes to windows | 22/06/2007 | 21/08/2007    | PER      |
| 07/01095/DET<br><br>Argyll And Bute | Lomond School<br><br>Lomond School Playing Fields Rhu Road Higher Helensburgh<br><br><br><br>Erection of new sports games hall and all weather tennis courts and car park                                     | 20/06/2007 | 20/08/2007    | WDN      |
| 07/01051/LIB                        | Mr Smith<br><br>186 West Princes Street Helensburgh Argyll And Bute G84 8HA<br><br>Installation of replacement windows  | 06/06/2007 | 30/07/2007    | PER      |
| 07/01008/DET                        | Reay MacKay<br><br>21 Campbell Street Helensburgh Argyll And Bute G84 8BQ<br><br>Change of kitchen roof from flat to pitched  | 31/07/2007 | 06/09/2007    | PER      |
| 07/00990/LIB                        | Fay Stewart And Mike Stewart<br><br>Ashlea Shore Road Cove Argyll And Bute G84 0NN<br><br>Demolition of outhouse/coal shed  | 13/06/2007 |               | PER      |

**TOWN AND COUNTRY PLANNING  
DELEGATED DECISIONS SINCE LAST COMMITTEE  
Helensburgh and Lomond**

| <b>App No</b> | <b>Applicant name, address and proposal</b>   | <b>Valid date</b> | <b>Decision date</b> | <b>Decision</b> |
|---------------|---|-------------------|----------------------|-----------------|
| 07/00926/DET  | Mr And Mrs Nagy<br><br>Hazelwood Fort Road Kilcraggan Argyll And Bute G84 0LG<br><br>Erection of heated conservatory  | 16/05/2007        | 20/08/2007           | PER             |
| 07/00770/DET  | Country Homes Ltd<br><br>87-89 East King Street Helensburgh Argyll And Bute G84 7RG<br><br>Erection of 8 flatted dwellinghouses                                       | 23/04/2007        | 30/08/2007           | WDN             |
| 07/00743/DET  | Mr And Mrs C Spy<br><br>Colgrain Equestrian Centre Helensburgh Argyll And Bute G82 5HG<br><br>Erection of dwellinghouse and installation of bio disc treatment plant. | 20/04/2007        | 27/08/2007           | PER             |
| 07/00357/LIB  | Mr And Mrs Larter<br><br>Old Barremman Farm Clynder Argyll And Bute G84 0QN<br><br>Convert derelict byre to provide additional living space for attached dwelling     | 01/03/2007        | 05/07/2007           | PER             |
| 07/00116/DET  | John Bryceland<br><br>Whistlers Burn Cottage Gareloch Road Rhu Argyll And Bute G84 8NH<br><br>Erection of extension to dwelling                                       | 22/01/2007        | 22/08/2007           | PER             |
| 06/02695/LIB  | Mr And Mrs C J Feeney<br><br>Broomcraig Shore Road Cove Argyll And Bute G84 0NU<br><br>Alterations to listed building boundary wall to relocate entrance to site.     | 08/02/2007        | 27/08/2007           | PER             |



**TOWN AND COUNTRY PLANNING  
DELEGATED DECISIONS SINCE LAST COMMITTEE  
Helensburgh and Lomond**

| <b>App No</b> | <b>Applicant name, address and proposal</b>  | <b>Valid date</b> | <b>Decision date</b> | <b>Decision</b> |
|---------------|--|-------------------|----------------------|-----------------|
| 06/02679/DET  | Airwave O2 Ltd<br><br>Land West Of MOD Access Road Garelochhead Argyll And Bute<br><br>Installation of 2no transmission dishes and ancillary cabinet and cabling                       | 22/12/2006        | 21/08/2007           | WDN             |
| 06/02662/LIB  | Harry Yeomans<br><br>119 West Clyde Street Helensburgh Argyll And Bute G84 8ET<br><br>Formation of windows and patio doors, alterations to boundary wall and erection of double garage | 29/12/2006        | 23/04/2007           | PER             |

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DEVELOPMENT SERVICES

PLANNING APPLICATION REPORT  
HELENSBURGH & LOMOND AREA COMMITTEE

Local Member - Councillors E. Morton  
and D.F. Kinniburgh

Date of Validity - 18 July 2007

Committee Date - 2 October 2007

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25 September 2007

|                                 |   |
|---------------------------------|---|
| <b>Reference Number:</b>        | 07/01234/DET  |
| <b>Applicants Name:</b>         | Mr & Mrs H. McNiven   |
| <b>Application Type:</b>        | Detailed Application  |
| <b>Application Description:</b> | Erection of dwellinghouse and stables and installation of septic tank |
| <b>Location:</b>                | Iona Stables, Lower Colgrain Farm, Helensburgh                        |

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#### **(A) THE APPLICATION**

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

Erection of dwelling and ancillary stables;  
Installation of septic tank

**(ii) Other specified operations**

Connection to public water supply.

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#### **(B) RECOMMENDATION**

It is recommended that planning permission be granted subject to the conditions and reasons detailed on the separate sheet attached.

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#### **(C) DETERMINING ISSUES AND MATERIAL CONSIDERATIONS**

Planning permission is sought for the erection of a dwellinghouse with stables and the installation of a septic tank. This application follows on from two applications for a residential caravan which were approved on a temporary basis. The residential caravan was located in the northern portion of the site with the two existing sheds, which functioned as stables/agricultural storage, being located in the central area of the yard. It is proposed that the sheds be removed and the proposed house located in the approximate position of the central shed. Although the curtilage of the caravan/stables and house/stables unit would be the same, the current application site has been extended from the previous application to encompass the whole yard area. In the previous applications, the application site was drawn round the caravan only. The proposed location of the residential unit has thus changed from the temporary consents but as the caravan would be removed there would be no intensification of use.

Section 25 of the Town and Country Planning (Scotland) Act 1997 requires that planning decisions be made in accordance with the Development Plan unless material considerations indicate otherwise. Within the area covered by the application site, the Development Plan

currently comprises the Argyll and Bute Structure Plan, approved 2002 and the Dumbarton District, District Wide Local Plan, adopted 1999.

The Council's decisions on the previous applications are material considerations. Policy DC2 sets out certain criteria against which proposals for development in the green belt require to be assessed. These include specific locational need, economic benefit for a recognised countryside use, infrastructure implications, environmental impact, beneficial effect through the renovation of buildings of good vernacular design and other local plan policies. The initial retrospective application for a caravan was justified as a minor departure from Policies DC2 and H6 of the Dumbarton District, District Wide Local Plan and STRAT DC3 of the Structure Plan. It was approved on the grounds that although equestrian activity does not fall within the definition of agriculture, it was accepted as a recognised countryside use as referred to in Policies STRAT DC3 and DC2. It was further considered that, as required by Policy DC2, the applicant had demonstrated a specific locational need in order to look after the horses and protect against vandalism. It was considered that the proposal would not have a significant environmental impact due to its positioning and location adjacent to an existing industrial building. The reason it was considered a departure from green belt policy was that Policy DC2 includes other Local Plan policies as part of the criteria assessment and the proposal was contrary to Local Plan Policy H6 on the use of residential caravans. At this time the applicant advised that the equestrian activity was a hobby and a passion and no business case was made.

At the time of the second application for renewal of the temporary consent which had expired, it was considered that as there had been no material change in circumstances since the time of the last decision. Therefore, the reasoning noted above would still be relevant to the proposal and that the site could therefore be regarded as being suitable for a residential unit.

In terms of the emerging Argyll and Bute Modified Finalised Draft Local Plan, the site is located within an area designated as a Business Allocation reserved for Class 4 – Business, Class 7 – Hotels and Hostels and garages selling or displaying motor vehicles. However, this allocation is the subject of a number of objections that are being dealt with through the Local Plan Public Local Inquiry process and which are currently under consideration by the Reporter. Little weight can, therefore, be given to this element of the emerging Local Plan at this stage. It should be noted, however, that a Class 4 use is defined as a one which could be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit and as such a house would not be incompatible with this kind of use.

Taking account of the above it is considered that the principle of a residential unit on this site has been accepted by the Council as evidenced by the two previous application decisions for a caravan. The Council also accepted that there was a locational need despite the equestrian activity being a hobby rather than a business. In my opinion there are no material considerations which are of sufficient weight to overturn this view. Given that both a locational need and the residential unit have been accepted, it is considered that a more acceptable living unit without the detrimental visual impact that a caravan possesses would be desirable for this site. An added environment gain would be the removal of the sheds and their replacement with purpose built stables as well as a proposed new area of tree planting to the south east. As such the proposal is considered to accord with Policy DC2.

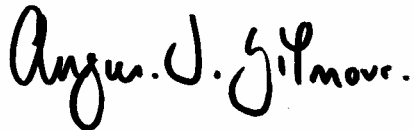
The proposed house would be of a traditional design with white or cream coloured wet dash render walls, timber framed windows and a natural slate roof. The stables would also have a pitched slate roof to match the house and would form a courtyard to the rear of road side of the development with the front elevation of the house facing toward the Clyde. In terms of the design, I am satisfied that the proposal would accord with Policies DC1 of the adopted Local Plan and also with PAN 72 – Housing in the Countryside, the Small Scale Housing Development

section of the Council's Sustainable Design Guidance and Policy LP ENV 19 of the Argyll and Bute Modified Finalised Draft Local Plan. No objections have been received from statutory consultees regarding access and servicing arrangements.

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**(D) CONCLUSION**

The proposal can be justified on the basis of the Council's previous decisions to approve temporary consent for a caravan on this site. In addition, the design of the proposed house and stables is considered to be acceptable and it is therefore recommended that planning permission be approved.



Angus J Gilmour  
Head of Planning  
25 September 2007

**Author: Sandra Davies 01436 688884**

**Contact Point: Howard Young 01436 658888**

**CONDITIONS AND REASONS RELATIVE TO APPLICATION 07/01234/DET:**

1. Standard condition.

*Reason: Standard.*

2. Development shall not begin until samples of materials to be used (on external surfaces of the building and/or in construction of hard standings/walls/fences) have been submitted to an approved in writing by the Planning Authority. Development shall thereafter be carried out using the approved materials or such alternatives as may be agreed in writing with the Planning Authority.

*Reason: In order to integrate the development into its surroundings.*

3. The development shall be landscaped in accordance with a scheme which shall be submitted to and approved in writing by the Planning Authority before development commences. The scheme shall indicate the siting, numbers, species and heights (at the time of planting) of all trees, shrubs and hedges to be planted and shall ensure:

(a) Completion of the scheme during the first planting season following the completion of the building(s), or such other date as may be approved in writing with the Planning Authority.

(b) The maintenance of the landscaped areas for a period of five years or until established, whichever may be longer. Any trees, or shrubs removed, or which in the opinion of the Planning Authority, are dying being severely damaged or becoming seriously diseased within three years of planting, shall be replaced by trees and shrubs of similar size and species to those originally required to be planted.

*Reason: To ensure the implementation of a satisfactory scheme of landscaping which will in due course improve the environmental quality of the development.*

4. No development shall take place until full details of proposed means of boundary treatment, enclosures, screening, walls and fences, paving and hard surfacing materials have been submitted to and approved in writing by the Planning Authority.

*Reason: To ensure that the proposed development is provided with a satisfactory standard of landscaping for the functional and visual requirements of the site and to assist the integration of the development into the surrounding area and to integrate the proposal with its surroundings.*

5. Prior to the commencement of development, the developer shall submit written evidence to the Planning Authority that an agreement with Scottish Water is in place for the connection of the proposed development to the public water supply.

*Reason: In the interests of public health and to ensure the availability of an adequate water supply to serve the proposed development.*

**APPENDIX RELATIVE TO APPLICATION 07/01234/DET:**

**A. POLICY OVERVIEW**

In terms of Section 25 of the Town and Country Planning (Scotland) Act 1997, the following Development Plan Policies are applicable.

**Argyll and Bute Structure Plan approved 2002**

**STRAT DC 3 – Development within the Green Belt**

- A) Within the Greenbelt, encouragement will only be given to very limited and specific categories of countryside-based development. These comprise:
1. agricultural-related development.
  2. farm diversification – tourism related development (excluding dwellinghouses).
  3. outdoor sport and recreational development.
  4. development required to manage and sustain the natural heritage and access resources of the Greenbelt.
  5. demolition and replacement of buildings and alterations or extensions to buildings, including dwellinghouses, subject to no change of use occurring.
  6. change of use of buildings, including alterations and subordinate extensions of such buildings to residential institutional use (Use Class 8 B and C).
- B) In exceptional cases, a development outwith categories A) 1-6 above may accord with this policy when it is successfully demonstrated that the proposal will:
1. retain a significant building at risk or
  2. directly support the provision of vital infrastructure or
  3. involve building development directly supporting recreational use of land.
- C) Developments which do not accord with this policy are those outwith the categories A) 1-6 and B) above.
- D) Developments are also subject to consistency with other policies of the Structure Plan and in the Local Plan.

**Dumbarton District, District Wide Local Plan adopted 1999**

**Policy DC1**

All development proposals will be expected to provide a high standard of building and landscape design, to contribute to environmental quality and to maintain or enhance the amenity of the surrounding area.

All development proposals and applications for planning permission will be considered on the basis of the following Local Plan policy criteria:

1. the location and nature of the proposed development, including land use, layout, design, external appearance, density, landscaping, open space provision, aspect, daylighting, crime prevention measures and privacy of existing and proposed development;
2. the impact on the natural and built environment, the likely level of environmental pollution and the possible creation of any hazard, or impact on the landscape and overall setting;
3. the relationship to the road and public transport network, means of access, particularly access for disabled people, emergency services, parking provision, and likely scale and type of traffic generation;
4. the availability of infrastructure and relationship to existing community facilities;
5. consistency with the terms of other local plan policies.

**Policy DC2**

Within the Greenbelt, as delineated on the Proposals Map, favourable consideration will only be given to development which is directly associated with a recognised countryside use, i.e. agriculture, forestry, horticulture, outdoor recreation or recognised institutional use standing in extensive grounds. There will be a presumption against development, outwith these categories unless it is in the national interest, or there is a requirement for the provision of essential public services.

Proposals for development within the Greenbelt shall require to be justified against the following criteria:-

- a) specific locational need;
- b) economic benefit for a recognised countryside use;
- c) infrastructure implications;
- d) environmental impact;
- e) beneficial effect through the renovation of buildings of good vernacular design;
- f) other local plan policies; and
- g) in the case of development of land for housing, the requirements of Policy RES 1A of Strathclyde Structure Plan 1995.

**Argyll and Bute Modified Finalised Draft Local Plan**

**Policy LP ENV 19**

**Development Setting, Layout and Design**

The Council will require developers and their agents to produce and execute a high standard of appropriate design in accordance with the design principles set out in Appendix A of this Local Plan, the Council's sustainable design guide and the following criteria: -



#### Development Setting

- (A) Development shall be sited and positioned so as to pay regard to the context within which it is located.

#### Development Layout and Density

- (B) Development layout and density shall effectively integrate with the urban, suburban or countryside setting of the development. Layouts shall be adapted, as appropriate, to take into account the location or sensitivity of the area. Developments with poor quality or inappropriate layouts or densities including over-development and over-shadowing of sites shall be resisted.

#### Development Design

- (C) The design of developments and structures shall be compatible with the surroundings. Particular attention shall be made to massing, form and design details within sensitive locations such as National Scenic Areas, Areas of Panoramic Quality, Greenbelt, Very Sensitive Countryside, Sensitive Countryside, Conservation Areas, Special Built Environment Areas, Historic Landscapes and Archaeologically Sensitive Areas, Historic Gardens and Designed Landscapes and the settings of listed buildings and Scheduled Ancient Monuments. Within such locations, the quality of design will require to be higher than in other less sensitive locations.
- (D) The design of buildings shall be suitably adapted to meet the reasonable expectations for special needs groups.
- (E) Energy efficient design and sustainable building practice is strongly encouraged.
- (F) Development design which is judged to be poor or “not good enough” for a particular location shall be resisted.

### **Policy LP BUS 1**

#### Business and Industry Proposals in Existing Settlements

The development of new, or extensions to existing, industrial and business/office enterprises (Use Classes 4, 5, 6 and 7\*) and waste management developments as defined in Policy LP SERV 6 within existing settlements will normally be permitted provided that:

- (A) The development is and scale, consistent with Policy STRAT DC 1, Schedule B 1, and Schedule B 2;
- (B) Greenfield sites are avoided if brownfield land (see glossary) is available in close proximity;
- (C) In residential locations the proposed development would not erode the residential character of the area, or adversely affect local residents, through an increase in traffic levels, noise, fumes or hours of operation;
- (D) The proposal is consistent with any other Structure Plan or Local Plan policy;

- (E) Technical standards in terms of parking, traffic circulation, vehicular access and servicing, and pedestrian access are met in full (see Appendix C);
- (F) The design, scale and siting of the new development respects the landscape/townscape character and appearance of the surrounding area (see Appendix A);

The conversion or change of use of existing buildings to industrial or other employment generating uses which includes waste management developments will also generally be encouraged if the above criteria are met. According to the type and lifespan of the development proposed, the Planning Authority may impose conditions limiting the hours of operation and/or duration of the planning consent.

## **B. OTHER MATERIAL CONSIDERATIONS**

### **(i) Site History**

03/01847/COU – Siting of residential caravan. Approved 15 December 2003 for a temporary period until 2 December 2006.  
04/01157/PNAGRI - Erection of farm implement shed. No objections.  
05/00332/PNAGRI – Erection of polytunnel. No objections.  
06/02098/COU - Renewal of temporary consent for siting of residential caravan. Approved for a temporary period of two years on 4/1/07, expires 3/1/09).

### **(ii) Consultations**

Area Roads Manager (memo dated 2/9/07): No objections.

SEPA (letter dated 7/8/07): No objections.

Scottish Water (letter dated 27/7/07): No objections

Development Policy (memo dated 7/9/07): No objections. Consultation response outlines policy position.

Helensburgh Community Council (letter dated 10 September): Letter notes concern about the lack of clarity regarding the designation of the land i.e. is it greenbelt or part of a proposed business site. Community Council would temper objections if the following were to be carried out: a) a business plan to be put forward by the applicant; b) a section 75 to be placed on the applicant to ensure the dwelling depends on the presence of stabling; c) an attempt to incorporate some energy saving or eco-friendly elements in the new build (such as solar energy); d) the proposed development to be screened by trees and landscaped to cut down its visual impact.

### **(iii) Publicity**

The applications was advertised as a Potential Departure from Policies DC1 and DC2 of the adopted Local Plan (closing date 24/8/07).

Two letters of representation have been received from the following:

Helensburgh Greenbelt Group, c/o 40 West Montrose Street, Helensburgh G84 9PF (letter dated 31/8/07);

Jack Rudram on behalf of Helensburgh and District Civic Society, 21 Queen's Point, Shandon, Helensburgh G84 8QZ (letter dated 31/8/07).

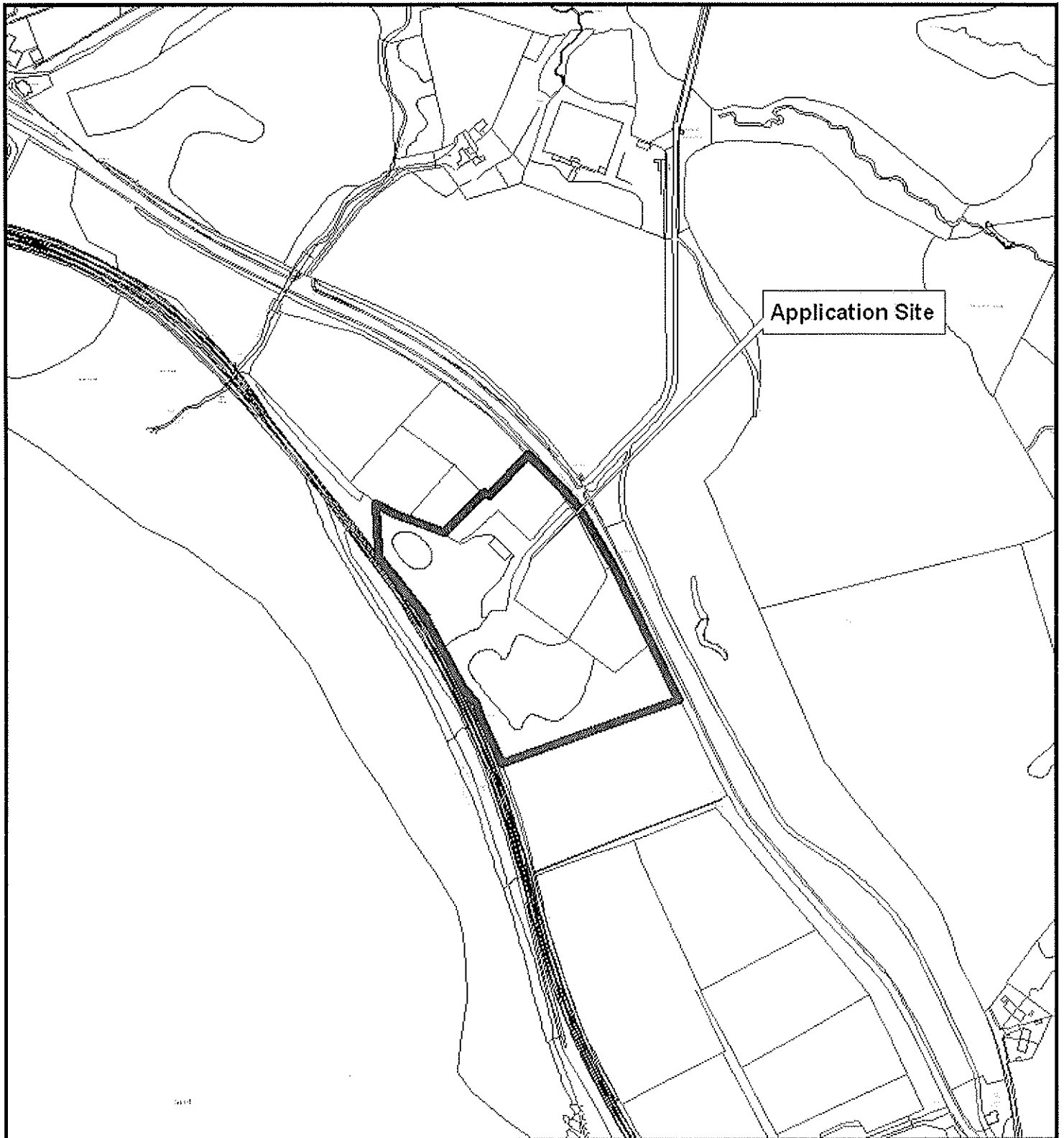
The points of representation and my comments on them are noted below:

1. The application seems to be primarily for a house with a small number of stables attached and this would be contrary to the Development Plan.  
Comment: See my assessment.
2. The provision of six loose boxes does not seem to constitute a viable livery business and no business plan has been offered in support of the application.  
Comment: The applicants have not made a business case in support of this application.
3. This application cannot be assessed adequately until the future designation of this piece of land in the forthcoming Local Plan is known.  
Comment: It is not normal practice to delay the outcome of planning applications until issues have been resolved in emerging plans.
4. The issues relating to the designation of this land as a business site were debated at the Public Local Inquiry for the Argyll and Bute Local and the outcome is as yet unknown. The application may be justified in terms of greenbelt policy by a proven stables business, a return to the proposal for substantial U-shaped woodland between the application site and the business site and a section 75 agreement.  
Comment: Due to outstanding issues with the Modified Finalised Draft Local Plan this proposal has been assessed against current adopted Policy.
5. The Planning Authority should alter the proposed modification in the emerging plan to greenbelt.  
Comment: This application has to be assessed in terms of Section 25 of the Act and re-designating land does not fall within the remit of determining planning applications.
6. The Helensburgh Greenbelt Group would not support an entrance to the proposed business site from the current access point.  
Comment: This is a matter for the Local Plan Inquiry.

**NOTE TO APPLICANT RELATIVE TO PLANNING APPLICATION 07/01234/DET:**

Regard should be had to the enclosed consultation response from Scottish Water dated 27 July 2007. It should be noted that the Planning Authority views this to be a 'no objection' response to the development proposal at the time of the consultation. It does not, however, guarantee that a connection will necessarily still be available at the time when it is proposed to implement this consent. In advance of development being commenced, direct contact should be made with Scottish Water to ascertain whether sufficient capacity still remains at that time in order to be able to secure a connection to the public water supply. Confirmation of the availability of a connection should be forwarded to the Planning Authority in order to satisfy the requirements of the condition above.

It should be noted that in the event that Scottish Water refuses a connection to the public water supply, the provision of an alternative private water supply would be considered a material amendment to the approved details and would require to be the subject of a further application for planning permission.



**Committee Location Plan**  
**07/01234/DET**

**1:5,000**



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DEVELOPMENT SERVICES

PLANNING APPLICATION REPORT  
HELENSBURGH & LOMOND AREA COMMITTEE

Local Member - Councillor V. Dance,  
G. Mulvaney, A. Reay and J. Robb

Date of Validity - 9 July 2007

Committee Date - 2 October 2007

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25 September 2007

|                                 |                                     |
|---------------------------------|-------------------------------------|
| <b>Reference Number:</b>        | 07/01303/DET                        |
| <b>Applicants Name:</b>         | Mr Dowall                           |
| <b>Application Type:</b>        | Detailed Application                |
| <b>Application Description:</b> | Installation of replacement windows |
| <b>Location:</b>                | 24C East King Street, Helensburgh   |

---

**(A) THE APPLICATION**

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

Installation of white framed uPVC tilt and turn windows.

---

**(B) RECOMMENDATION**

It is recommended that planning permission be granted as a minor departure from Policy BE10 subject to the conditions and reasons detailed on the separate sheet attached.

---

**(C) DETERMINING ISSUES AND MATERIAL CONSIDERATIONS**

Planning permission is sought for the installation of replacement windows at flat 24C East King Street, Helensburgh which forms part of a category B Listed Building. This is an ex Local Authority flat which is now owner occupied. The existing windows to be replaced are all two pane sash and case with the exception of one twelve pane sash and case timber framed window. In total five windows would be replaced comprising one bay with three separate windows and two other single windows.. The bay window faces east and looks onto the inner eastern back court area. The other two windows face north onto East King Street.

The building was listed in 1993 and subsequent to this Dumbarton District Council undertook a window replacement programme without Listed Building Consent. This was inherited by Argyll and Bute Council at reorganisation and retrospective Listed Building Consent was then sought. Consent was given by Historic Scotland on 9<sup>th</sup> May 1997 with the added condition that "New timber windows to be installed on the front elevations shall, in accordance with the advice in the Memorandum of Guidance on Listed Buildings and Conservation Areas (1993), match the original windows in every respect or where they have been altered, they shall be restored to the original proportions and glazing pattern. Drawings including details 1:5 of the new windows shall be submitted for the consideration and written approval of the Secretary of State, prior to any works to original windows." The window replacement was undertaken in a phased manner with the result that some blocks have more uPVC windows than others.

The block of flats which is the subject of this application is one of seven blocks in what is referred to as

Alma Court in the Listing description. The flat forming the application site has its gable end facing onto East King Street. This gable has six windows divided by a chimney breast and currently there are 3 no., 2-pane sash and case windows, 2 no., 12-pane sash and case windows and 1 no. uPVC tilt and turn window. The twelve pane sash and case windows would appear to be the original design for this building. It is proposed that the two first floor windows on this gable be replaced resulting in the loss of a 12-pane and a 2-pane timber sash and case window. On the east facing elevation, 3 no., 2-pane timber framed sash and case windows which form part of a bay would be replaced with 3 no., tilt and turn uPVC windows to match the bay window below.

Section 25 of the Town and Country Planning (Scotland) Act 1997 requires that planning decisions be made in accordance the Development Plan unless material considerations indicate otherwise. Within the area covered by the application site, the Development Plan currently comprises the Argyll and Bute Structure Plan approved 2002 and the Dumbarton District, District Wide Local Plan adopted 1999. The emerging Argyll and Bute Finalised Draft Local Plan would be a material consideration and the weight given to this would be dependent upon whether objections have been received to policies relevant to this proposal.

In terms of window replacement within Listed Buildings, Policy BE10 of the Dumbarton District, District Wide Local Plan is relevant. This policy requires that special attention be paid to design and sympathetic choice of materials in order that the building's setting and character is not eroded. This Policy is consistent with the requirements contained within the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and to the Memorandum of Guidance on Listed Buildings and Conservation Areas, 1998. Policy ENV 13a contained within the emerging Argyll and Bute Modified Finalised Draft Local Plan maintains a similar approach and requires that all development affecting Listed Buildings be of a high quality. This has not been objected to during the consultation phase of the plan and thus represents a strong material consideration.

It is not considered that the use of uPVC framed tilt and turn windows are an appropriate replacement window for this building. However, a large proportion of uPVC windows have already been installed in these buildings undermining the original fenestration and devaluing the building's architectural integrity. There are variations between the different blocks in terms of loss of original window design due to the phasing of the Council's window replacement programme. Block 22 has had all of its original windows replaced by tilt and turn uPVC while Block 13 which is located on the corner of Charlotte Street and East King Street is largely in tact with the majority of flats having 12-pane sash and case windows.

Block 24 and 26 are attached and on the east facing elevation there are 5 no., 12 pane sash and case windows out of a total of 49 windows on this elevation. Thirty-four are uPVC framed. I am therefore of the opinion that the architectural integrity of this building in terms of its window design has been lost and that the cumulative effect is already so great that the impact of the replacement windows would be minimal in terms of it effect on the character and appearance of the building. In addition, the proposed replacement windows are not on the blocks where their principal elevations face onto the main road. The bay window faces onto the rear courtyard where public views are minimal and the gable, while facing onto East King Street, sits further back than Blocks 22 and 28 and is not a principal elevation. On balance, it is my view that proposed window replacements are acceptable in these particular circumstances.

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## CONCLUSION

In conclusion, notwithstanding the condition imposed by Historic Scotland, the majority of windows within this Category "B" Listed Building have been replaced with uPVC framed windows and this has resulted in the architectural integrity of this feature being lost. Given the extent of unsympathetic replacements which have already been installed, it is considered that the five additional windows proposed would have



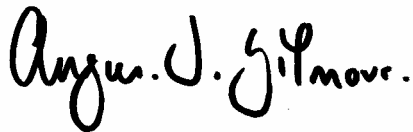
a minimal impact in terms of the character and appearance of the building. In addition, the windows on the bay are in a back court location and the gable windows are not a principal elevation. For these reasons it is considered that the proposal would be acceptable and it recommended that planning permission be approved as a minor departure subject to conditions.

**(E) REASONED JUSTIFICATION FOR DEPARTURE**

While the proposal is not consistent with Policy BE10 of the Dumbarton District, District Wide Local Plan as there would be a minimal loss of character incurred, it is not consider sufficient to justify a refusal. This is because large number of unsympathetic uPVC windows which have already been installed in the block which forms the application site and also adjacent block. The positive contribution that the windows make to the character of the building has already been lost due to the cumulative effect on inappropriate fenestration. In addition, the windows on the bay are in a back court location and the gable windows are not a principal elevation. For these reasons it is considered that the proposal can be justified as a minor departure from Policy BE 10 of the adopted Local Plan.

**(F) PAN 41 HEARING**

As this proposal represents a departure from the Development Plan consideration has to be given to a PAN 41 Hearing. However, as the departure is minor in nature and there have been no objections, a Hearing is not considered necessary in this case.



Angus J Gilmour  
Head of Planning  
25 September 2007

**Author: Sandra Davies 01436 688884**  
**Contact Point: Neil McKay 01546 604172**

**CONDITIONS AND REASONS RELATIVE TO APPLICATION 07/01303/DET:**

1. Standard.

*Reason: Standard*

2. That prior to any work commencing on site, the exact specification of the replacement uPVC windows to be installed in form of a sample or 1:20 scale drawing, including the dimensions of the transom and exposed frame at the top and sides of the opening and incorporation of a white finish shall be submitted to and approved in writing by the Planning Authority, and thereafter shall be implemented in accordance with the agreed details.

*Reason: In the interest of visual amenity and to ensure that the proposals do not adversely affect the character of the Listed Building.*

**APPENDIX RELATIVE TO APPLICATION 07/01303/DET:**

**A. POLICY OVERVIEW**

In terms of Section 25 of the Town and Country Planning (Scotland) Act 1997, the following Development Plan Policies are applicable.

**Argyll and Bute Structure Plan**

**STRAT DC9 – HISTORIC ENVIRONMENT AND DEVELOPMENT CONTROL**

Protection, conservation, enhancement and positive management of the historic environment is promoted. Development that damages or undermines the historic, architectural or cultural qualities of the historic environment will be resisted; particularly if it would affect a Scheduled Ancient Monument or its setting, other recognised architectural site of national or regional importance, listed building or its setting, conservation area of historic garden and designed landscape. More detailed policy and proposals for the historic environment will be set out in the Local Plan.

**Dumbarton District, District Wide Local Plan**

**Policy BE10**

The Council will ensure that in relation to any works affecting listed buildings or their setting, special attention is paid to design and the sympathetic choice of materials in order that the building's character and setting is not eroded. Proposals for alterations or extension which unacceptably detract from the character of listed buildings will be resisted. There will be a presumption against the demolition of listed buildings unless it can be demonstrated beyond reasonable doubt that all steps have been taken to find practical means of retention. Prior to listed building consent to demolish being granted, agreements may be sought to ensure that appropriate replacement buildings are certain to be erected.

**Argyll and Bute Modified Finalised Draft Local Plan**

**Policy LP ENV 13(a)**

**Development Impact on Listed Buildings**

Development affecting a listed building or its setting shall preserve the building or its setting, and any features of special architectural or historic interest that it possesses.

All developments that affect listed buildings or their settings must be of a high quality and generally conform to Historic Scotland's Memorandum of Guidance on Listed Buildings and Conservation Areas (1998).

Where development would affect a heritage asset or its setting the developer will be expected to satisfactorily demonstrate that the impact of the development upon that asset has been assessed and that measures will be taken to preserve and enhance the special interest of the asset. Measures to mitigate against impact are likely to include enhanced physical access, interpretation and the provision of an open space or landscaped buffer zone, as appropriate.

## **NPPG 18 Historic Environment**

“42. It is a requirement of planning legislation that applications for planning permission shall be determined in accordance with the plan unless material considerations indicate otherwise. Where a planning proposal affects a listed building or its setting an important material consideration is the desirability of preserving the building, or its setting, or any features of special architectural or historic interest which it possesses. The primary consideration in the determination of applications for listed building consent, is however, the statutory requirement to have special regard to the desirability of preserving the building, its setting, and any features of special architectural or historic interest. Development plan policies that relate to listed buildings, along with relevant supplementary guidance, should still be taken into account when determining applications for listed building consent but should not be afforded as much weight as the statutory requirement.

43. Issues generally relevant to the consideration of all applications for listed building consent and applications for planning permission affecting listed buildings include:

- the impact of development proposals upon particular physical features of the building that justify its listed status. Whilst list descriptions are useful in identifying individual buildings, they are not intended as exhaustive lists of features worth preserving
- the building's setting and its contribution to the townscape or landscape, having particular regard to the impact of development upon the views to and from the listed building
- the extent to which the proposed works would bring benefits to the community, in particular by contributing to the economic regeneration of the area or the enhancement of its environment (including other listed buildings)

There should be a presumption against development that adversely affects the character of a listed building or its setting.”

## **Memorandum of Guidance on Listed Buildings and Conservation Areas**

“The appearance and character of any building depends to a great extent upon the design and detailing of two of the building's principal elements, its walls and its windows. Any alteration to the form of one or other is bound to have a considerable impact upon the appearance of the building as a whole. Where the alteration work is not appropriate, much of the quality and character of the building may be lost.”

## **B. OTHER MATERIAL CONSIDERATIONS**

### **(i) Site History**

07/01346/LIB – Installation of uPVC replacement windows. No decision to date (also under consideration at this Committee)

### **(ii) Consultations**

Historic Scotland (letter dated 24/8/07): As the application is contrary to well established policy and advice we recommend that your authority seeks an improvement on the scheme and refuses the application as it currently stands.

### **(iii) Publicity**

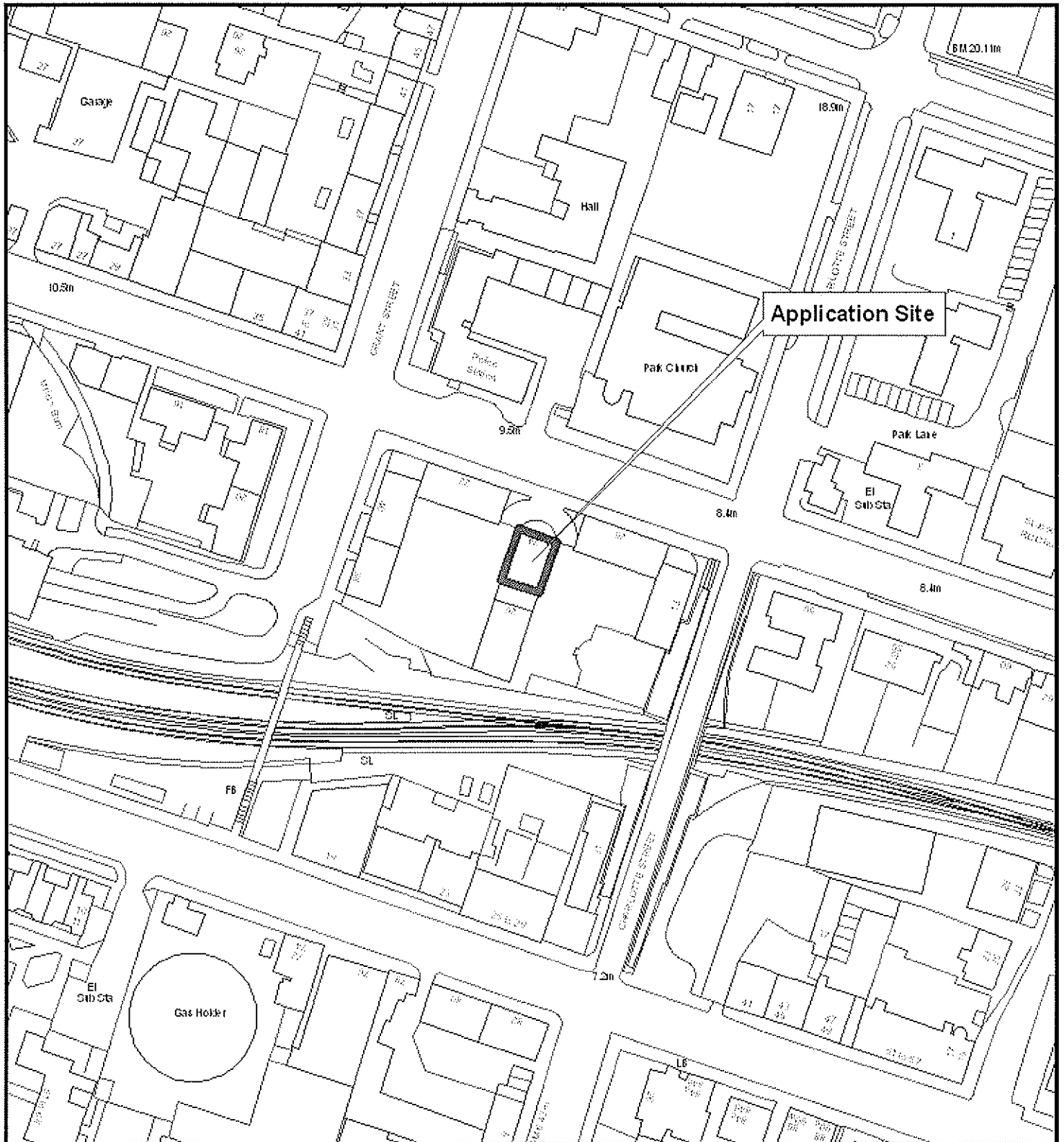
The application was advertised as a Potential Departure from Policy BE10 of the Dumbarton District, District Wide Local Plan (closing date 17/8/07).

No letters of representation have been received.

**NOTE TO APPLICANT RELATIVE TO PLANNING APPLICATION 07/01303/DET**

The dimensions of the proposed replacement windows should replicate those of the uPVC windows in the flat immediately below the application site in order to avoid introducing additional window patterns and proportions which would have a negative impact on the character and appearance of the Listed Building.

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**Committee Location Plan**  
**07/01303/DET**

**1:1,250**



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DEVELOPMENT SERVICES

PLANNING APPLICATION REPORT  
HELENSBURGH & LOMOND AREA COMMITTEE

Local Member - Councillors V. Dance,  
G. Mulvaney, A. Reay and J. Robb  
Date of Validity - 9 July 2007  
Committee Date - 2 October 2007

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25 September 2007

**Reference Number:** 07/01346/LIB  
**Applicants Name:** Mr Dowall  
**Application Type:** Listed Building Application  
**Application Description:** Installation of replacement windows  
**Location:** 24C East King Street, Helensburgh

---

**(A) THE APPLICATION**

**(i) Development Requiring Listed Building Consent:**

Installation of white framed uPVC tilt and turn windows.

---

**(B) RECOMMENDATION**

It is recommended that Listed Building Consent be granted as a minor departure from Policy BE10 subject to the conditions and reasons detailed on the separate sheet attached and to referral to Historic Scotland.

---

**(C) DETERMINING ISSUES AND MATERIAL CONSIDERATIONS**

Listed Building Consent is sought for the installation of replacement windows at flat 24C East King Street, Helensburgh which forms part of a category B Listed Building. This is an ex Local Authority flat which is now owner occupied. The existing windows to be replaced are all two pane sash and case with the exception of one twelve pane sash and case timber framed window. In total five windows would be replaced comprising one bay with three separate windows and two other single windows. The bay window faces east and looks onto the inner eastern back court area. The other two windows face north onto East King Street.

The building was listed in 1993 and subsequent to this Dumbarton District Council followed by Argyll and Bute Council undertook a window replacement programme installing white framed uPVC tilt and turn windows. Listed Building Consent was granted for these on 9<sup>th</sup> May 1997 on condition that new timber windows be installed on front elevations which match the original windows in every respect. The building was listed in 1993 and subsequent to this Dumbarton District Council undertook a window replacement programme without Listed Building Consent. This was inherited by Argyll and Bute Council at reorganisation and retrospective Listed Building Consent was then sought. Consent was given by Historic Scotland on 9<sup>th</sup> May 1997 with the added condition that "New timber windows to be installed on the front elevations shall, in accordance with the advice in the Memorandum of Guidance on Listed Buildings and Conservation Areas (1993), match the original windows in every respect or where they have been altered, they shall be restored to the original proportions and glazing pattern. Drawings

including details 1:5 of the new windows shall be submitted for the consideration and written approval of the Secretary of State, prior to any works to original windows.” The window replacement was undertaken in a phased manner with the result that some blocks have more uPVC windows than others.

The block of flats which is the subject of this application is one of seven blocks in what is referred to as Alma Court in the Listing description. The flat forming the application site has its gable end facing onto East King Street. This gable has six windows divided by a chimney breast and currently there are 3 no., 2-pane sash and case windows, 2 no., 12-pane sash and case windows and 1 no. uPVC tilt and turn window. The twelve pane sash and case windows would appear to be the original design for this building. It is proposed that the two first floor windows on this gable be replaced resulting in the loss of a 12-pane and a 2-pane timber sash and case window. On the east facing elevation, 3 no., 2-pane timber framed sash and case windows which form part of a bay would be replaced with 3 no., tilt and turn uPVC windows to match the bay window below.

Section 25 of the Town and Country Planning (Scotland) Act 1997 requires that planning decisions be made in accordance the Development Plan unless material considerations indicate otherwise. Within the area covered by the application site, the Development Plan currently comprises the Argyll and Bute Structure Plan approved 2002 and the Dumbarton District, District Wide Local Plan adopted 1999. The emerging Argyll and Bute Finalised Draft Local Plan would be a material consideration and the weight given to this would be dependent upon whether objections have been received to policies relevant to this proposal.

In terms of window replacement within Listed Buildings, Policy BE10 of the Dumbarton District, District Wide Local Plan is relevant. This policy requires that special attention be paid to design and sympathetic choice of materials in order that the building’s setting and character is not eroded. This Policy is consistent with the requirements contained within the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and to the Memorandum of Guidance on Listed Buildings and Conservation Areas, 1998. Policy ENV 13a contained within the emerging Argyll and Bute Modified Finalised Draft Local Plan maintains a similar approach and requires that all development affecting Listed Buildings be of a high quality. This has not been objected to during the consultation phase of the plan and, thus, represents a strong material consideration.

It is not considered that the use of uPVC framed tilt and turn windows are an appropriate replacement window for this building. However, a large proportion of uPVC windows have already been installed in these buildings undermining the original fenestration and devaluing the building’s architectural integrity. There are variations between the different blocks in terms of loss of original window design. Block 22 has had all of its original windows replaced by tilt and turn uPVC while Block 13 which is located on the corner of Charlotte Street and East King Street is largely in tact with the majority of flats having 12-pane sash and case windows.

Block 24 and 26 are attached and on the east facing elevation there are 5 no., 12 pane sash and case windows out of a total of 49 windows on this elevation. Thirty-four are uPVC framed. I am therefore of the opinion that the architectural integrity of this building in terms of its window design has been lost and that the cumulative effect is already so great that the impact of the replacement windows would be minimal in terms of it effect on the character and appearance of the building. In addition, the proposed replacement windows are not on the blocks where their principal elevations face onto the main road. The bay window faces onto the rear courtyard where public views are minimal and the gable, while facing onto East King Street, sits further back than Blocks 22 and 28 and is not a principal elevation. On balance, it is my view that proposed window replacements are acceptable in these particular circumstances.

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**(D) CONCLUSION**

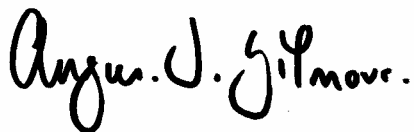
In conclusion, notwithstanding the condition imposed by Historic Scotland, the majority of windows within this Category "B" Listed Building have been replaced with uPVC framed windows and this has resulted in the architectural integrity of this feature being lost. Given the extent of unsympathetic replacements which have already been installed, it is considered that the five additional windows proposed would have a minimal impact in terms of the character and appearance of the building. In addition, the windows on the bay are in a back court location and the gable windows are not a principal elevation. For these reasons it is considered that the proposal would be acceptable and it recommended that Listed Building Consent be approved as a minor departure subject to conditions and statutory referral to Historic Scotland.

**(E) REASONED JUSTIFICATION FOR DEPARTURE**

While the proposal is not consistent with Policy BE10 of the Dumbarton District, District Wide Local Plan as there would be a minimal loss of character incurred, it is not considered sufficient to justify a refusal. This is because 34 uPVC windows out of a total of 49 (excluding landing windows) have already been installed in the front elevation of the block which forms the application site and adjacent adjoining block. The positive contribution that the windows make to the character of the building has already been lost due to the cumulative effect on inappropriate fenestration. In addition, the windows on the bay are in a back court location and the gable windows are not a principal elevation. For these reasons it is considered that the proposal can be justified as a minor departure from Policy BE 10 of the adopted Local Plan.

**(F) PAN 41 HEARING**

As this proposal represents a departure from the Development Plan consideration has to be given to a PAN 41 Hearing. However, as the departure is minor in nature and there have been no objections, a Hearing is not considered necessary in this case.



Angus J Gilmour  
Head of Planning  
25 September 2007

**Author: Sandra Davies 01436 688884**  
**Contact Point: Neil McKay 01546 604172**

**CONDITIONS AND REASONS RELATIVE TO APPLICATION 07/01346/LIB:**

1. Standard.

*Reason: Standard*

2. That prior to any work commencing on site, the exact specification of the replacement uPVC windows to be installed in form of a sample or 1:20 scale drawing, including the dimensions of the transom and exposed frame at the top and sides of the opening and incorporation of a white finish shall be submitted to and approved in writing by the Planning Authority, and thereafter shall be implemented in accordance with the agreed details.

*Reason: In the interest of visual amenity and to ensure that the proposals do not adversely affect the character of the Listed Building.*

**APPENDIX RELATIVE TO APPLICATION 07/01346/LIB:**

**A. POLICY OVERVIEW**

In terms of Section 25 of the Town and Country Planning (Scotland) Act 1997, the following Development Plan Policies are applicable.

**Argyll and Bute Structure Plan**

**STRAT DC9 – HISTORIC ENVIRONMENT AND DEVELOPMENT CONTROL**

Protection, conservation, enhancement and positive management of the historic environment is promoted. Development that damages or undermines the historic, architectural or cultural qualities of the historic environment will be resisted; particularly if it would affect a Scheduled Ancient Monument or its setting, other recognised architectural site of national or regional importance, listed building or its setting, conservation area of historic garden and designed landscape. More detailed policy and proposals for the historic environment will be set out in the Local Plan.

**Dumbarton District, District Wide Local Plan**

**Policy BE10**

The Council will ensure that in relation to any works affecting listed buildings or their setting, special attention is paid to design and the sympathetic choice of materials in order that the building's character and setting is not eroded. Proposals for alterations or extension which unacceptably detract from the character of listed buildings will be resisted. There will be a presumption against the demolition of listed buildings unless it can be demonstrated beyond reasonable doubt that all steps have been taken to find practical means of retention. Prior to listed building consent to demolish being granted, agreements may be sought to ensure that appropriate replacement buildings are certain to be erected.

**Argyll and Bute Modified Finalised Draft Local Plan**

**Policy LP ENV 13(a)**

**Development Impact on Listed Buildings**

Development affecting a listed building or its setting shall preserve the building or its setting, and any features of special architectural or historic interest that it possesses.

All developments that affect listed buildings or their settings must be of a high quality and generally conform to Historic Scotland's Memorandum of Guidance on Listed Buildings and Conservation Areas (1998).

Where development would affect a heritage asset or its setting the developer will be expected to satisfactorily demonstrate that the impact of the development upon that asset has been assessed and that measures will be taken to preserve and enhance the special interest of the asset. Measures to mitigate against impact are likely to include enhanced physical access, interpretation and the provision of an open space or landscaped buffer zone, as appropriate.

## **NPPG 18 Historic Environment**

“42. It is a requirement of planning legislation that applications for planning permission shall be determined in accordance with the plan unless material considerations indicate otherwise. Where a planning proposal affects a listed building or its setting an important material consideration is the desirability of preserving the building, or its setting, or any features of special architectural or historic interest which it possesses. The primary consideration in the determination of applications for listed building consent is however, the statutory requirement to have special regard to the desirability of preserving the building, its setting, and any features of special architectural or historic interest. Development plan policies that relate to listed buildings, along with relevant supplementary guidance, should still be taken into account when determining applications for listed building consent but should not be afforded as much weight as the statutory requirement.

43. Issues generally relevant to the consideration of all applications for listed building consent and applications for planning permission affecting listed buildings include:

- the impact of development proposals upon particular physical features of the building that justify its listed status. Whilst list descriptions are useful in identifying individual buildings, they are not intended as exhaustive lists of features worth preserving
- the building's setting and its contribution to the townscape or landscape, having particular regard to the impact of development upon the views to and from the listed building
- the extent to which the proposed works would bring benefits to the community, in particular by contributing to the economic regeneration of the area or the enhancement of its environment (including other listed buildings)

There should be a presumption against development that adversely affects the character of a listed building or its setting.”

## **Memorandum of Guidance on Listed Buildings and Conservation Areas**

“The appearance and character of any building depends to a great extent upon the design and detailing of two of the building's principal elements, its walls and its windows. Any alteration to the form of one or other is bound to have a considerable impact upon the appearance of the building as a whole. Where the alteration work is not appropriate, much of the quality and character of the building may be lost.”

## **B. OTHER MATERIAL CONSIDERATIONS**

### **(i) Site History**

07/01303/DET – Installation of uPVC replacement windows. No decision to date (also under consideration at this committee)

### **(ii) Consultations**

Historic Scotland (letter dated 24/8/07): As the application is contrary to well established policy and advice we recommend that your authority seeks an improvement on the scheme and refuses the application as it currently stands.

### **(iii) Publicity**

The application was advertised under Regulation 5 Listed Building Consent (closing date 7/9/07)

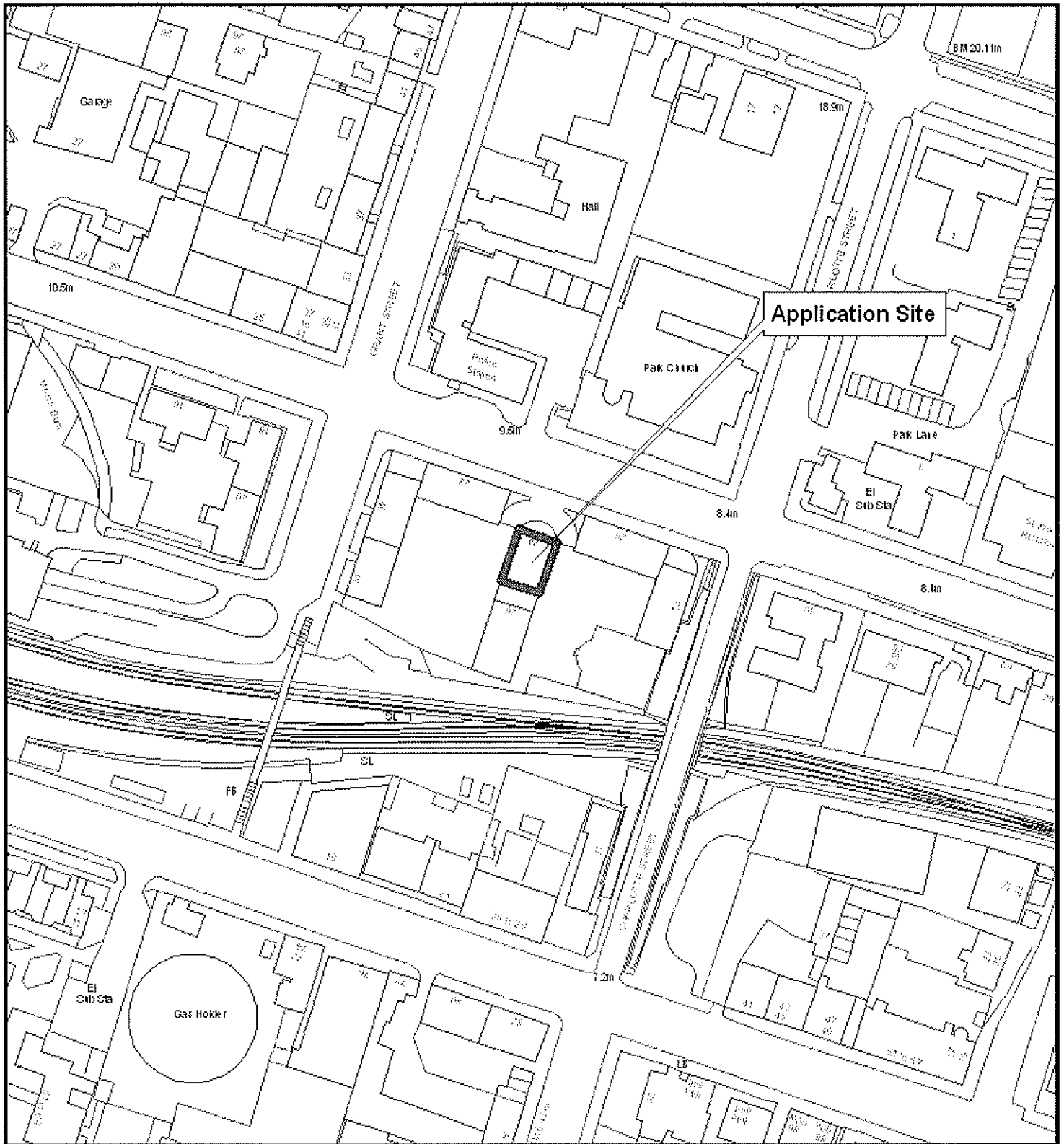
No letters of representation have been received.

**NOTE TO APPLICANT RELATIVE TO APPLICATION 07/01346/LIB**

The dimensions of the proposed replacement windows should replicate those of the uPVC windows in the flat immediately below the application site in order to avoid introducing additional window patterns and proportions which would have a negative impact on the character and appearance of the Listed Building.

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**Committee Location Plan**  
**07/01346/LIB**

**1:1,250**



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**ARGYLL AND BUTE COUNCIL  
COMMUNITY SERVICES  
COMMUNITY REGENERATION**

**HELENSBURGH/LOMOND  
AREA COMMITTEE  
2 October 2007**

**EDUCATION DEVELOPMENT  
GRANT SCHEME 2007/2008**

**1. SUMMARY**

- 1.1** The Helensburgh and Lomond Area Committee has an allocation of £19,150 for financial year 2007-2008 to fund applications for Education Development Grants within the area.

**2. RECOMMENDATIONS**

1. That the Committee notes the balance of £8,618 left and considers the attached applications.

**3. DETAILS**

- 3.1** The main purpose of the Education Development Grant Scheme is to support learning opportunities which promote social inclusion, active citizenship and lifelong learning. Applications for support to provide childcare services in the voluntary sector, although normally considered for assistance by the Childcare Partnership, can also be considered under the Educational Development Grant Scheme.

- 3.2** Applications for the Scheme can, therefore, be considered under the headings of

- Community Education
- Childcare

The specific criteria is outlined in the Assistance to Voluntary Organisations pack.

- 3.3** Appendix 1 outlines the applications received.

For further information please contact Lorna Campbell 01436 670481

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**HELENSBURGH AND LOMOND AREA COMMITTEE**  
**2<sup>nd</sup> OCTOBER 2007**  
**EDUCATION DEVELOPMENT GRANTS 2007/2008**

**Allocation £19,150**

| <b><u>Organisation</u></b>                    | <b><u>Amount<br/>Requested</u></b> | <b><u>Amount<br/>Recommended</u></b> | <b><u>Amount<br/>Granted</u></b> | <b><u>Balance</u></b> |
|---|------------------------------------|--------------------------------------|----------------------------------|-----------------------|
| Helensburgh &<br>Lomond Yth Forum             | £ 3600.00                          | £ 3600.00                            | £ 3600.00                        | £15550.00             |
| Argyll Peninsula<br>Pipe Band                 | £ 932.00                           | £ 932.00                             | £ 932.00                         | £14618.00             |
| 6 <sup>th</sup> & 2 <sup>nd</sup> Guide Units | £ 3050.00                          | £ 1500.00                            | £ 1500.00                        | £13118.00             |
| Gibson Hall                                   | £ 6300.00                          | £ 6300.00                            | £ 4500.00                        | £ 8618.00             |
| Helensburgh Savoy                             | £ 3000.00                          | £ 2000.00                            |                                  |                       |
| Acting Up Youth<br>Theatre & Media<br>Company | £ 1149.90                          | £ 1149.90                            |                                  |                       |

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**ASSISTANCE TO VOLUNTARY ORGANISATIONS****ASSESSMENT FORM for Social Welfare Grants, Education and Leisure Development Grants****1 Details**

|   |                                       |   |                       |
|---|---------------------------------------|---|-----------------------|
| Name of Assessing Officer                                       | Morevain Martin                       |   |                       |
| Have you contacted the organisation to assess this application? | Yes                                   |   |                       |
| Have you checked the Auditor is independent and qualified?      | Yes                                   |   |                       |
| Applicant:  | Helensburgh Savoy                     | Scheme:                                     | Education Development |
| Project Title:  | Production of Calamity Jane           | a) Total cost of project                    | £14,790               |
|   |                                       | b) How much is funded from group resources? | £11,790               |
|   |                                       | c) How much is coming from other agencies   | £-                    |
|   |                                       | d) Grant requested from A & B Council?      | £3,000                |
|   |                                       | Grant Recommended:                          | £2,000                |
| Reason for grant  | To provide a local community facility | Grant awarded last year (2006/07)           | £3,000                |

**2 Financial Check – Have you checked the Organisation is:**

|    |   |                   |
|----|---|-------------------|
| a) | Fully constituted   | Yes               |
| b) | Has submitted a bank statement  | Yes               |
| c) | Has submitted audited/signed accounts   | Yes               |
| d) | <u>Leisure and Education Development Grants</u> : If over £2000 have you sent this grant to finance?  | Yes               |
| e) | <u>Social Welfare Grants</u> : Has the grant been registered with the Lochgilphead Office.  | N/A               |
| f) | If relevant, has the grant passed the financial check?  | Awaiting response |
| g) | Have you checked that the organisation is within 50% of the costs for Social Welfare, Education or Development grants?  | Yes               |
| h) | Have you checked that the Council is meeting its obligations under Best Value in awarding this grant, for example, if the grant is awarded will the work definitely go ahead? | Yes               |

**3 General Criteria**

|   |  |
|---|--|
| Do you concur with the organisation in their assessment of need? Please supply a very brief summary:<br>The organisation has a proven history of delivering this service. The group work in partnership with special needs organisations and have a history of developing the talents within the group into careers (member of last years production entered Drama college and has gained employment) |  |
| Is the activity non-political?  | Yes                                      |
| Is the project consistent with Council priorities?  | Yes                                      |
| Does the project have open membership?  | Yes                                      |
| Have sponsorship agreements been checked?   | N/A                                      |
| How many people overall will benefit from this grant?   | 50+ participating, 2,000 attending       |
| Is the organization well established?   | Yes                                      |
| Have you identified any training needs for the organisations committee or volunteers?   | Yes (training programme being developed) |
| Does the organisation have volunteer training in place?   | Yes                                      |
| Have you confidence in their ability to deliver a service?  | Yes                                      |

#### 4 Policy and Procedures

If the Organisation works with a child/children under 18 or a vulnerable adult/s do they meet the following criteria?

|  |     |
|--|-----|
| a) Clear recruitment policies                        | Yes |
| b) Ongoing training and support for volunteers       | Yes |
| c) A code of conduct for staff and volunteers        | Yes |
| d) A Code of Good Practice                           | Yes |
| e) An Equal Opportunities Policy                     | Yes |
| f) A Policy for Managing Confidential Information    | Yes |
| g) Grievance Procedure for staff and volunteers      | Yes |
| h) A Disciplinary Procedure for staff and volunteers | Yes |

|   |
|---|
| Additional Information  |
| <ul style="list-style-type: none"> <li>The voluntary management committee have a long established history of providing a local community resource in partnership with a variety of other organisations such as Jigsaw.</li> </ul> |

|  |
|--|
| Specific Criteria  |
| <p>* Provision for young people is subsidised therefore contributing towards lifelong learning in its widest context</p> <p>* The Helensburgh Savoy Management Committee is a voluntary organisation thus increasing Community Capacity Building and Active Citizenship both of which are specific council criteria.</p> |
|  |
|  |

Signed: \_\_\_\_\_

Assessment Officer

Date: \_\_\_\_\_

**ASSISTANCE TO VOLUNTARY ORGANISATIONS****ASSESSMENT FORM for Social Welfare Grants, Education and Leisure Development Grants****1 Details**

|   |   |   |                                |
|---|---|---|--------------------------------|
| Name of Assessing Officer                                       |   | Bill Campbell                               |                                |
| Have you contacted the organisation to assess this application? |   |   | <b>yes</b>                     |
| Have you checked the Auditor is independent and qualified?      |   |   | <b>yes</b>                     |
| Applicant:  | 'Acting Up' Drama and Media Project       | Scheme:                                     | <b>Educational Development</b> |
| Project Title:  | <b>Acting Up</b>                          | a) Total cost of project                    | <b>£21,587.90</b>              |
|   |   | b) How much is funded from group resources? |                                |
|   |   | c) How much is coming from other agencies   | <b>£20,438.00</b>              |
|   |   | d) Grant requested from A & B Council?      | <b>£1149.90</b>                |
|   |   | Grant Recommended:                          | <b>£1149.90</b>                |
| Reason for grant  | <b>Contribution towards running costs</b> | Grant awarded last year (2005/06)           | <b>£1964.80</b>                |

**2 Financial Check – Have you checked the Organisation is:**

|    |   |   |                             |
|----|---|---|-----------------------------|
| a) | Fully constituted   | Yes <input checked="" type="checkbox"/>                   | No <input type="checkbox"/> |
| b) | Has submitted a bank statement  | Yes <input checked="" type="checkbox"/>                   | No <input type="checkbox"/> |
| c) | Has submitted audited/signed accounts   | Yes <input checked="" type="checkbox"/>                   | No <input type="checkbox"/> |
| d) | <u>Leisure and Education Development Grants</u> : If over £2000 have you sent this grant to finance?  | Yes <input type="checkbox"/> N/A <input type="checkbox"/> | No <input type="checkbox"/> |
| e) | <u>Social Welfare Grants</u> : Has the grant been registered with the Lochgilphead Office.  | Yes <input type="checkbox"/>                              | No <input type="checkbox"/> |
| f) | If relevant, has the grant passed the financial check?  | Yes <input checked="" type="checkbox"/>                   | No <input type="checkbox"/> |
| g) | Have you checked that the organisation is within 50% of the costs for Social Welfare, Education or Development grants?  | Yes <input checked="" type="checkbox"/>                   | No <input type="checkbox"/> |
| h) | Have you checked that the Council is meeting its obligations under Best Value in awarding this grant, for example, if the grant is awarded will the work definitely go ahead? | Yes <input checked="" type="checkbox"/>                   | No <input type="checkbox"/> |

**3 General Criteria**

|   |  |   |  |
|---|--|---|--|
| Do you concur with the organisation in their assessment of need? Please supply a very brief summary:<br><b>This grant will help the project to deliver its functions over the next two years. The grant is needed for short term funding until other funding comes on stream.</b> |  |   |  |
| Is the activity non-political?  |  | Yes <input checked="" type="checkbox"/>                   | No <input type="checkbox"/>            |
| Is the project consistent with Council priorities?  |  | Yes <input checked="" type="checkbox"/>                   | No <input type="checkbox"/>            |
| Does the project have open membership?  |  | Yes <input checked="" type="checkbox"/>                   | No <input type="checkbox"/>            |
| Have sponsorship agreements been checked?   |  | Yes <input type="checkbox"/> N/A <input type="checkbox"/> | No <input type="checkbox"/>            |
| How many people overall will benefit from this grant?   |  | 50 participants with around 500 audience over a year      |  |
| Is the organization well established?   |  | Yes <input checked="" type="checkbox"/>                   | No <input type="checkbox"/>            |
| Have you identified any training needs for the organisations committee or volunteers?   |  | Yes <input type="checkbox"/>                              | No <input checked="" type="checkbox"/> |
| Does the organisation have volunteer training in place?   |  | Yes <input checked="" type="checkbox"/>                   | No <input type="checkbox"/>            |
| Have you confidence in their ability to deliver a service?  |  | Yes <input checked="" type="checkbox"/>                   | No <input type="checkbox"/>            |

4 Policy and Procedures

If the Organisation works with a child/children under 18 or a vulnerable adult/s do they meet the following criteria?

|  |   |                             |
|--|---|-----------------------------|
| a) Clear recruitment policies                        | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| b) Ongoing training and support for volunteers       | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| c) A code of conduct for staff and volunteers        | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| d) A Code of Good Practice                           | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| e) An Equal Opportunities Policy                     | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| f) A Policy for Managing Confidential Information    | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| g) Grievance Procedure for staff and volunteers      | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| h) A Disciplinary Procedure for staff and volunteers | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |

## Additional Information

- This organisation is now well established and has delivered performances over the past three years.
- The group have already received £9000.00 from the Facilities Fund to augment their equipment.
- The Organisation is awaiting the result of an application to the Young Persons Lottery Fund which will finance them over the next two years.
- The Organisation is planning a performance at the Edinburgh Festival in August 2008.
- The Organisation has worked in the past with other Organisations such as Jigsaw.

## Specific Criteria

**The Organisation meets the following criteria:**

- Promotes Social Inclusion.
- Provides Learning Opportunities.
- Creates confidence and self-esteem in young people.
- Encourages disadvantaged and marginalised young people to participate.

Signed: \_\_\_\_\_

Assessment Officer

Date: \_\_\_\_\_

**ARGYLL AND BUTE COUNCIL  
COMMUNITY SERVICES  
COMMUNITY REGENERATION**

**HELENSBURGH/LOMOND  
AREA COMMITTEE  
2 October 2007**

**LEISURE DEVELOPMENT  
GRANT SCHEME 2007/2008**

**1. SUMMARY**

- 1.1 The Helensburgh and Lomond Area Committee has an allocation of £17,218 for financial year 2007-2008 to fund applications for Leisure Development Grants within the area.

**2. RECOMMENDATIONS**

- 2.1 That the Committee notes the balance of £6865.00 for this financial year.
- 2.2 That the Committee considers the attached application received within the required timescale.

**3. DETAILS**

- 3.1 The main purpose of the Leisure Development Grant Scheme is to grant aid events, sports and arts projects to provide development opportunities which will have a positive impact on community life.
- 3.2 Applications for the Scheme can, therefore, be considered under the headings of
- Leisure Development Activities
  - Events and Arts Projects
  - Sports Projects

The specific criteria is outlined in the Assistance to Voluntary Organisations pack.

- 3.3 Appendix 1 outlines the application received for consideration.

For further information please contact Lorna Campbell 01436 670481

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**HELENSBURGH AND LOMOND AREA COMMITTEE**  
**2<sup>nd</sup> OCTOBER 2007**  
**LEISURE DEVELOPMENT GRANTS 2007/2008**

**Allocation £17,218**

| <b><u>Organisation</u></b>               | <b><u>Amount<br/>Requested</u></b> | <b><u>Amount<br/>Recommended</u></b> | <b><u>Amount<br/>Granted</u></b> | <b><u>Balance</u></b> |
|--|------------------------------------|--------------------------------------|----------------------------------|-----------------------|
| Helensburgh<br>Bicentenary Pipe Band     | £ 3900.00                          | £ 3900.00                            | £ 3900.00                        | £13318.00             |
| Rosneath Peninsula<br>Highland Gathering | £ 3477.00                          | £ 3477.00                            | £ 3477.00<br>(underwritten)      | £ 9841.00             |
| Ardencaple Football<br>Club              | £ 500.00                           | £ 500.00                             | £ 500.00                         | £ 9341.00             |
| Helensburgh<br>Community Council         | £ 280.00                           | £ 280.00                             | £ 280.00                         | £ 9061.00             |
| Gibson Hall                              | £ 1570.00                          | £ 1570.00                            | £ 1570.00                        | £ 7491.00             |
| Cardross Country<br>Dance Club           | £ 626.99                           | £ 626.00                             | £ 626.00                         | £ 6865.00             |
| Helensburgh<br>Dorian Choir              | £ 3300.00                          | £ 2480.00                            |                                  |                       |

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**ASSISTANCE TO VOLUNTARY ORGANISATIONS****ASSESSMENT FORM for Social Welfare Grants, Education and Leisure Development Grants****1 Details**

|   |  |   |                            |
|---|--|---|----------------------------|
| Name of Assessing Officer                                       |  | W. Campbell                                 |                            |
| Have you contacted the organisation to assess this application? |  |   | yes                        |
| Have you checked the Auditor is independent and qualified?      |  |   | yes                        |
| Applicant:  | <b>Helensburgh Dorian Choir</b>                      | Scheme:                                     | <b>Leisure Development</b> |
| Project Title:  | <b>Dorian Choir performances</b>                     | a) Total cost of project                    | <b>£9636.00</b>            |
|   |  | b) How much is funded from group resources? | <b>£5982.00</b>            |
|   |  | c) How much is coming from other agencies   | <b>£354.00</b>             |
|   |  | d) Grant requested from A & B Council?      | <b>£3300.00</b>            |
|   |  | Grant Recommended:                          | <b>£2480.00</b>            |
| Reason for grant  | <b>Help to cover costs of performances 2007/2008</b> | Grant awarded last year (2005/06)           | <b>£2647.00</b>            |

**2 Financial Check – Have you checked the Organisation is:**

|    |   |   |                             |
|----|---|---|-----------------------------|
| a) | Fully constituted   | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| b) | Has submitted a bank statement  | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| c) | Has submitted audited/signed accounts   | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| d) | <u>Leisure and Education Development Grants</u> : If over £2000 have you sent this grant to finance?  | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| e) | <u>Social Welfare Grants</u> : Has the grant been registered with the Lochgilphead Office.  | Yes <input type="checkbox"/>            | No <input type="checkbox"/> |
| f) | If relevant, has the grant passed the financial check?  | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| g) | Have you checked that the organisation is within 50% of the costs for Social Welfare, Education or Development grants?  | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| h) | Have you checked that the Council is meeting its obligations under Best Value in awarding this grant, for example, if the grant is awarded will the work definitely go ahead? | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |

**3 General Criteria**

|  |  |   |  |
|--|--|---|--|
| Do you concur with the organisation in their assessment of need? Please supply a very brief summary:<br>The Dorian Choir provides innovative choral performances. The group would be unable to continue without grant aid. |  |   |  |
| Is the activity non-political?   |  | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/>            |
| Is the project consistent with Council priorities?   |  | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/>            |
| Does the project have open membership?   |  | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/>            |
| Have sponsorship agreements been checked?  |  | Yes N/A                                 | No <input type="checkbox"/>            |
| How many people overall will benefit from this grant?  |  | 650 (estimated audience over year)      |  |
| Is the organization well established?  |  | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/>            |
| Have you identified any training needs for the organisations committee or volunteers?  |  | Yes <input type="checkbox"/>            | No <input checked="" type="checkbox"/> |
| Does the organisation have volunteer training in place?  |  | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/>            |
| Have you confidence in their ability to deliver a service?   |  | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/>            |

4 Policy and Procedures

If the Organisation works with a child/children under 18 or a vulnerable adult/s do they meet the following criteria?

|  |     |                                     |    |                          |
|--|-----|-------------------------------------|----|--------------------------|
| a) Clear recruitment policies                        | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> |
| b) Ongoing training and support for volunteers       | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> |
| c) A code of conduct for staff and volunteers        | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> |
| d) A Code of Good Practice                           | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> |
| e) An Equal Opportunities Policy                     | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> |
| f) A Policy for Managing Confidential Information    | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> |
| g) Grievance Procedure for staff and volunteers      | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> |
| h) A Disciplinary Procedure for staff and volunteers | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> |

| Additional Information   |
|--|
| <ul style="list-style-type: none"> <li>• The grant will be used to hire musicians, buy sheet music and cover hall rentals.</li> <li>• The organisation does not have young people under 18 years.</li> <li>• Most of the grant criteria are covered in the constitution.</li> <li>• The estimated income and expenditure provided shows a shortfall of £2722.00</li> <li>• There was £1242.78 in the account as of 31<sup>st</sup> July 2007. £1000.00 is allowed for an 'Emergency Fund'.</li> <li>• Members are charged an annual subscription of £40.00 (reduction for unwaged).</li> <li>• £242.00 is subtracted from the £2722.00 shortfall.</li> </ul> |

| Specific Criteria   |
|---|
| <ul style="list-style-type: none"> <li>• Enhances quality of life for participants.</li> <li>• Has a positive impact on the community.</li> <li>• The project is Artistically innovative</li> </ul> |

Signed: \_\_\_\_\_

Assessment Officer

Date: \_\_\_\_\_

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**ARGYLL & BUTE COUNCIL**  
**OPERATIONAL SERVICES**

**HELENSBURGH & LOMOND AREA**  
**COMMITTEE**  
**2 OCTOBER 2007**

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**HELENSBURGH PIER CAR PARK – FIREWORKS DISPLAY**

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**1. SUMMARY**

- 1.1** A request has been received from Helensburgh & District Round Table for permission to host the Bonfire in Helensburgh pier car park (behind the swimming baths) and to utilise the main pier for the Fireworks Display.
- 1.2** They intend to section off the car park with the assistance of the police from 5.00 pm on the evening of Friday 2 November 2006 until the end of the display on Saturday 4 November 2006 with the area being cleared on the morning of Sunday 4 November.
- 1.3** They have requested that the Council forego charging for the area being used.

**2. RECOMMENDATIONS**

- 2.1** That the Area Committee approve the request from Helensburgh & District Round Table to host the Bonfire and Fireworks Display in Helensburgh Pier Car Park on Saturday 4 November 2006.
- 2.2** That the Area Committee agree that no charge be made for use of the car park.

**3. BACKGROUND**

**4. IMPLICATIONS**

Policy: None

|                    |   |
|--------------------|---|
| Financial:         | If all charging is suspended, the granting of this request would result in an approx. loss of income of £200 - £300 to the Council. |
| Personnel:         | None  |
| Equal Opportunity: | None  |
| Legal:             | None  |

For further information contact Alan Kerr (01436 658864)

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ARGYLL & BUTE COUNCIL  
OPERATIONAL SERVICES

HELENSBURGH & LOMOND  
AREA COMMITTEE  
2 OCTOBER 2007

---

**TITLE: HELENSBURGH & LOMOND SUPPLUS CAR PARK INCOME**

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**1. SUMMARY**

- 1.1** The purpose of this report is to advise Members of the estimated surplus car park income for 2008/09.

**2. RECOMMENDATIONS**

- 2.1** The Area Committee is asked to note that £5,000 has been allocated to improving the running surface of the pend access and egress to Sinclair Street Car Park and approve that the remaining estimated surplus of £31,000 be allocated as per paragraphs 3.1.1 and 3.1.2.

**3. BACKGROUND**

**3.1 Car Park Income – Approx £ 36,000**

At this time, it is difficult to accurately estimate the surplus income that will be available to the Area Committee in 2007/08 however it is estimated that there is £36,000 available of which £5,000 has been allocated to improve the running surface as detailed above.

It is recommended that the Area Committee allocate surplus income in 2007/8 to the following items :

- 1: Application of a high friction surface to the A814 at Keppoch

**£ 15,000**

- 2: Renewal of worn high friction surfaces at A814 Rhu, A814 Cats Castle etc as funding permits.

**£16,000**

**3.2 Previous Years income**

During 2006/7 there was £18,202 spent on drop kerbs, barrier purchase and line markings in the area. The re-lining was postponed in the pier car park due to the nature of the surface. It is proposed that a proprietary treatment such as is being trialled this year may be considered for the 2008/9 financial year depending on any future development of the car park.

**4. CONCLUSION**

- 4.1** The above monies will enhance the funding vehicular traffic safety projects.

**5. IMPLICATIONS**

- 5.1** Policy – None.
- 5.2** Financial – None.
- 5.3** Personnel – None.
- 5.4** Equal Opportunities – None.
- 5.5** Legal - None

For further information, please contact: Alan Kerr Roads and Amenity Services Area Manager (01436 658865)

10 September 2007