

Public Document Pack

Argyll and Bute Council
Comhairle Earra Ghaidheal agus Bhoid

Corporate Services
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29 August 2007

NOTICE OF MEETING

A meeting of the **MID ARGYLL, KINTYRE & THE ISLANDS AREA COMMITTEE** will be held in the **TOWN HALL, CAMPBELTOWN** on **WEDNESDAY, 5 SEPTEMBER 2007** at **10:30 AM**, which you are requested to attend.

Nigel Stewart
Director of Corporate Services

BUSINESS

1. **APOLOGIES**
2. **DECLARATIONS OF INTEREST**
3. **MINUTES OF MEETING OF 8 AUGUST 2007** (Pages 1 - 10)
4. **PRESENTATION TO MR TOGNERI**
5. **PRESENTATION OF EATSAFE AWARD**
6. **ACHA PRESENTATION**
7. **PLANNING APPLICATIONS** (Pages 11 - 40)
8. **DELEGATED DECISIONS** (Pages 41 - 54)
9. **PUBLIC AND COUNCILLOR QUESTION TIME**
10. **CONSIDERATION OF INITIAL BUSINESSES CASES – TOWN CENTRE AND WATERFRONT REGENERATION** (Pages 55 - 60)
11. **CAPITAL RECEIPTS** (Pages 61 - 64)

12. **UPDATE ON HEADSTONES RE-ERECTION WITHIN MID ARGYLL, KINTYRE AND THE ISLANDS** (Pages 65 - 66)
13. **UPDATE ON PLAY AREAS WITHIN MID ARGYLL, KINTYRE AND THE ISLANDS** (Pages 67 - 80)
14. **LISTING OF BUILDING - BARN REAR OF COTTAGES AT NEWTON ROW, INVERARAY** (Pages 81 - 86)
15. **FREE PERSONAL CARE - VERBAL REPORT**

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:-

- E1 Paragraph 9** Any terms proposed or to be proposed by or to the authority in the course of negotiations for a contract for the acquisition or disposal of property or the supply of goods or services.
- E2 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.

E1 16. CELLAR AT ARKLAND, INVERARAY (Pages 87 - 90)

E1 17. WORKSHOP/STORE AT MACBRAYNES LANE, LOCHGILPHEAD
(REPORT TO FOLLOW)

E2 18. 07/00103/ENFOTH (Pages 91 - 98)

E2 19. 07/00113/ENFOTH (Pages 99 - 108)

E2 20. 07/00207/ENFOTH (Pages 109 - 118)

E2 21. 05/00250/ENFOTH (Pages 119 - 122)

E2 22. 07/00211/ENFOTH (Pages 123 - 126)

MID ARGYLL, KINTYRE & THE ISLANDS AREA COMMITTEE

Councillor Rory Colville Councillor Robin Currie
Councillor Anne Horn Councillor Donald Kelly
Councillor John McAlpine Councillor Douglas Philand

Councillor Alison Hay
Councillor Donald MacMillan (Chair)
Councillor John Semple (Vice-Chair)

Contact: Katie Taylor 01546 604511

**MINUTES of MEETING of MID ARGYLL, KINTYRE & THE ISLANDS AREA COMMITTEE held in
the COUNCIL CHAMBERS, KILMORY
on WEDNESDAY, 8 AUGUST 2007**

Present: Councillor Donald MacMillan (Chair)

Councillor Rory Colville	Councillor Robin Currie
Councillor Alison Hay	Councillor Anne Horn
Councillor Donald Kelly	Councillor John McAlpine
Councillor Dougie Philand	Councillor John Semple

Attending: Shirley MacLeod, Area Corporate Services Manager
Alison Younger, Leadership Support Officer
Katie Taylor, Area Committee Assistant
Donnie McLeod, Area Roads and Amenity Services Manager
Richard Kerr, Development Control Team Leader
Peter Bain, Senior Planning Officer
Neil McKay, Planning Manager
Stuart McGregor, Building Standards Team Leader
Andrew Robertson, Development Officer
Felicity Kelly, Area Community Education Learning and
Regeneration Manager
Hugh Blake, Estates Surveyor
Jenny Carlile, Conservation Design Officer
Chief Inspector Boyter, Strathclyde Police

1. APOLOGIES

There were no apologies for absence.

2. DECLARATIONS OF INTEREST

Councillor Semple declared a non-pecuniary interest in item 18, Social Welfare Grants, Homestart application as his partner is an employee of the group, left the room and took no part in the discussion on this item.

Councillor Horn declared a non-pecuniary interest in item 18, Social Welfare Grants, Homestart application as she is a volunteer with the group, left the room and took no part in the discussion on this item.

3. MINUTES OF MEETING OF 11 JULY 2007

The minutes of the meeting of 11 July 2007 were approved as a correct record.

Arising therefrom the Roads and Amenity Services Manager gave the Committee a brief update on grass cutting for ACHA on areas of ground of which the ownership is being disputed. It was agreed a report regarding this would be circulated round all Members as soon as possible.

4. MINUTES OF MEETING OF 25 JULY 2007

The minutes of the meeting of 25 July 2007 were approved as a correct record.

5. MINUTES OF KINTYRE INITIATIVE WORKING GROUP OF 11 JUNE 2007

The minutes of the Kintyre Initiative Working Group meeting of 11 June 2007 were noted.

6. PUBLIC AND COUNCILLOR QUESTION TIME

Councillor Semple asked the Area Roads and Amenity Services Manager what the roads priorities were for the next 6 months and it was noted that it was mostly road maintenance which would be carried out, along with remedying the slip at Ugadale.

It was agreed that the Area Corporate Services Manager would invite Scotland TranServe to a future meeting to discuss their programme of maintenance.

Councillor Kelly asked why Roads workmen had been removed from the Kintyre Area to work in Mid Argyll. It was noted that this was due to the substantial works being carried out on the trunk road. Sub contractors are also being used but men from Kintyre were required in order to utilise their skills.

Councillor Kelly then stated that some time ago Glenbreackerie came to Committee for disposal and there was a group interested in it but the sale fell through. He asked what the position was now. The Estates Surveyor stated that there were title issues but agreed to raise this with Legal and Protective Services and let the Councillors know the outcome.

Councillor Kelly then stated that at a previous Area Committee he had asked the Fire Service to look at certain addresses in the Sound of Kintyre which he had concerns about regarding the adequacy of pressure of their water supplies from the fire and rescue perspective. He has not yet received a response from John Ironside and it was therefore agreed that the Area Corporate Services Manager would contact the Fire Service regarding this.

Councillor Colville stated that Kilkenzie and Tangy residents have, in co-operation with the Council, been doing some improvements at the council owned car park at Westport. As phase two of these improvements they would like to consider the building of a composting toilet at this site, the idea has been discussed at the Kintyre Initiative meeting on the 11th June and with Andy Law. He then asked, if Kilkenzie and Tangy residents do the fund raising could the Area Committee ask for officer time in helping this group prepare a business case to put to funders. It was agreed that a report from Roads and Amenity Services would be submitted to the next Area Committee addressing this.

Councillor Currie then stated that on a stretch of road outside Bridgend on Islay, 5 cars had gone off the road over a 48 hour period. The Area Roads and Amenity Services Manager stated that he is currently speaking to the police with a view to a high grip surface on that part of the road.

7. KILMORY HOME FARM PRESENTATION

Maisie Kennedy and Chirsty Hamilton from the Kilmory Home Farm Community Project, Colin Hossack from the Forestry Commission, Sarah MacKinnon from the Scottish Building Preservation Trust and Maria Perks from the Architectural Heritage Fund gave a very interesting presentation on Kilmory Home Farm. Jenny Carlile then commended the project to the Committee.

Decision

The Committee thanked the group for their excellent presentation.

8. KILMORY HOME FARM PROPOSALS

The Committee considered a report updating them on investigations into future uses for Kilmory Home Farm. It also outlines a possible way forward which will revitalise the buildings and surrounding area and ensure that the Council sets a good example and disposes of this heritage asset in the most appropriate manner.

Decision

The Committee agreed:-

1. that Strathclyde Building Preservation Trust ("SBPT") should develop a detailed option appraisal, building on the contents of the earlier study.
2. that a further Report is submitted to the Committee with the completed options appraisal and officers' recommendation thereon
3. that the further Report is to detail any requirements as to the transfer of land and buildings to SBPT or such other body as may be specified in the Report
4. that provided Members are satisfied as to the recommendations in relation to the option appraisal and the proposed property transfer arrangements, the Committee will recommend to the Council Executive that the property is transferred in accordance with said arrangements, subject always to obtaining any Scottish Executive consent which may be required.

(Reference: Report by Development Officer dated August 200, submitted).

9. DELEGATED DECISIONS

The Committee noted the decisions issued by the Head of Planning dated 23 July 2007.

10. PLANNING APPLICATIONS

07/00336/DET

Mr. Seamus Kelly. Detailed. Erection of one dwellinghouse and installation of septic tank. Land South West of Kildonald Cottage, Ballochgair, Peninver.

Decision

The Committee agreed that that planning permission be granted subject to:

- i) the standard time limit condition and reason;
- ii) the conditions and reasons outlined in the report.

(Reference – Report by Head of Planning dated 19 July 2007, submitted).

07/00389/DET

Mr Alen Oman. Detailed. Excavation of inert material, regrading and reclamation of land. Land East of Pier House, Carradale.

Decision

The Committee agreed that retrospective planning permission be granted subject to the conditions outlined in the report.

(Reference – Report by Head of Planning dated 20 July 2007, submitted).

11. PROPOSED LISTING OF BUILDING AS BEING OF SPECIAL ARCHITECTURAL OR HISTORIC INTEREST, BARN REAR OF COTTAGES AT NEWTON ROW, INVERARAY

At the last Area Committee, Members agreed to a proposal by Historic Scotland to de-list Barn Brae Garage, a much altered structure currently occupied as a vehicle repair workshop. It was noted at that time, that there was a second unused and dilapidated barn within the grounds associated with this building, which has hitherto been afforded protection by virtue of being a curtilage structure associated with the listed building. In de-listing the principal building, Historic Scotland have been considering separately whether they ought to list this building in its own right, as despite its dilapidation, it appears a more interesting structure historically than the building they intended for de-listing. They are now notifying the Council formally they are of the opinion the structure merits listing category C(S) and are seeking the Council's view about this before reaching a final decision.

Decision

The Committee agreed to continue this item to the next Area Committee to enable the Conservation Officer to come along and provide further information on this building.

(Reference – Report by Head of Planning dated 27 July 2007, submitted).

12. BUILDING STANDARDS PERFORMANCE MONITORING AND SERVICE PLAN PROGRESS

The Committee considered a report outlining Building Standards performance with respect to processing building warrant and completion certificate applications/submissions for the financial year 2006/7 in accordance with the performance indicators previously produced by Audit Scotland.

Decision

The Committee –

1. Congratulated the team on their performance
2. Noted the contents of the report, and
3. Noted progress on service plan commitments and stakeholder consultations

(Reference – Report by Head of Planning dated 18 July 2007, submitted).

13. DEVELOPMENT MANAGEMENT PERFORMANCE

The Committee considered a report outlining the Planning Services Development Management performance with respect to planning applications, reporting progress on key Service Plan targets and providing the results on the exit questionnaires.

Decision

The Committee agreed to–

1. Note the contents of the report
2. Agree a Council wide target of 69% for processing all applications within two months for the period 2007/8
3. Continue to adopt the Scottish Executive target of processing 90% of householder applications within two months
4. By agreeing an overall target of 69% with 90% of householder applications being dealt within two months this would require around 60% of non-householder applications to be dealt with, within a two month period.
5. Agree the decentralised target specified below:
 - Mid Argyll, Kintyre and the Islands 66% No change; but would require a 1% improvement in performance.
6. Endorse the principal of the proposed change in the “Blue Report” consultation process detailed in paragraph 3.10 (subject to the final detail being agreed in consultation with the Council Leader, Development Services Spokesman and Area Chairmen).
7. Particularly note the potential savings in terms of finance, paper and staff resources if the use of “Post Offices” is stopped with regard to depositing plans (subject to the production of a detailed review of the cost and savings for Members consideration) and agree that a report regarding this will go to a meeting of the full Council.

(Reference – Report by Head of Planning dated August 2007, submitted).

14. IMPLICATIONS OF NEW LEGISLATION AND ASSOCIATED SCOTTISH EXECUTIVE ADVICE ON LOCAL AUTHORITY INTEREST DEVELOPMENTS

The Committee considered a report detailing the implications of new legislation and associated Scottish Executive advice on Local Authority interest developments.

Decision

The Committee noted the contents of the report and the notification direction and associated advice.

(Reference – Report by Head of Planning dated August 2007, submitted).

15. CAPITAL RECEIPTS

Advice has been received from the Head of Strategic Finance that arising from the disposal of assets a sum of £ 28,934.51 is now available to the Mid Argyll, Kintyre and Islay Area Committee for allocation against projects which meet the capital criteria.

Decision

The Committee agreed to continue this to the next meeting of the Area Committee to allow Ward members to discuss possible projects.

(Reference – Report by Area Corporate Services Manager dated 20 July 2007, submitted).

16. A STRATEGY FOR PROVISION OF PLAY AREAS MANAGED BY ARGYLL AND BUTE COUNCIL

The Committee considered a report requesting them to set guidance to clarify the strategy for the provision of play areas managed by Argyll and Bute Council.

Decision

The Committee agreed to continue consideration of this item to the next Area Committee to allow an updated report to be submitted.

(Reference – Extract of minutes of Strategic Policy Committee of 19 April 2007 and Report by Director of Operational Services dated 19 April 2007, submitted).

17. ROAD RESTRICTIONS ON B842

The Committee considered a report advising them of the situation at High Ugadale on the B842 and the timescale for the works and likely costs.

Decision

The Committee agreed to note the contents of the report.

(Reference – Report by Head of Roads and Amenity Services dated 8 August 2007, tabled).

18. SOCIAL WELFARE GRANTS

The Committee considered the allocation of the Social Welfare Grants.

Decision

The Committee agreed the grants as follows, on the usual terms and conditions

–

	ORGANISATION	TOTAL PROJECT COST	TOTAL REQUESTED	TOTAL GRANTED
1	Homestart	£3,500	£1,500	£1,500
2	Kintyre Six Circle Group (already granted)	£7,000	£1,450	£1,450
3	KADAS	£9,467	£4,733	£1,500
4	Springbank Evangelical Church	£7,700	£1,200	£1,200
5	South Kintyre Senior Citizens Forum	£2,350	£1,000	£1,000
6	IDEAS	£1,500	£700	£600
7	Relate	£4,166	£3,966	£1,500
8	Mid Argyll Link Club	£8,935	£3,800	£1,500
9	Mid Argyll Friends of Arms	£4,368	£3,584	£1,000
	TOTAL			£11,250

(Report by Acting Service Manager – Community Care dated August 2007, submitted).

19. FREE PERSONAL CARE - VERBAL REPORT

This item was continued to the next meeting of the Area Committee.

The Committee adjourned for lunch and reconvened at 1.45pm.

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 it was likely to involve the disclosure of exempt information as defined in Paragraph 9 and 13 of Part 1 of Schedule 7A to the Local Government (Scotland) Act 1973.

20. LAND AT LIMECRAIGS, CAMPBELTOWN

The Committee considered a report advising the of an offer received for a strip of land forming part of the Woodlands Centre, Campbeltown,

Decision

The Committee agreed to instruct the Director of Corporate Services to accept the offer detailed in the report.

(Reference – Report by Director of Corporate Services dated 20 July 2007, submitted).

21. FORMER ROADS DEPOT, TARBERT

The Committee considered a report advising them of the outcome of a recent marketing campaign in respect of the former Roads Depot, Tarbert.

Decision

The Committee agreed to re-advertise the depot asking applicants to specify potential usage of the site.

(Reference – Report by Director of Corporate Services dated August 2007, submitted).

22. FORMER HOUSING OFFICE, TARBERT

The Committee considered a report advising them of the outcome of a recent marketing campaign in respect of the former Housing Office, School Road, Tarbert.

Decision

The Committee agreed to authorise the Head of Legal and Protective Services to conclude a lease of the subject property to Mr J R Dixon, Barfad Farm Office, School Road, Tarbert in the terms of his offer.

(Reference – Report by Director of Corporate Services dated August 2007, submitted).

23. 06/00096/ENFOTH

Decision

The Committee agreed to take action as specified in section (B), (C) and (D) of the report.

(Reference – Report by Head of Planning dated 24 July 2007, submitted).

24. 07/00028/ENFOTH

Decision

The Committee agreed to take action as specified in section (B), (C) and (D) of the report.

(Reference – Report by Head of Planning dated 24 July 2007, submitted).

25. ENFORCEMENT UPDATE REPORT

The Committee considered a report detailing progress (in summary form) for every outstanding enforcement investigation, including received or closed investigations during the period January to March 2007, together with older outstanding cases.

Decision

The Committee noted the contents of the report.

(Reference – Report by Head of Planning dated August 2007, submitted).

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TOWN AND COUNTRY PLANNING

APPLICATION TO BE CONSIDERED BY THE MID ARGYLL, KINTYRE & THE ISLANDS
AREA COMMITTEE AT THEIR MEETING ON 5 SEPTEMBER 2007

1. **07/00840/COU** Mr. Howard Patrick Spicer. Change of Use. Change of use of dwelling house to guest house (retrospective). Rudha Na Craige, Inveraray.

Recommendation

It is recommended that the application be refused for the reason set out in the report by Head of Planning dated 15 August 2007.

2. **07/01032/DET** Kintyre Hotel Group Limited. Detailed. Partial demolition of Ugadale Hotel; demolition of The Beachcomber Restaurant and redevelopment of the site to provide a refurbishment of, and extension to, Ugadale Hotel plus 30 holiday cottages. Ugadale Arms Hotel / Beachcomber Restaurant, Machrihanish by Campbeltown.

Recommendation

It is recommended that planning permission be granted subject to:

- i) the standard time limit condition and reason;
- ii) the conditions and reasons set out in the report by Head of Planning dated 21 August 2007 ;
- iii) a discretionary local hearing being held in view of the number of third party representations received.

3. **07/01149/DET** Ms. Angela Clements. Detailed. Change of use of the land for the siting of a static caravan. Corranbeg Steading, Ardfern.

Recommendation

It is recommended that retrospective planning permission be refused for the reasons set out in the report by Head of Planning dated 15 August 2007.

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DEVELOPMENT SERVICES
PLANNING APPLICATION REPORT
MID ARGYLL, KINTYRE AND THE ISLANDS

Ward Councillors: Hay, Philand and McMillan
Date of Validity: 9th May 2007
Committee Date: 5th September 2007

Reference Number: 07/00840/COU
Applicant: Mr. Howard Patrick Spicer
Application Type: Change of Use
Application Description: Change of Use Of dwelling house to guest house (retrospective)
Location: Rudha Na Craige, Inveraray

(A) THE APPLICATION

(i) Development Requiring Planning Permission:

- Use of dwelling house (Class 9) as a 6 bedroom guest house (Class 6) with separate owner's accommodation (retrospective)

(ii) Other Aspects of the Development:

- none
-

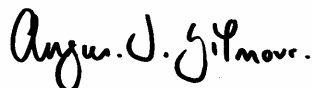
(B) RECOMMENDATION

It is recommended that the application be refused for the reason set out on the following page.

(C) DETERMINING ISSUES AND MATERIAL CONSIDERATIONS

This is a retrospective application for the use of a dwelling as a guest house. The sole issue concerns the acceptability of the existing access from the A83(T) to serve this more intensive use. The Trunk Roads Authority recommends that the application be refused as visibility at the access point is restricted by a bend in the road to 2.5m by 62.0m, whereas standards require that 2.5m by 90.0m should be achievable in both directions. Their view on the acceptability of the proposal would change if the applicant were prepared to relocate the access away from the bend at the other end of the site frontage. The applicant is unwilling to consider this in the first instance due to level differences which would make this an expensive proposition.

As that the proposal constitutes a material intensification in the use of a sub-standard trunk road access, and the applicant is not willing to undertake the works necessary to remedy this, the proposal is contrary to Policy TRAN 4 of the draft local plan.



Angus J Gilmour
Head of Planning
15.08.2007

Author: Derek Hay tel. 01546 604083
Contact: Richard Kerr tel. 01546 604080

REASON FOR REFUSAL RELATIVE TO APPLICATION: 07/00840/COU

1. The existing access serving this dwelling is substandard, with deficient visibility of 2.5m by 62.0m in one direction, whereas standards require that 2.5m by 90.0m should be achievable in both directions. The existing access point is incapable of improvement to meet this standard and its intensification of use in connection with the commercial use of the property would result in an increased the number of vehicles entering and leaving (accelerating, turning and decelerating within) the traffic stream at a point where visibility severely is restricted, thus creating interference with the safety and free flow of traffic on the trunk road. The development would therefore be detrimental to road safety contrary to Policy LP TRAN 4 of the 'Argyll and Bute Local Plan' (Modified Finalised Draft) 2006, which seeks to resist the additional use of sub-standard accesses other than in cases where improvements commensurate with the scale of development are achievable, which is not possible in the absence of the applicant's willingness to reposition the access at a point where acceptable visibility could be attained.

APPENDIX RELATIVE TO APPLICATION : 07/00840/COU

(A) POLICY OVERVIEW

'Argyll and Bute Local Plan' (Modified Finalised Draft) 2006:

Policy LP TRAN 4 (D)

Where an existing private access regime (i.e. private road or access) is considered to be of such a poor standard as to be unsuitable for additional vehicular traffic and is not capable of commensurate improvements the proposals will be resisted by the Planning Authority.

This policy has not been contested as part of the local plan public consultation process and may therefore be accorded significant weight in the determination of the application.

(B) OTHER MATERIAL CONSIDERATIONS

(i) Site History

None

(ii) Consultations

- Transport Scotland (letter dated 01.06.07) : Planning permission should be refused for the on the grounds of the use of a sub-standard access which is incapable of improvement, the intensified use of which would be detrimental to trunk road safety.
- Environmental Health Manager (report dated 17.05.07) : no objections
- Senior Building Standards Officer (reports dated 01.05.07 & 15.08.07) : Building Warrant for the upgrading works to this property for the guest house use now approved.

(iii) Publicity

The application has been advertised under the provisions of Section 34. The period for representations expired on 08.06.07.

No letters of representation have been received.

(iv) Assessment

The property is a large stone detached dwelling of character standing in large grounds, and accessed directly off the A83(T) trunk road at the southern end of the town. The existing and only access serving the property has sub-standard visibility to the north caused by the bend in the road.

The property presently comprises 3 rooms on the ground floor in addition to kitchen, utility, lobby, hall and wc's, and 5 bedrooms on the upper first floor incorporating en-suites, one of which also incorporates sufficient additional neighbouring rooms to facilitate a owner's/manager's self-contained flat (although without the benefit of any such permission), and on the upper second floor there are 2 further bedrooms plus separate bathroom facilities, together with a room within the small tower above.

In the absence of any previous planning permission the authorised use of the building remains a dwelling with a maximum of two rooms being capable of being let for bed and breakfast use, as permitted by the Town and Country Planning (Use Classes)(Scotland) Order 1997.

The property has been recently acquired by the applicant under the misapprehension that it was

an authorised guest house and he has used it in that manner since purchasing it. This proposal consequently seeks retrospective authority for the change of use of the property from its authorised use as a dwelling into a 6 bedroom guest house with separate owner's accommodation. Although it appears that the property has been occupied as a guest house without planning permission prior to the applicant acquiring it, there is no suggestion that such unauthorised use has been carried on for more than ten years, and therefore immunity obtained by virtue of the passage of time. The applicant is therefore applying to regularise the current position.

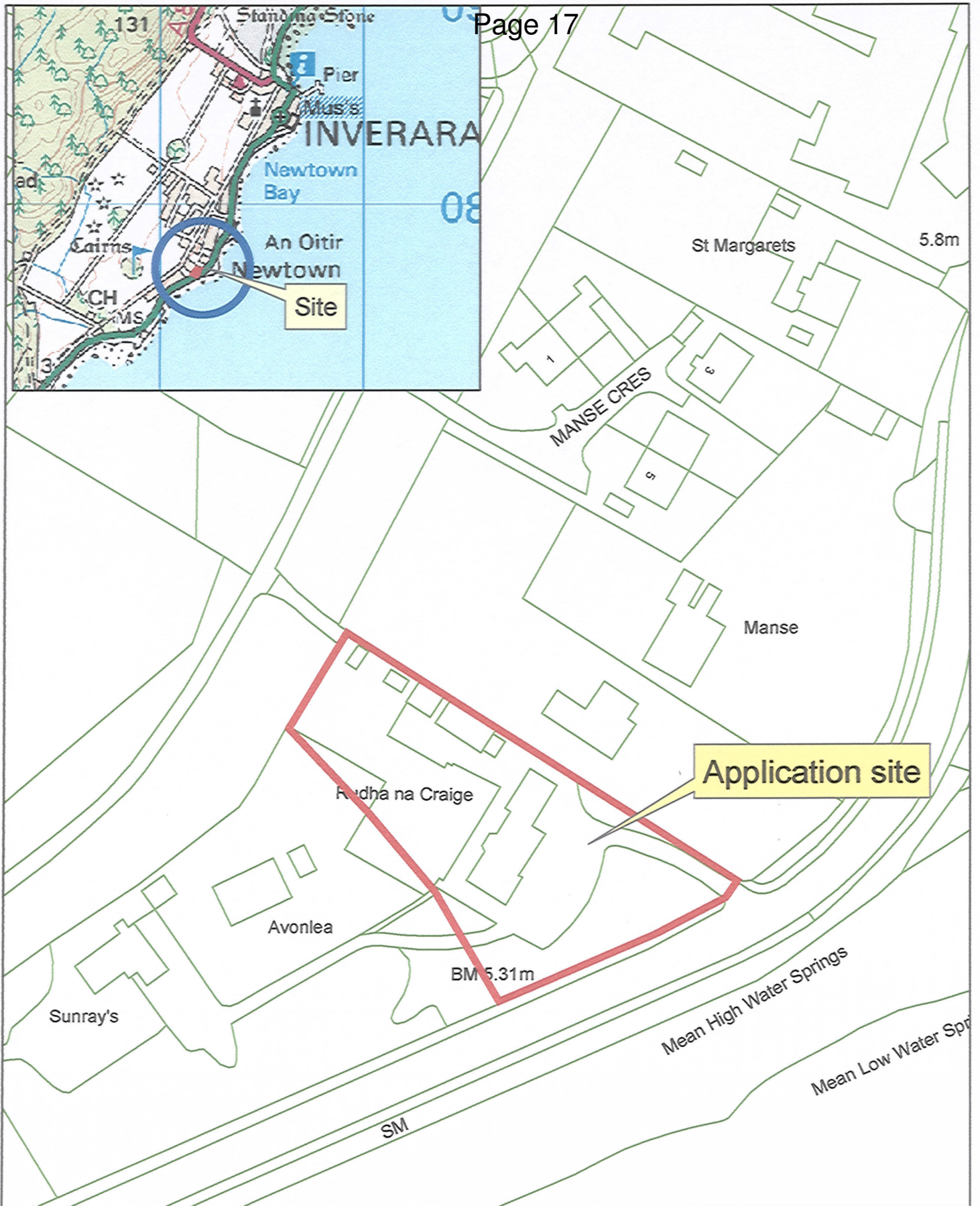
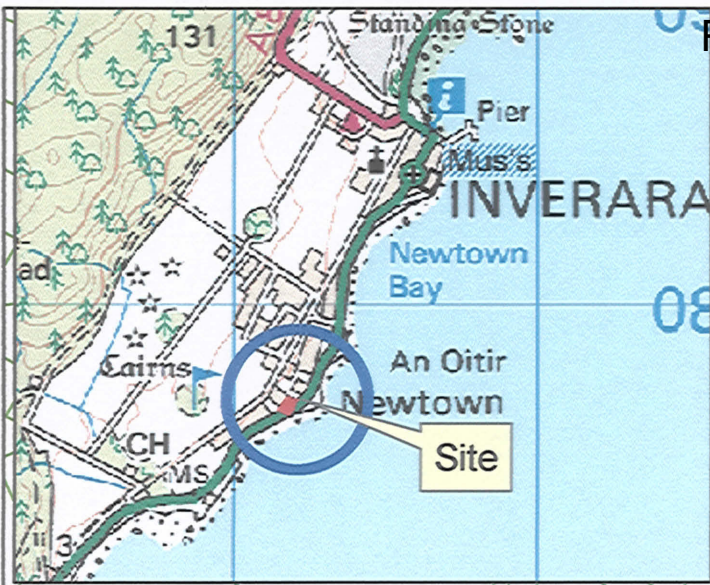
There are no privacy or amenity implications for the new use, and the property has ample garden and car parking space for the use.

The substandard access is caused by the restricted visibility to the north, limited to about 62 metres because of the bend in the trunk road, and this is a major issue. Transport Scotland require the application to be refused because of the increased level of traffic movements associated with the use of the building as a guest house rather than a dwelling.

The applicant has pointed out that the access in question was originally a shared access serving the application property plus two further dwellings. Approximately two years ago, the previous owner of the property secured the legal closure of historic rights of vehicular access across the property from the junction with the trunk road to the two neighbouring dwellings to the south; as the occupiers of these properties were agreeable to securing alternative means of vehicular access from The Avenue at the rear. A fence, in addition to the legal closure, now separates the property from these two dwellings. Transport Scotland are of the view that this is irrelevant as the cessation of the access to serve the other properties occurred before this application was submitted, with the property still a dwelling in planning terms. In effect, although there has been a previous road safety improvement as a consequence of the number of dwelling using the access point being reduced from three to one, this benefit is now being compromised by virtue of the use of that dwelling for a purpose attracting additional traffic movements to and from the site.

Transport Scotland have indicated that they would be supportive of the application, if the applicant was prepared to form a new access from the trunk road through a break in the garden wall some 40 metres to the south, sufficient to be able to approximately attain the normal 90m visibility splay requirement, and linked to a closing-off of the existing access. The applicant has stated is not prepared to incorporate these works into his application in view of the ground works required and the cost involved (the ground is marginally higher above the trunk road at the alternative location suggested by Transport Scotland).

In the first instance the applicant wishes his application to be determined as it stands, in the knowledge that he would exercise his right of appeal in the event of a refusal of permission.



Location plan relevant to Application Ref. No. 07/00840/COU

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Date 16.08.07

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DEVELOPMENT SERVICES
PLANNING APPLICATION REPORT
MID ARGYLL, KINTYRE AND THE ISLANDS

Local Members - Colville, Kelly & Semple.
Date of Validity - 08.06.07
Committee Date - 05.09.07

Reference Number: 07/01032/DET
Applicants Name: Kintyre Hotel Group Limited
Application Type: Detailed
Application Description: Partial demolition of Ugadale Hotel; demolition of The Beachcomber Restaurant and redevelopment of the site to provide a refurbishment of, and extension to, Ugadale Hotel plus 30 holiday cottages.
Location: Ugadale Arms Hotel / Beachcomber Restaurant, Machrihanish by Campbeltown.

(A) THE APPLICATION

(i) Development Requiring Express Planning Permission:

- The erection of two small extensions to existing hotel;
- The erection of 30 holiday cottages;
- The formation of two new accesses; one onto a classified road and the other on to a non-classified road;

(ii) Other Aspects of the Proposal:

- Partial demolition of the Ugadale Arms Hotel;
 - Total demolition of The Beachcomber restaurant;
 - Connection to the existing public water supply;
 - Connection to the existing public sewer.
-

(B) RECOMMENDATION

It is recommended that planning permission be granted subject to:

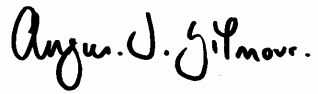
- i) the standard time limit condition and reason;
- ii) the conditions and reasons attached;
- iii) a discretionary local hearing being held in view of the number of third party representations received.

(C) DETERMINING ISSUES AND MATERIAL CONSIDERATIONS

This application is for the partial demolition of the existing Ugadale Arms Hotel and the renovation of the remaining building plus two very minor extensions, in order to bring the building back into use as a hotel with restaurant and bar. It is also proposed to demolish an existing detached building, the Beachcomber Restaurant and to redevelop the resulting site area with a new development of 30 holiday cottages in an arrangement terraced blocks with separate ground and first floor units of accommodation. The entire development of this site is linked with the new Machrihanish Golf Course and it is envisaged that the refurbished hotel and the holiday cottages will be used primarily by visiting golfers and other holidaymakers, and it may therefore be regarded as a 'golf village' development.

There are no objections to the proposal from consultees. Objections to the development have been raised in nine separate letters, one of which is endorsed by 7 further signatories. The proposal has also attracted six letters of support. The principal issues raised by objectors revolve around the loss of the Beachcomber restaurant and bar, the suitability and safety of the new access proposals, the

loss of light and privacy to occupiers of existing adjacent dwellings and the impact of the proposed development upon the general character and appearance of this part of Machrihanish.



Angus J Gilmour
Head of Planning
21st August 2007

Author: Tim Williams (01546) 604084
Contact Officer: Richard Kerr (01546) 604080

CONDITIONS AND REASONS RELATIVE TO APPLICATION 07/01032/DET

2. Prior to the commencement of any other aspect of the development, the access and egress points to the site shall be formed in accordance with the layout shown on drawing KH/02 Rev A, including the provision of the service bay, with access to the site being restricted to the easternmost access point and egress restricted to the westernmost access point, and with signage being displayed to indicate the 'one way' operation of these access points in accordance with details to be submitted to and approved in writing in advance by the Council as Planning Authority in consultation with the Area Roads Engineer.

Reason: In the interests of road safety.

3. At the time access works are implemented pursuant to the requirements of condition 2, visibility splays of 2.0 by 70.0 metres shall be formed in either direction at the westernmost access point (i.e. the egress point) from the site. No obstructions in excess of 1.0 metres in height shall be permitted within these visibility splays thereafter.

Reason: In the interests of road safety.

4. No vehicular access shall be taken between the site and the access point serving the adjacent public toilet block. Prior to the construction of any of the new units of accommodation (Nos. 1 to 30 inclusive), the demountable bollards indicated on drawing KH/02 Rev A shall be erected in the position shown and these shall be retained in situ thereafter, other than in the event of the need for access for emergency purposes.

Reason: In the interests of road safety.

5. Prior to the first occupation of any of the new units of accommodation (Nos. 1 to 30 inclusive), the car parking spaces to serve the development shall be constructed, marked out and made available for use. For the avoidance of doubt, this shall include the parking area to the rear of the hotel, the parking area to the rear of Unit Nos. 27 - 30, and the 'grasscrete' overflow parking area to the rear of Unit Nos. 15 - 18. A minimum of two of these spaces shall be marked out for exclusive use by disabled persons. These areas shall be retained thereafter for the purposes of parking to serve the development.

Reason: In the interests of road safety.

6. The accommodation units hereby permitted (Nos. 1 to 30 inclusive), shall be used for short-term letting purposes only. No unit shall be occupied as a main residence, nor shall it be occupied by any individual family or group for more than three months in any calendar year, unless otherwise agreed in advance in writing by the Council as Planning Authority.

Reason: To ensure that the accommodation is used solely for its intended purpose, having regard to the layout of the property which does not meet normal standards for permanent dwellings.

7. The buildings hereby approved shall be constructed entirely in accordance with the finished floor levels stated on drawing No. KH/02 Rev. A, (received 15.08.07).

Reason: in order to secure an appropriate relationship with adjoining property in the interests of visual amenity.

8. The accommodation units hereby permitted (Nos. 1 to 30 inclusive) shall be constructed in natural stone with natural slate roofs. Prior to development commencing samples and/or full details of the stone and slate to be used shall be submitted for the written approval of the Council as Planning Authority. The development shall be completed in accordance with the duly approved details.

Reason: In order to secure an appropriate appearance in the interest of visual amenity.

9. Following the refurbishment and alteration of the hotel building pursuant to this permission, it shall be finished externally in a colour a sample of which shall be agreed in writing in advance by the Council as Planning Authority. Notwithstanding the provisions of Class 9 of Schedule 1 to the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended), or any equivalent provisions following the revocation and re-enactment thereof, with or without modifications, the building shall be retained in the duly approved colour thereafter, unless any alternative is subsequently agreed in writing by the Council as Planning Authority.

Reason: In order to secure an appropriate appearance in the interest of visual amenity.

10. Following the refurbishment and alteration of the hotel building pursuant to this permission and before any external plant/machinery or any plant/machinery associated with the plant room(s) and kitchen areas is first brought into use, these shall be enclosed with sound insulating material and mounted in such a way which will minimise the transmission of structure borne sound in accordance with a scheme to be agreed in writing in advance by the Council as Planning Authority.

Reason: In order to prevent noise and disturbance to nearby property in the interests of residential amenity.

11. Following the refurbishment and alteration of the hotel building pursuant to this permission, and prior to the kitchen being brought back into use, a scheme for the effective control of odours from the premises shall be submitted to and be approved in writing by the Council as Planning Authority. The duly approved scheme shall be implemented in full prior to the re-opening of the hotel for business following the completion of the refurbishment works.

Reason: In order to prevent nuisance to nearby property in the interests of residential amenity.

12. Prior to development commencing, details of any external lighting to be used within the site shall be submitted in writing to the Council as Planning Authority. Such details shall include full details of the location, type, angle of direction and wattage of each light which shall be so positioned to prevent glare or light spillage outside the site boundary.

Reason: In order to prevent nuisance to nearby property in the interests of residential amenity.

13. Prior to the first occupation of any of the new units of accommodation (Nos. 1 to 30 inclusive), a scheme for the landscaping of the site indicating surface treatments and areas of planting shall be submitted to and be approved in writing by the Council as Planning Authority. This scheme should include details of numbers, species, sizes and planting distances of trees and shrubs and areas to be seeded. The duly approved scheme shall be implemented in the first planting season following the first occupation of the units. Any trees or shrubs which die, become seriously diseased or are removed within ten year of being planted shall be replaced with equivalent size and species to those originally required to be planted.

Reason: In order to secure appropriate landscaping of the site in the interests of visual amenity.

14. Prior to any development commencing on site, the Applicant / Developer shall submit a Development Impact Assessment (DIA) directly to Scottish Water in order that the impact of the proposed development on the existing water infrastructure can be properly assessed. Prior to the commencement of any works, the Applicant / Developer shall provide written evidence to the Local Planning Authority that Scottish Water are satisfied that the terms of the DIA have been met.

Reason: In order to ensure that the proposed development can be accommodated with regard to the existing water supply infrastructure.

Notes to applicant

1. Formation of the access to the site will require a Road Opening Permit under the Roads (Scotland) Act 1984. Contact 01546 604655.
2. Please have regard to the attached consultation response from the Council's Rights of Way Officer.
3. The Applicant's attention is drawn to the attached consultation reply made by Scottish Water in respect of the proposed development, in particular the requirements of Condition 14 above.

APPENDIX RELATIVE TO APPLICATION 07/01032/DET

A. POLICY OVERVIEW

'Kintyre Local Plan' 1985 & First Review 1988

Policy STRAT 2A – establishes a presumption that local development requirements shall be located in the rural settlements listed in the Plan (including the settlement of Machrihanish).

Policy RUR 1 - states that the Council will seek to maintain and, where possible, enhance the landscape quality of areas of local landscape significance and that prominent or sporadic developments which would have an adverse environmental impact will be resisted.

Policy RUR 2 – states that proposals for development within or affecting Regional Scenic Coasts (and other areas) will require to be justified against a set of criteria: environmental impact; locational/operational need (where applicable); economic benefit (where applicable) and infrastructure and servicing implications.

Policy HO 6A – encourages the development of small redevelopment and infill sites, including 'rounding-off' for housing in Campbeltown, Tarbert and the following rural settlements (including Machrihanish).

Policy TOUR 2 – encourages the development of tourism and recreational facilities, including self-catering accommodation, which relate to specific physical resources and recreational opportunities, provided that they do not conflict with a set of criteria including (as relevant to the current proposal) the landscape quality of Regional Scenic Coasts and heritage conservation.

Policy TOUR 4 – encourages the improved maintenance and upgrading of holiday accommodation in Kintyre, generally in preference to new development.

'Argyll and Bute Structure Plan' 2002

STRAT DC 1 – within small towns and villages (including Machrihanish), development of up to 'medium' scale, and exceptionally 'large' scale, is supported provided that it does not give rise to excessively high settlement density.

'Argyll & Bute Local Plan' (Modified Finalised Draft), June 2006

Policy ENV 1 – seeks to establish criteria for assessing the impact of development proposals within all development control zones.

The relevant parts of this policy are not the subject of any objections/representations and can therefore be afforded significant weight.

Policy ENV 10 – seeks to resist developments in 'Areas of Panoramic Quality' if they would have a significant adverse impact on the character of the landscape.

This proposed policy is the subject of current objection/representation and, as such, can be afforded very little weight.

Policy ENV 19 – requires the production and execution of a high standard of appropriate design in accordance with the design principles set out in Appendix A.

The relevant parts of this policy are not the subject of any objections/representations and can therefore be afforded significant weight.

Policy TOUR 1 – sets out a presumption in favour of new or improved tourist facilities and accommodation provided there are no material conflicts with a set of criteria; including that such developments are of a scale and form consistent with Structure Plan settlement strategy policy STRAT DC1; that they respect the townscape character and amenity of the surrounding area; that they are reasonably accessible by public transport where available; that they are well related to existing settlements and avoid dispersed patterns of development. 'Medium' scale tourist development is defined as up to 60 letting units and single buildings of up to 600m².

The relevant parts of this policy are not the subject of any objections/representations and can therefore be afforded significant weight.

B. OTHER MATERIAL CONSIDERATIONS

(i) Site History

None.

(ii) Consultations

Development Plans – no objections in policy terms as the redevelopment involves land and buildings within the settlement boundary. The proposals represent significant investment allied to the development of golf-related tourism in south Kintyre and are to be welcomed. (28.06.07).

Area Roads Engineer – No objection subject to access and parking conditions (21.08.07)

Environmental Services – No objection subject to conditions to control levels of noise, fumes and odours from the refurbished hotel building together with details of any external lighting. (29.06.07)

Scottish Natural Heritage – No objection (06.08.07)

NATS – No objection (18.06.07)

HIAL – No objection (20.06.07)

West of Scotland Archaeology – No objection (20.06.07)

Access Project Manager – Seeks protection for existing footpaths crossing the site (26.07.07)

Scottish Water – No objection in principle but requires the submission and approval of a Development Impact Assessment prior to works commencing on site.

(iii) Publicity

This application has been advertised under Article 9 as being adjacent to 'vacant land'. The period allowed for representation expired on 6th July 2007.

Nine letters of objection have been received in connection with this application, including a small petition of 7 names at 6 different addresses.

The letters of objection are from: K & R.A. Bellamy, Pans House, Machrihanish; R.M. Carmichael, Glenmurrell House, Machrihanish; Graeme Gibson, High Lossit Farmhouse, Machrihanish; Antonia Hope, Rothmar West, Machrihanish; David & Susan Campbell, Tynedale, Machrihanish; David & Helen McVicar, 14 Bayview, Machrihanish; Brian Ellis, Sandfield House, 116 Castle Hill Road, Hindley, Lancashire; Hugh Sinclair, 122 Sound of Kintyre, Machrihanish; and a petition of seven names from six different addresses, headed by Miss M. Hunter, 6 Summerhill Crescent, Campbeltown.

Six letters of support have also been received, from: L. Rae, 6 St. Peter's Close, Ollerton, Nottinghamshire; Sandie Knight, Beachcomber Cottage, Machrihanish; Steven Millington, Carnaby House, Back Road, Elm, Wisbech, Cambridgeshire; Mrs. J. Geddes, 169 Ralston Road, Campbeltown; Sandie Wilson, Ugadale Apartments, Machrihanish; and Mr & Mrs H. Pedersen, 19 Bayview, Machrihanish.

The points of support are summarised below:

- We feel that the proposed development would enhance the area and make it a much more attractive place to stay. Machrihanish is currently 'run down and an eye-sore' and this development will bring in much needed tourism.
- The building of the new golf club together with the much needed upgrading of the Ugadale Hotel will bring visitors and much more money to Machrihanish and Campbeltown.
- The project will bring jobs to the village and help the economy of the area.

The points of objection received are summarised below:

- The proposed building work will have a major intrusion on our private life. Our home [Pans House] appears to be the only residence that is practically within the building site itself and we object very strongly to the disruption, disturbance and very real probability of structural damage to our home and surrounding area. Excavation of foundations into bedrock will cause ground vibrations only metres from our property. We will suffer daily noise disturbance, harassment and general upheaval from the site. Car parking restrictions will be placed on us by the need to ensure our car is kept from being damaged through accident or negligence. For the duration of the building work, it will no longer be safe to park in front of our own garage door. Access via the existing right of way to our garage will be limited or even blocked due to the coming and going of machinery and heavy vehicles etc.

Comment: It is anticipated that any temporary loss of amenity due to construction works will be minimised through environmental health and building regulations legislation. Any damage to adjacent property which might occur would be a civil matter and is not considered material to the consideration of this planning application. It should be noted that the originally submitted plans (referred to above) proposed to utilise an existing access to the site immediately adjacent to Pans House. Amended plans have now been submitted deleting this access as a route into the site. This should help to ensure that the garage of Pan House remains unhindered.

- The single road to and from the village is already in poor condition. The increase in traffic, especially heavy haulage equipment, will only make this road increasingly worse. The road to the side of our house [Pans House] is already a hazardous junction to turn out of due to restricted visibility. This access will be made even worse if cottages 25 to 30 are built.

Comment: The existing public road into Machrihanish has been assessed as suitable to accommodate the additional traffic generated by this development, both during its construction and subsequent use. The proposed cottages comprising block 25 to 30 are set back behind the eastward visibility splay of the access point referred to above. The Council's area roads engineer has no objections to these elements of the proposal. Also, as noted above, this existing access point is no longer intended to serve the proposed development.

- Loss of amenity to existing residential properties, specifically: the gable end of cottages 25 to 30 will completely block out the sunlight entering the kitchen of Pans House; The cottages numbered 11 to 14 will cause extensive loss of light and loss of privacy to Glenmurrell House due to the height and close proximity of these cottages to our dwelling; The cottages numbered 5 to 14 will severely restrict the amount of light coming into the sitting room of Tynedale and we will experience loss of privacy due to overlooking.

Comment: The eastern side wall of the proposed block of cottages 25 to 30 would be some 6.5 metres distant from the side kitchen window of Pans House at its closest point and would be separated by an existing access point which currently serves the detached garage of Pans House plus a block of public toilets and affords access for maintenance of an electricity sub-station. The proposed block of cottages 25 to 30 would have a broadly similar floor level to that of Pans House and would be of a one and a half storey design with a ridge height of some 8 metres. This proposed block of cottages would be sited to the east of the kitchen window of Pans House and any loss of sunlight which might occur as a result of this development would be restricted to those hours first thing in the morning. It is not considered that this aspect of the proposed development would result in any material loss of residential amenity.

The proposed cottages numbered 11 to 14 are positioned so that they are off-set from the rear face of Glenmurrell House at a distance of some 14 metres at the closest point and oriented to be 'end-on' to the existing house with no habitable room windows overlooking this existing dwellinghouse. This block of cottages is of a one and a half storey design with a ridge height of approximately 8 metres. Amended plans have been submitted indicating that the ground levels of this part of the site will be excavated to a depth of some 1.5 metres below the existing, with the finished floor level of this proposed block being approximately the same as the floor level of the existing semi-detached house. In addition, the proposed block 11 to 14 would be located to the north of the rear face of Glenmurrell House where it would not result in any direct loss of sunlight to the rear of this property. It is not considered that this element of the proposed development will have any materially detrimental impact upon either the privacy or natural daylight to the rear windows of this existing property.

The property adjoining Glenmurrell House is Tynedale. Whilst the end gable wall of the proposed block of cottages 11 to 14 would be positioned partly across the rear of this existing dwellinghouse, the distance between the rear windows of Tyndale and this blank gable one and a half storey wall would be some 12 metres to the closest corner of the new building, which meets the Council's separation distance standards. There would be no window-to-window overlooking from this block to Tyndale and no attendant material loss of privacy. Amended plans have been submitted indicating that the ground levels of this part of the site will be excavated to a depth of some 1.5 metres below the existing, with the finished floor level of this proposed block being approximately the same as the floor level of the existing semi-detached house. In addition, the proposed block 11 to 14 would be located to the north of the rear face of Tynedale where it would not result in any direct loss of sunlight to the rear of this property. It is not considered that this element of the proposed development will have any materially detrimental impact upon either the privacy or natural daylight to the rear windows of this existing property. The proposed block of cottages 5 to 10 would also be to the north of the rear of Tynedale and would be sited at an extremely oblique angle to the rear of this existing dwellinghouse where its impact upon privacy and loss of light would be negligible.

- The proposed development will restrict our views and devalue our properties.

Comment: These are not material planning considerations.

- The Ugadale Hotel is part of the heritage of Machrihanish and, once lost, can never be replaced.

Comment: The Ugadale Hotel is not being 'lost'. Substantial modern extensions to the original hotel building are proposed to be demolished but the original attractive two and a half storey traditional hotel building is being completely refurbished and brought back into use as a hotel.

- The Beachcomber Restaurant was originally built in 1886/87 as the original clubhouse of the Machrihanish Golf Club and served as such until 1965. Since then it has been used as a local restaurant and public bar. This building is part of the history and character of Machrihanish and should be preserved. The building should be listed for its contribution to the social history of Machrihanish and its demolition should be avoided as the loss of an important and valued local facility. This is the only public bar in the village and is a popular social meeting place.

Comment: The history and social function of the Beachcomber is noted but the fact remains that this building is not listed and is proposed to be demolished by its owner. It is up to any interested party to apply to Historic Scotland to consider it as a candidate for listing. The parties concerned have been advised of the need to take the matter up with Historic Scotland if they consider that there are grounds for the building meriting listing. Historic Scotland have confirmed, however, that they are not in receipt of any request to have the building listed and in the absence of such a motion the loss of this building as part of the proposed redevelopment of this part of the site is considered acceptable. The refurbished Ugadale Hotel would include a restaurant and public bar area.

- We see only negatives from this proposed development. The centre of a rural village will be changed for the worst due to a venture that gives nothing to the local community but takes away a lot. The building of such a high number of holiday cottages would be a disturbance to

the infrastructure of the village. It would create a 'ghetto' with activity restricted solely to the summer months and will be an 'eyesore' and a very unfortunate feature in the village.

Comment: It is considered that the redevelopment of the site in the manner proposed would be consistent with both approved and emerging policy and would represent an attractive re-use of this largely derelict and disused site. The proposal would release funds enabling the refurbishment and reuse of the original Ugadale Arms Hotel and the retention of this attractive building, adding greatly to the local distinctiveness of this part of Machrihanish. The proposed development of 30 new holiday cottages is well sited and well designed using a palette of traditional local materials and a layout of appropriately designed terraced blocks of traditional scale and appearance.

- Who will own these cottages? The Ugadale Hotel or some possibly undesirable 'incomers'. Can the town's civil amenities stand the influx of 30 families? Will the town's carbon footprint absorb the effect of the influx of 30 families? Some of the families could be as large as ten people. The community needs permanence to support the village, not part-time residents. This proposal may result in the de-population of Machrihanish due to lack of facilities for families who want to stay and settle here. We worry that if these cottages go ahead they will not be the viable money spinner that drove their construction. They will instead lie vacant for months at a time, eventually becoming derelict and possibly being sold to the Local Council as 'full time residences'. But as they are only proposed as 'temporary accommodation', they will fail to function in this capacity as well.

Comment: The application proposes the redevelopment of this site to provide additional hotel and self-catering accommodation. This development is linked with the new Machrihanish golf course, a course intended to be of international standing, and it is assumed that the developers are satisfied that there is need for such accommodation (albeit there is no requirement to demonstrate 'need' for the purposes of the planning application). These are not intended to be permanent homes and the assertion that large families may occupy each cottage is extremely unlikely, particularly as each cottage has only two bedrooms. The provision of additional tourist facilities is broadly encouraged by existing and proposed Council policy and it is recognised that tourism has a very important part to play in the continued economic wellbeing of Kintyre. Tourism is not incompatible with permanent residence/permanent work in rural areas and such investment in Kintyre is welcomed.

- The details of the proposed developer are unclear as it seems that the applicants have been working on several projects and are known under several names. One of their projects involved buying the Royal Hotel in Campbeltown, patching it up with foreign workers, then closing it to fall into disuse. There is a general air of mystery which leads to unease and concern.

Comment: The name and address of the applicant are as stated on the planning application. These comments are not relevant to the consideration of this planning application.

C. ASSESSMENT

This proposal relates to land between the main road in Machrihanish and residential property to the rear at Bayview. It overlooks one dwelling and the foreshore on the opposite side of the road and there are dwellings at close quarters to the east and the west. The site is currently occupied by the Ugadale Arms Hotel, a very large two and a half storey building of run down appearance which has clearly seen better days; part of which has been occupied latterly as self-catering apartments and part of which is vacant. A detached building, originally built as a golf clubhouse, but occupied for many years as a bar/restaurant stands in the centre of the site (The Beachcomber). Both buildings are accessed from the main road. There is a significant difference in ground level at the rear of the site, with an elevated area of land being separated by a wall from facing dwellings at Bayview.

This proposal has arisen in connection with the development of a second golf course at Machrihanish. Permission has previously been granted for, and work has recently commenced on, the construction of a new links course behind the dunes immediately to the north of the airfield. The intention is to retain and refurbish the principal (eastern) section of the Ugadale Arms Hotel but entails the demolition of the subordinate and less flamboyant section, plus the removal of extensions and stores to the rear. The refurbished building will provide restaurant, bar and health suite facilities on the ground floor, and 11 bedrooms on each of the first and second floors. Separate 'golf village' style accommodation is to be provided to the west of the hotel in a series of terraced blocks which will

occupy part of the site frontage (along with putting lawns), along with the site of the former Beachcomber (to be demolished) and the more elevated land at the rear of the site.

The new units are to be constructed in two 4 unit terraced blocks (providing 4 letting units on the ground floor and 4 above), one 3 unit terraced block (providing 6 units in all), and two 2 unit semi-detached blocks (providing 4 units each); totalling 30 units. Each of the three roomed units would comprise two bedrooms with en-suite facilities plus a lounge incorporating a small kitchen area. The units are designed exclusively as short-term letting accommodation and are neither intended for, nor would be suitable to provide, permanent living accommodation. The buildings are to be constructed in natural stone with natural slate roofs. They would share communal parking facilities and lawned areas.

The redevelopment of urban sites and the provision of facilities to serve the needs of tourists is supported by both the adopted and emergent development plans. In particular Policies TOUR 2 and 4 of the Kintyre Local Plan lend support to the upgrading of existing facilities and the provision of new accommodation related to the needs of recreational opportunities. Likewise the 'Argyll and Bute Local Plan' (Modified Finalised Draft) 2006 through Policy TOUR 1 supports 'medium' scale tourism related proposals within the defined small towns and villages, unless there are attributes which would conflict with other aspects of the plan. In this case, the development of the Machrihanish Dunes Golf Club, along with the established reputation of the existing Machrihanish course will make Kintyre a more attractive destination to golfers than hitherto, given the opportunity to play more than one course during a visit. Because of the sensitivity of the new links course, much of which is a site of scientific interest, it has always been a principle of that project that the development of buildings on the site itself would be limited, with accommodation for golfers being provided within Campbeltown and surrounding settlements. This also has the benefit of introducing investment and regeneration into existing communities rather than relying on isolated and exclusive development on the course itself.

Accepting that the principle of the development of the site as 'golf village' development is appropriate, it is necessary to consider whether the scale, layout and design of the accommodation is acceptable. Given the location of the site within an area of local landscape significance, it is necessary to address the proposal in terms of Policy RUR 2 criteria:

Environmental impact - the site forms part of the urban fabric on the shoreward side of the road taking advantage of views over the sea. The Ugadale Arms has a commanding presence on the seafront, largely due its scale and the way in which it imposes itself on its surroundings. That said, its faded grandeur and run down appearance has a disproportionate influence on the overall impression of the built fabric of Machrihanish. The proposal will retain and enable the complete refurbishment of the most significant and architecturally interesting part of the hotel, and will enable the removal of various unfortunate accretions which have been added over the years. It also involves the demolition of the Beachcomber Bar, a building with former golfing associations. Although an unusual building, this is not listed, and therefore capable of being demolished without consent. The new 'golf village' units of accommodation are of low rise construction and are to be finished in traditional materials. They are neither inappropriate to the character of the village, nor will they assert themselves in terms of their surroundings, which will continue to be dominated by the scale of the hotel building.

Locational/operational need – The proposal relates to the redevelopment of a site already performing a tourist/leisure function, and does not therefore represent the introduction of a new element in the village. The site is conveniently located for both the new and existing golf courses and takes advantage of sea views which are desirable to reinforce the attractiveness of the area as a golfing destination. The development of off-site facilities is a stated intention behind the development of the new course.

Economic Impact – The proposal represents significant (estimated £7 million) investment in the leisure/tourism infrastructure of Kintyre. It builds upon the reputation of the existing golf course by developing Machrihanish as a golfing destination where visitors are able to play more than one course. It entails the provision of accommodation to support this and the refurbishment of run down property. It is estimated that it would support up to 30 jobs (some presumably part-time).

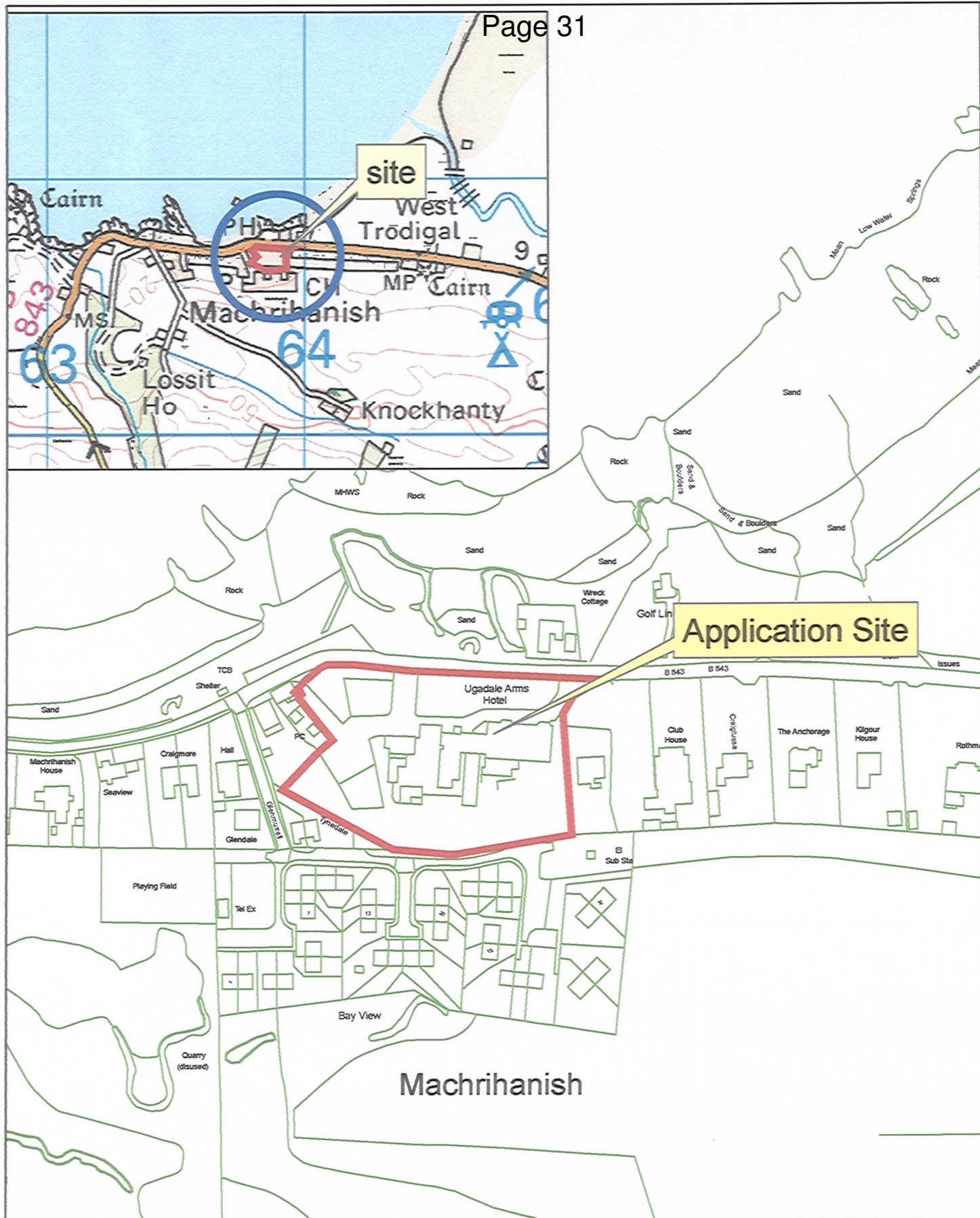
Infrastructure/servicing implications – The development is to be connected to mains drainage and the public water supply. Parking requirements are to be met on site (three areas totalling 70 spaces). Access arrangements are satisfactory via a one way in and out arrangement with a service bay provided at the front of the main building.

In terms of third party responses, concerns have been expressed about the relationship of the new units of accommodation with existing properties, disturbance from construction and the likely long-term occupancy of these units. The relationships shown between buildings are acceptable and I have required the submission of a full site survey, including off-site levels and proposed floor levels, to satisfy myself that this will be the case. I do not consider that the scale positioning or use of these buildings will have significant adverse consequences for the level of residential amenity currently enjoyed by neighbouring occupiers. It is inevitable that there will be disturbance from a construction project of this magnitude. However, the presence of residential property close to the site should not be seen as a reason for resisting otherwise appropriate redevelopment, involving future use of the site which would be compatible with its residential surroundings and which would bring investment and tourism benefits. Issues which have been raised about the identity of the developer and future owners or occupiers are irrelevant to the consideration of the proposal. Consent is being sought for visitor accommodation and the size and internal layout of the buildings reflects this. It is appropriate to condition occupancy to ensure that this remains the case.

D. CONSIDERATION OF THE NEED FOR A LOCAL HEARING

In the event of ten or more representations being received, it is normal practice to give consideration as to whether it is appropriate to determine a planning application without holding a discretionary local hearing. In this case, there have been 15 letters received. Of these, one relating specifically to the suggested listing of the Beachcomber has been endorsed by a further 6 signatures. Six of the letters received express support for the proposal.

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**Location plan relevant to Application
Ref. No. 07/01032/DET**

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Date 16.08.07

Drawn by KMK

Scale: 1:25,000

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Reference Number: 07/01149/DET
Applicant: Ms. Angela Clements
Application Type: Detailed
Application Description: Change of use of the land for the siting of a static caravan.
Location: Corranbeg Steading, Ardfern

(A) THE APPLICATION

(i) Development Requiring Planning Permission:

- Retrospective application for the siting of a static caravan.

(ii) Other Aspects of the Development:

- Drainage and water supply arrangements unknown.
-

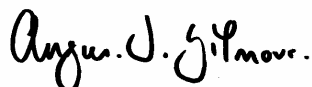
(B) RECOMMENDATION

It is recommended that retrospective planning permission be refused for the reasons set out on the following page.

(C) DETERMINING ISSUES AND MATERIAL CONSIDERATIONS

This application relates to the installation of a second caravan within the curtilage of a dilapidated agricultural steading which benefits from planning consent for conversion to a dwelling house first granted in 1989 and last renewed in 2005. The applicant indicates that the ultimate intention is that this caravan be occupied by builders employed on the conversion of the steading, whilst retaining an original (also unauthorised) caravan for occupation by the applicant. Both caravans are the subject of separate enforcement reports elsewhere on the agenda (refs: 05/00250/ENFOTH, 07/00209/ENFOTH). Although consent is in place for the conversion of the building, no construction works have been commenced thus far. The applicant remains resident in London.

The site is situated within the Knapdale/ Melfort Regional Scenic Area in the adopted local plan and a proposed Area of Panoramic Quality in the emerging local plan, which seek to protect from the area from inappropriate development that would have an adverse impact on the landscape. Ardfern is designated by the adopted local plan as a 'sensitive settlement' within which infill development must be sympathetic to landscape character and the setting of the village. The siting of caravans outwith licensed caravan sites and particularly in the countryside conflicts with policy HOU 6 of the Modified Draft Local Plan, which specifically seeks to prevent residential caravans other than in cases of demonstrable temporary necessity. The applicant suggests that there is an operational need for the development; however, the proposed justification does not meet the criteria set out in the development plan. The siting of caravans on land in anticipation of future development is becoming increasingly prevalent, so it is necessary to ensure that landscape and amenity does not become degraded as a consequence.



Angus J Gilmour
Head of Planning
15th August 2007

Author: Stuart Green **Contact:** Richard Kerr (01546) 604080

REASONS FOR REFUSAL RELATIVE TO APPLICATION: 07/01149/COU

1. The site is subject to Policies RUR 1 and RUR 2 of the 'Mid Argyll Local Plan' (1985, reviewed 1989 and 1993) which seeks to protect the quality of Regional Scenic Areas by resisting inappropriate development unless the social and economic benefits outweigh the adverse visual impacts. The siting of a residential caravan, by virtue of its appearance, temporary nature of construction and box like shape would be detrimental to the character and amenity of its surroundings and as such would be contrary to provisions of Policies RUR1 and 2 and to POL HO 11 which seeks to prevent unsympathetic infill development which would have a detrimental effect on the existing landscape.
2. The proposal is contrary to the provisions of POL HOU 6 of the 'Argyll and Bute Local Plan' Modified Finalised Draft 2006, which seeks to prevent the further siting of any caravans within Argyll and Bute except on the basis of 'temporary necessity'. There has been no justifiable 'temporary necessity' demonstrated for the siting of this caravan, sufficient to set aside the normal policy presumption against the use of land for this purpose.

APPENDIX RELATIVE TO APPLICATION: 07/01149/COU

(A) POLICY OVERVIEW

'Argyll and Bute Structure Plan' 2002:

STRAT DC 1: DEVELOPMENT WITHIN SETTLEMENTS

Encouragement shall be given, subject to capacity assessments, to development in the settlements as follows :

- B) Within the Small Towns and Villages (Ardfern is in this category) to developments serving a local community of interest, up to and including medium scale development, on appropriate infill, rounding-off and redevelopment sites; in exceptional cases large scale development may be supported.
- D) Developments which do not accord with this policy are those outwith A), B), and C) above.....and urban bad neighbour developments which are essentially incompatible with the close configuration of land uses found in settlements e.g. mineral extraction development or development which results in excessively high development densities, settlement cramming or inappropriate rounding-off on the edge of settlements.
- E) Developments in settlements are also subject to consistency with other policies of the Structure Plan and Local Plan.

Mid Argyll Local Plan 1985, 1st Review and Alterations 1989, 2nd Alteration 1993:

POL RUR 1

The Council will seek to maintain and, where possible enhance the landscape quality of National and Regional Scenic Areas and Coasts and areas of local landscape significance, and within these areas will resist prominent or sporadic development which would have an adverse environmental impact:

- b) Regional Scenic Area – Knapdale/ Melfort

POL RUR 2

Proposals for development in or affecting National Scenic Areas, Regional Scenic Areas and Coasts or areas of local landscape significance will require to be justified against the following criteria:

- (a) environmental impact;
- (b) locational/operational need;
- (c) economic benefit;
- (d) infrastructure and servicing implications.

POL HO 11

The settlement of Ardfern is considered to be sensitive where large scale or unsympathetic infill developments could have a detrimental effect on the existing landscape and servicing.

'Argyll and Bute Local Plan' (Modified Finalised Draft) 2006:

P/DCZ 1 - gives spatial expression to 'the settlements areas and boundaries' established by Structure Plan Policy STRAT DC 1, where encouragement shall be given to development subject to other policies contained within the development plan.

This disposition of 'settlements areas and boundaries' has not been the subject of objection as part of the local plan process, and can therefore be accorded material weight in the determination of the application.

LP ENV 1 DEVELOPMENT IMPACT ON THE GENERAL ENVIRONMENT– Sets out the criteria against which the Council will assess all planning applications.

This policy has been the subject of representation as part of the local plan process, and therefore may only be afforded limited weight in the determination of the application.

LP ENV 10 – DEVELOPMENT IMPACT ON AREAS OF PANORAMIC QUALITY – Development in Areas of Panoramic Quality will be resisted where its scale, location or design will have a significant adverse impact on the character of the landscape unless it is demonstrated that;

- A) Significant adverse effects on the quality of areas of panoramic quality are clearly outweighed by social and economic benefits of National or regional importance;
- B) Where acceptable, development must also conform to Appendix A of the Local Plan.

This policy has been the subject of representation as part of the local plan process, and therefore may only be afforded limited weight in the determination of the application.

Policy LP HOU 6 – RESIDENTIAL CARAVANS AND SITES (for PERMANENT HOMES) – No new residential caravans or caravan sites (except for a new caravan on the basis of temporary necessity), nor any extension to an existing site, will be permitted for permanent homes.

For the purpose of this policy "temporary necessity" will normally apply only to emergency situations where re-housing urgently required as a result of unforeseen circumstances such as fire, flood or storm damage to a principle residence, or for the purpose of temporary occupation when building a principal residence on site.

This policy has not been the subject of objection as part of the local plan process, and can therefore be accorded material weight in the assessment of the proposal.

(B) OTHER MATERIAL CONSIDERATIONS

(i) Site History

89/00306/COU – Change of use from steading to dwelling house; approved

99/01081/COU – Change of use from steading to dwelling house; approved

05/02250/COU – Change of use from steading to dwelling house; approved

05/00250/ENFOTH – Unauthorised siting of second caravan.

(ii) Consultations

- Craignish Community Council (06.07.07) – No objection subject to condition that both caravans are removed once works to the steading are complete, which must be carried out within a reasonable length of time.

Comment: The Council does not have the power to oblige a developer to implement a permission once it has been granted nor, once a material start is made, is there any time limit for the completion of the development. Whilst it is acceptable for a caravan to be in place for the duration of building works, it is not acceptable for caravans to be sited on land in

anticipation of development which may or may not follow.

- Area Roads Manager (10.07.07) – no objection subject to conditions.

(iii) Publicity

The application has been advertised under Article 9 (vacant land). The period for representations expired on the 13th July 2007.

No letters of representation have been received.

(iv) Assessment

The area that is the subject of this assessment measures approximately 530m² and is situated above Ardfern within an area known as Corranbeg. This is a retrospective application for the siting of a static caravan positioned immediately adjacent to another static caravan. Both caravans are sited at a 90^o angle to a derelict steading which benefits from planning consent for conversion to a dwelling house. The steading forms part of a loose cluster of traditional rural Argyll farm buildings characterised by their low height and natural stone construction. The caravan is set back from the single track road, however, the site does not benefit from any substantial natural screening.

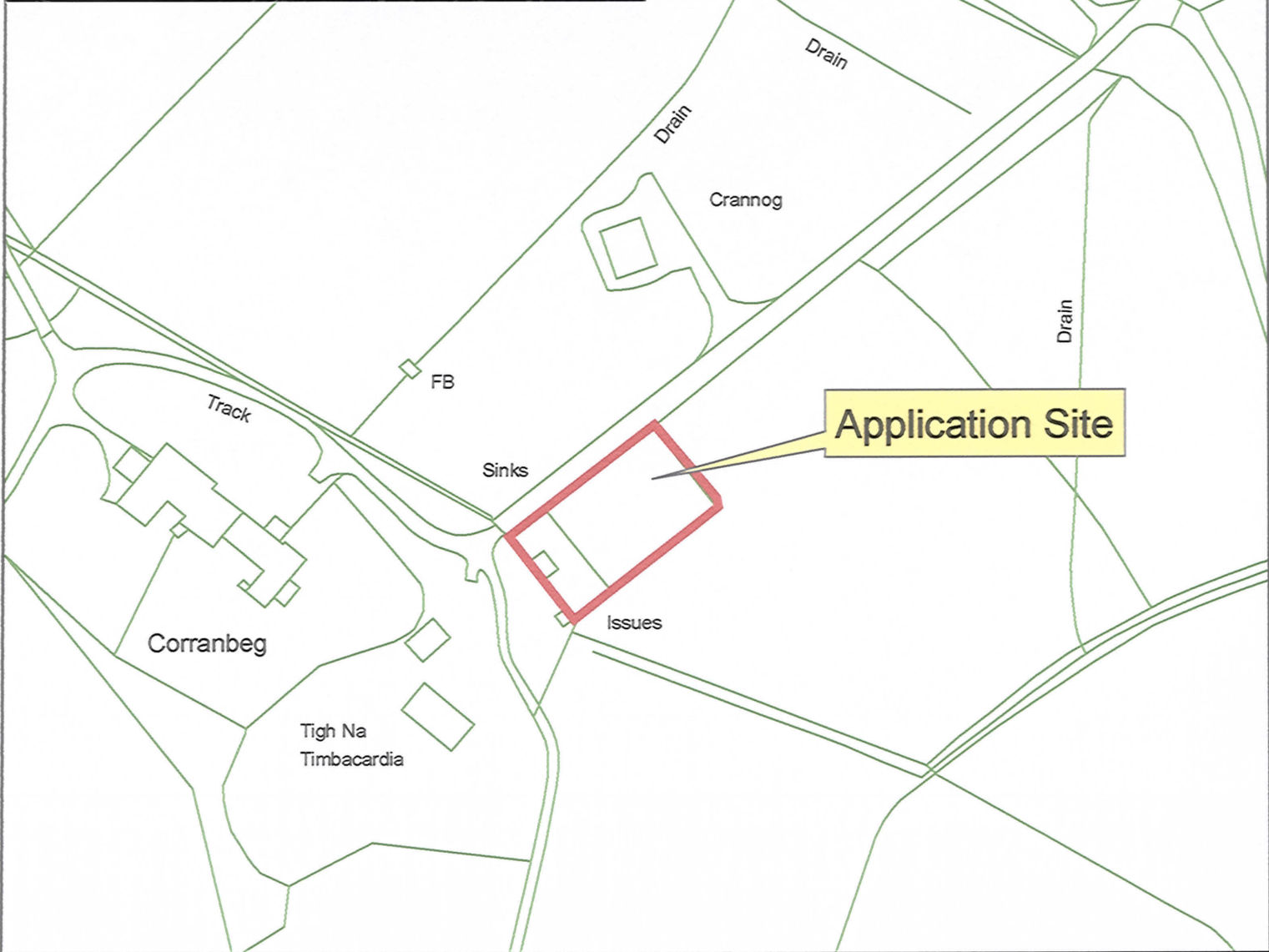
Reference to the 1996 SNH report, 'Landscape Assessment of Argyll and the Firth of Clyde' assists in defining the character of this area of land. The wider area of Ardfern is established as 'craggy upland', characterised by extensive conifer plantations which camouflage historic irregular landscape patterns. Within the local context, the subject area may be further defined by the characteristics of stone walls which enclose irregular patchwork on margins of oak and birch woodlands. The report further notes that some attractive traditional farm buildings are falling into disrepair and there are opportunities for sensitive renovation projects. The application site falls largely within the expanded Ardfern 'settlement area' as defined in the emerging local plan and further recognised as a Potential Development Area with longer term potential for some housing development subject to access and infrastructure constraints being overcome.

Policy STRAT SI 1 of the Structure Plan seeks to impose principles of sustainability, including the conservation of the natural heritage by avoidance of significant adverse impacts of proposals. Policies RUR 1 and RUR 2 of the adopted local plan and ENV 10 of the emerging local plan seek to resist development that has an adverse detrimental impact on the Knapdale/ Melfort Regional Scenic Area and sets the criteria for the determination of applications. Policy HO 11 of the adopted local plan recognises Ardfern as a sensitive settlement and seeks to prevent unsympathetic infill development.

The policy framework establishes the site in the wider context as sensitive to development pressure. Caravans are recognised by the Council as unattractive features by virtue of their simplistic box shape and temporary appearance and construction and therefore conflicts with policy STRAT S1 of the structure plan as an unsustainable form of development. Policy LP HOU 6 of the emerging local plan states that no new residential caravans or caravan sites (except for a new caravan on the basis of temporary necessity), nor any extension to an existing site, will be permitted for permanent homes. For the purpose of this policy "temporary necessity" will normally apply only to emergency situations where re-housing is urgently required as a result of unforeseen circumstances such as fire, flood or storm damage to a principle residence, or for the purpose of temporary occupation when building a principle residence on site. Justification for this policy states that static caravans are often visually intrusive on the landscape or townscape and can have a detrimental impact on the amenity of the local area. The proposal has not been sufficiently justified against the criteria contained in this policy with specific regard to "temporary necessity". The applicant submitted a statement of justification which is reproduced below:

For the purpose and duration (as applicable) of building works to Corranbeg Steading as approved, I need to use a second static [caravan] for building workers possible housing, plus site office and builders amenities. The need for this is that I will staying on site myself, with 2 dogs and probably my partner during much of the works and it is not viable for my housing to be shared with workers and site office. I will be moving up to site from London obviously.

Policy RUR 2 and of the 'Mid Argyll Local Plan' sets the criteria for the justification of proposals including environmental impact, locational/ operational need and economic benefit in areas of landscape designation. Whilst planning legislation supports the siting of one caravan within a construction site, and only during the construction period and solely for the benefit of persons directly associated with the works, the justification advanced by the applicant for a second caravan is not considered to amount to a justifiable locational/operational need sufficient to warrant the setting aside of normal policy considerations.



Location plan relevant to Application Ref. No. 07/01149/DET

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Date 16.08.07

Drawn by KMK

Scale: 1:1250

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**TOWN AND COUNTRY PLANNING
DELEGATED DECISIONS SINCE LAST COMMITTEE
MID ARGYLL, KINTYRE AND ISLAY**

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 Principal,
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
MID ARGYLL, KINTYRE AND ISLAY**

App No	Applicant name, address and proposal	Valid date	Decision date	Decision
07/01464/NMA	Ferguson Anderson Land Adjacent To Seaview Tayvallich Argyll And Bute Erection of dwelling house - non-material amendment - installation of additional window	03/08/2007	17/08/2007	PER
07/01395/NMA	Dr M.G Senior The Raw Glen Road Bridgend Isle Of Islay Argyll And Bute PA44 7PZ Installation of a telescopic amateur radio mast and aerial - non-material amendment - amendment to position of aerial mast	18/07/2007	02/08/2007	PER
07/01393/TELNOT	SSE Telecom Meall Mhor Transmitting Station South Knapdale Tarbert Argyll And Bute Installation of 1 no. 1.2m diameter transmission dish	17/07/2007	02/08/2007	PDD
07/01358/NMA	Mr And Mrs Jon Close Carsaig House Dounie Road Tayvallich Argyll And Bute PA31 8PN Alterations and extension to dwelling house - non material amendment to Planning Consent 07/00340/DET- amendment to include balcony on ground floor	12/07/2007	17/08/2007	PER
07/01331/DET	KCS Argyll Limited Garden Ground Of Tigh Na Drochit Tayinloan Argyll Erection of dwelling house - amended design	11/07/2007	13/08/2007	PER
07/01327/TELNOT	Arqiva Meall Mhor Transmitting Station South Knapdale Tarbert Argyll And Bute Installation of 2 additional antennas and erection of meter cabinet	10/07/2007	24/07/2007	PER
07/01322/ADV	Wilma MacKenzie Fence Opposite Old Police Station Fish Quay Harbour Street Tarbert Argyll Erection of non-illuminated signboard	09/07/2007	31/07/2007	PER
07/01321/ADV	Highland Parish Church Land Opposite Creagdhù Mansions New Quay Street Campbeltown Argyll And Bute Erection of commemorative plaque	05/07/2007	13/08/2007	PER

**TOWN AND COUNTRY PLANNING
DELEGATED DECISIONS SINCE LAST COMMITTEE
MID ARGYLL, KINTYRE AND ISLAY**

App No	Applicant name, address and proposal	Valid date	Decision date	Decision
07/01313/TELCON	SSE Kilchrenan Substation SSE Killchrenan Substation Kilchrenan Argyll And Bute Instalation of 0.95m Dish	06/07/2007	27/07/2007	PER
07/01186/DET	Mr Willie Ralston East Drumlemble Farm Drumlemble Argyll And ButePA28 6PN Erection of agricultural shed	25/06/2007	24/07/2007	PER
07/01185/DET	Mr And Mrs A Docherty 25 Burnside Cottages Stewarton Argyll And Bute Erection of extension	25/06/2007	06/08/2007	PER
07/01174/LIB	Iain And Margaret MacCallum Braeface Farm Bellanoch Argyll And Bute PA31 8SN Relocation of rooflights and replacement slate roof	19/06/2007	02/08/2007	PER
07/01168/DET	Mr And Mrs I MacPherson Dunblaan Southend Argyll And Bute PA28 6RQ Alterations to roof and front elevation	20/06/2007	30/07/2007	PER
07/01157/DET	Mr And Mrs Colin Beazley Leim Farm Isle Of Gigha Argyll And Bute PA41 7AD Reroofing of existing garage/outbuildings with natural slate	18/06/2007	30/07/2007	PER
07/01151/NMA	Mr Harry Ruttle Drumnamucklach Tayinloan Argyll And Bute PA29 6XF Redevelopment of redundant farmhouse and farm buildings to provide ten holiday cottages - non-material amendment to increase size of footprint of development	14/06/2007	02/08/2007	REF
07/01145/OUT	Green Tops Lands And Estates Ltd Land South East Of Auchavae 2 Claonaig Estate Skipness Argyll And Bute Site for erection of dwellinghouse and new vehicular access	13/06/2007	06/08/2007	PER

**TOWN AND COUNTRY PLANNING
DELEGATED DECISIONS SINCE LAST COMMITTEE
MID ARGYLL, KINTYRE AND ISLAY**

App No	Applicant name, address and proposal	Valid date	Decision date	Decision
07/01140/OUT	Green Top Lands And Estates Ltd Land North West Of Claonaig Jetty 1 Claonaig Estate Skipness Argyll And Bute Site for erection of dwellinghouse and new vehicular access	13/06/2007	06/08/2007	PER
07/01136/OUT	Greentop Lands And Estates Ltd Land North West Of Claonaig Jetty 2 Claonaig Estate Skipness Argyll And Bute Site for the erection of 2 dwellinghouses (semi-detached) and new vehicular access	13/06/2007	06/08/2007	PER
07/01131/OUT	Green Top Lands And Estates Ltd Land South East Of Auchavee 1 Claonaig Estate Skipness Argyll And Bute Site for erection of new dwellinghouse and vehicular access	13/06/2007	06/08/2007	PER
07/01066/DET	Mr And Mrs Davidson Ashbank West Bank Road Ardrishaig Argyll And Bute PA30 8HG Alterations and extension to dwelling house	08/06/2007	24/07/2007	PER
07/01050/DET	Airwave Solutions Ltd Land At Stronafian Forest Colintrave Argyll And Bute Installation of a 6.3m high timber pole, 2No 0.3m dishes and ground based equipment	24/05/2007	24/07/2007	PER
07/01047/DET	Airwave Ltd Land South Of Glasvaar Farm Ederline Estate Ford Argyll And Bute Installation of a 4m high timber monopole supporting 2 no. transmission dishes and ancillary equipment cabinets	01/06/2007	24/07/2007	PER
07/01038/LIB	Mrs Catherine King Bruich Dhu Main Street Port Charlotte Isle Of Islay Argyll And Bute PA48 7TY Demolition of ruin within curtilage of listed building	29/05/2007	23/07/2007	PER
07/00979/OUT	Dunmore And Carsaig Estates Site South East Of Kilnaish Tarbert Argyll And Bute PA29 6XZ Proposed erection of two dwellinghouses and septic tanks	04/06/2007	13/08/2007	PER

**TOWN AND COUNTRY PLANNING
DELEGATED DECISIONS SINCE LAST COMMITTEE
MID ARGYLL, KINTYRE AND ISLAY**

App No	Applicant name, address and proposal	Valid date	Decision date	Decision
07/00850/DET	Mrs J Hobbes Garden Ground At Beach Hill Low Askomil Campbeltown Argyll And Bute PA28 6EP Erection of dwelling house	14/05/2007	14/08/2007	WDN
07/00834/DET	Mr And Mrs Byrne Homefield Lower Kilchattan Isle Of Colonsay Argyll And Bute PA61 7YR Extension to dwelling, erection of front porch and replacement of flat roof dormers to pitch roof dormers	27/04/2007	30/07/2007	PER
07/00823/DET	Mr And Mrs Wilson Land 400m East Of Add Cottage Torbhlaren Farm Kilmichael Glen Argyll PA31 8QL Erection of dwelling house and installation of septic tank	25/04/2007	14/08/2007	PER
07/00799/COU	Mr Rodger Clark Craigard House Hotel Low Askomil Campbeltown Argyll And Bute PA28 6EP Change of use of land for temporary siting of residential caravan on existing hardstanding	04/05/2007	18/07/2007	PER
07/00773/DET	Tayvallich Village Hall Committee Tayvallich Village Hall Tayvallich Argyll And Bute Erection of store for village hall	23/04/2007	08/07/2007	PER
07/00722/DET	British Waterways Scotland Canal Basin Crinan Argyll Erection of single storey staff facility and installation of new septic tank (amended Position of proposal).		27/07/2007	WDN
07/00720/DET	Ms Seonaid Clark 15 Queen Elizabeth Cottages Furnace Argyll And Bute PA32 8XX Erection of timber decking to rear of dwelling house (retrospective)	04/07/2007	16/08/2007	PER
07/00261/OUT	Mr And Mrs B McMillan Land North East Of 7 And 8 Sealand Peninver Argyll And Bute Site for erection of 4 dwelling houses	12/02/2007	16/07/2007	WDN

**TOWN AND COUNTRY PLANNING
DELEGATED DECISIONS SINCE LAST COMMITTEE
MID ARGYLL, KINTYRE AND ISLAY**

App No	Applicant name, address and proposal	Valid date	Decision date	Decision
06/02515/DET	The Seaview Hotel Co Ltd Bowmore Hotel Jamieson Street Bowmore Isle Of Islay Argyll And Bute PA43 7HL Erection of conservatory	14/12/2006	24/07/2007	PER
06/02441/OUT	Islay Estates Company North East Of Kilmeny School House Ballygrant Isle Of Islay Argyll And Bute Erection of 4 detached dwelling houses	29/12/2006	15/08/2007	PER
06/02092/REM	Mr G W Bruce Land East Of Brecklarach Pier Road Tarbert Argyll And Bute PA29 6UG Erection of dwelling house and formation of access with further vehicular access provided to Dunyvaig - Reserved Matters	10/10/2006	09/08/2007	PER
05/00921/OUT	Giles Perring And Christine McCourt Land North West Of Burnside Craighouse Isle Of Jura Erection of dwellinghouse	04/05/2005	24/07/2007	WDN

**BUILDING STANDARDS
DELEGATED DECISIONS SINCE LAST
COMMITTEE**

CASENO	APPLICANT NAME/PROPOSAL AND SITE ADDRESS	RECEIVED DATE	VETTED DATE	DECISION	DECISION
04/00628/COU	David Owen Arch Filling Station Dalmally Road Inveraray Argyll PA32 8XD Conversion of existing garage to shop and petrol station reception	29/03/2004	14/05/2004	02/08/2007	WARAPP
04/00789/ERD/A	Richard Coley And Lynne Dunlop Plot 3 And 4 Torran Farm Ford Lochgilphead Argyll Erection of two detached dwellings - amendment to warrant reference 04/00789/ERD granted 6 August 2004 - layout as built	08/12/2006	14/12/2006	25/07/2007	WARAPP
05/01496/ERECDW/A	James Johnston Davidson Land Between Somerled And Kerridail Bridgend Lochgilphead Argyll Erection of an 8 apt timber framed 1 and 1/2 storey dwelling house - amendment to reference 05/01496/ERECDW granted 9th February 2006 - layout of rainwater drains and the provision of rodding points	31/07/2007	03/08/2007	03/08/2007	WARAPP
05/01781/ERECDW/A	Mr Nigel Grant Land West Of Crumble Cottage Isle Of Colonsay Erection of a six apartment timber framed single storey dwelling house and installation of septic tank - amendment to warrant reference 05/01781/ERECDW granted 2nd February 2006 - change to drainage layout and construction of dummy chimney	09/07/2007	20/07/2007	10/08/2007	WARAPP
06/00834/CONV01	J B Barton And M I Haberhauer Glebe House 21 Glebe Street Campbeltown Argyll And Bute PA28 6JJ Change of use from builders merchants to dwelling house, to include partial demolition	15/06/2006	27/06/2006	07/08/2007	WARAPP
06/00989/MULTIP/A	Mr John Scott Islay House Garval Road Tarbert Argyll And Bute PA29 6TR Alterations to form 2 window opening to gable, 2 rooflights, installation of 2 multifuel stoves and form opening through stud wall - top flat - amendment to warrant reference 06/00989/MULTIP granted 28th July 2006 - change kitchen location	02/07/2007	05/07/2007	25/07/2007	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**

**BUILDING STANDARDS
DELEGATED DECISIONS SINCE LAST
COMMITTEE**

CASENO	APPLICANT NAME/PROPOSAL AND SITE ADDRESS	RECEIVED DATE	VETTED DATE	DECISION	DECISION
06/01424/ERECDW/A	Paul And Barbara Holness Land To The South Of Barmolloch Cottages Kilmichael Glen Argyll Erection of a 2 storey 5 apartment timber framed dwelling with associated sewage treatment plant - amendment to Building Warrant reference 06/01424/ERECDW granted 22 February 2007 - change in size of lean to porch, siting of ground source heat equipment, steps to external doors etc	20/07/2007	25/07/2007	02/08/2007	WARAPP
06/01447/ERECDW/A	Mr And Mrs A. Reed Plot 8 The Avenue Inveraray Argyll And Bute Erection of a two and a half storey timber framed dwelling house amendment to warrant reference 06/01447/ERECDW granted 12th January 2007 - amended underground drainage layout	27/06/2007	05/07/2007	24/07/2007	WARAPP
06/01563/ERECDW	Mrs Fiona Wyllie Land North East Of Traighuaine Arduaine Argyll And Bute Erection of a 7 apartment, 4 bedroom, 3 storey timber framed dwelling house with oil storage tank, septic tank and irrigation system. Stage 1, foundations, substructure and superstructure up to and including the beam/block floor.	23/11/2006	06/12/2006	07/08/2007	WARAPP
06/01633/ERECDW	Mrs MacSporran Land North Of Dalmore Farm Tayinloan Argyll And Bute PA29 6XG Erection of an 8 Apt, 4 bedroom, one and a half storey timber framed dwelling house with attached double garage, oil storage tank, septic tank and soakaway	07/12/2006	14/12/2006	13/08/2007	WARAPP
07/00029/ALTEXT	Major And Mrs W J Hunter Caolside Barmore Road Tarbert Argyll And Bute PA29 6TT Single storey side extension to form study, WC and utility room and alterations to remove existing utility and WC and form access to extension from existing kitchen window and form bathroom on upper floor from study room	21/12/2006	12/01/2007	17/08/2007	WARAPP
07/00171/ERECT	Mrs Middleton Plot 1 Lurabus The Oa Isle Of Islay Argyll And Bute Erection of a double garage	13/02/2007	21/02/2007	31/07/2007	WARAPP

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**BUILDING STANDARDS
DELEGATED DECISIONS SINCE LAST
COMMITTEE**

CASENO	APPLICANT NAME/PROPOSAL AND SITE ADDRESS	RECEIVED DATE	VETTED DATE	DECISION	DECISION
07/00366/EXTEND	Mr And Mrs MacAllister Mistral Mealldarroch Tarbert Argyll And Bute PA29 6YW Erection of extension to form en-suite bedroom on first floor, family/dining room on ground floor and reposition of conservatory	20/03/2007	03/04/2007	25/07/2007	WARAPP
07/00395/ERECDW	John And Suse Coon Larick House By Glenreasdale Whitehouse Argyll And Bute PA29 6XR Erection of a 4 bedroom, 6 apartment timber framed one and a half storey dwelling house with septic tank and soakaway	27/03/2007	17/04/2007	25/07/2007	WARAPP
07/00480/ERECDW	Mr And Mrs Chessor Matthew Land South West Of Mill Cottage Machrihanish Argyll And Bute Erection of a 1+1/2 storey 5 apartment, 4 bedroomed timber framed dwelling house with associated septic tank and infiltration system	10/04/2007	10/05/2007	24/07/2007	WARAPP
07/00515/ALTEXT	Sarah Parkin Braeside 86 Main Street Port Charlotte Isle Of Islay Argyll And Bute PA48 7TX Layout changes to existing ground and 1st floor, with 2 storey extension forming, utility, w/c sauna and solarium to ground floor, bedroom, store and en-suite to 1st floor.	19/04/2007	10/05/2007	13/08/2007	WARAPP
07/00543/EXTEND	Mr And Mrs S Whiston Braeholm Kilduskland Road Ardrishaig Lochgilphead Argyll And Bute PA30 8EH Removal of existing extension and erection of a single storey timber frame extension forming family room, kitchen and store	23/04/2007	03/05/2007	16/08/2007	WARAPP
07/00552/ERECT	N Young Tighmor Kilmartin Lochgilphead Argyll And Bute PA31 8RQ Erection of detached garage	24/04/2007	14/05/2007	25/07/2007	WARAPP

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**BUILDING STANDARDS
DELEGATED DECISIONS SINCE LAST
COMMITTEE**

CASENO	APPLICANT NAME/PROPOSAL AND SITE ADDRESS	RECEIVED DATE	VETTED DATE	DECISION	DECISION
07/00553/ERECDW	Merlyn Edwards Land North Of Craignish Lodge Craignish Lochgilphead Argyll And Bute PA31 8QS Erection of a 5 apartment 3 bedroom timber frame 2 storey dwelling with associated bio-disc and soaking system	24/04/2007	11/05/2007	03/08/2007	WARAPP
07/00577/ERECDW	Mr And Mrs Gordon Blair Plot East Of Tigh Na Glaic Crinan Argyll And Bute PA31 8SW Erection of a 2 storey, 6 apartment, 3 bedroom, timber framed dwelling house with detached garage and associated septic tank and infiltration system.	27/04/2007	18/05/2007	03/08/2007	WARAPP
07/00578/ERECDW	Mr A McDonell And Mr Weir Land South Of Dunamuck Kilmichael Glassary Argyll And Bute PA31 8RE Erection of 2 semi detached 1+1/2 storey timber framed 4 apartment, 3 bedroomed dwelling houses with associated septic tank and soakaway system	27/04/2007	18/05/2007	06/08/2007	WARAPP
07/00646/CONV04	Mr Howard Spicer Rudha Na Craige Inveraray Argyll And Bute PA32 8YX Change of use to licensed guest house	01/05/2007	22/05/2007	24/07/2007	WARAPP
07/00678/ALTER	Campbeltown Lettings 20 Burnside Street Top Floor (Flat Left) Campbeltown Argyll And Bute PA28 6JE Alterations to existing top floor flat to change kitchen to bedroom and form new kitchen	10/05/2007	24/05/2007	07/08/2007	WARAPP
07/00690/ERECT	John Barbour Tonrioch Farm Campbeltown Argyll And Bute PA28 6PN Erection of new agricultural cattle feed store	14/05/2007	24/05/2007	02/08/2007	WARAPP

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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**

**BUILDING STANDARDS
DELEGATED DECISIONS SINCE LAST
COMMITTEE**

CASENO	APPLICANT NAME/PROPOSAL AND SITE ADDRESS	RECEIVED DATE	VETTED DATE	DECISION	DECISION
07/00694/ALTEXT	Mrs Jean M. Hobbs Beach Hill Low Askomil Campbeltown Argyll And Bute PA28 6EP Single storey side extension to form a conservatory and form new access to such by removal of kitchen window and dado wall and install door	14/05/2007	01/06/2007	31/07/2007	WARAPP
07/00735/EXTEND	Mr And Mrs T. B Bowie Beth Shean The Oa Isle Of Islay Argyll And Bute PA42 7AX Side extension to form garage and bedroom with en-suite	21/05/2007	13/06/2007	02/08/2007	WARAPP
07/00742/ALTEXT	Mr And Mrs Von Close Carsaig House Dounie Road Tayvallich Argyll And Bute PA31 8PN Alterations and extension including sun room extension, new front steps and doorway, partitioning changes, and new second floor balcony	24/05/2007	12/06/2007	31/07/2007	WARAPP
07/00746/ALTER	Emma Vigor Smithy Cottage Bellanoch Lochgilphead Argyll And Bute PA31 8SN Internal alterations and replacement floor and front canopy	29/05/2007	07/06/2007	24/07/2007	WARAPP
07/00759/EXTEND	Mr K Head 5 Woodside Cottages Carradale Argyll And Bute PA28 6SB Extension to form a conservatory	31/05/2007	07/06/2007	06/08/2007	WARAPP
07/00798/ERECT	NHS Highland Mid Argyll Hospital Blarbuie Road Lochgilphead Argyll And Bute PA31 8JZ Erection of helicopter pad	12/06/2007	15/06/2007	25/07/2007	WARAPP

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**BUILDING STANDARDS
DELEGATED DECISIONS SINCE LAST
COMMITTEE**

CASENO	APPLICANT NAME/PROPOSAL AND SITE ADDRESS	RECEIVED DATE	VETTED DATE	DECISION	DECISION
07/00846/ERECT	Mr Willie Ralston East Drumlemble Farm Drumlemble By Campbeltown Argyll PA28 6PN PA28 6PN Demolish part of old buildings and erect new building	22/06/2007	03/07/2007	31/07/2007	WARAPP
07/00848/ALTER	S And H Philips Gowanlea Kilduskland Road Ardrishaig Lochgilphead Argyll And Bute PA30 8EH Alterations to increase window size to utility room	22/06/2007	09/07/2007	25/07/2007	WARAPP
07/00883/CONV01	Mr Angus Ferguson Atlantic View Crown Street Portnahaven Isle Of Islay Argyll Change of use and extension to existing storage building to form annex accommodation	02/07/2007	06/07/2007	07/08/2007	WARAPP
07/00895/ALTER	Stuart Mochrie 5 Brodie Crescent Lochgilphead Argyll And Bute PA31 8NW Alteration to elevation of dwelling to form patio doors and decking area	04/07/2007	19/07/2007	03/08/2007	WARAPP
07/00911/ALTER	Joe Malcolm The Cottage Ardrishaig Argyll And Bute PA30 8ET Alterations to replace window with a door to give access to a small conservatory (not yet erected)	05/07/2007	16/07/2007	03/08/2007	WARAPP
07/00914/INSTAL	Bankmachine Ltd 8 Argyll Street Lochgilphead Argyll And Bute PA31 8LZ Installation of automated teller machine	09/07/2007	16/07/2007	16/08/2007	WARAPP

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**BUILDING STANDARDS
DELEGATED DECISIONS SINCE LAST
COMMITTEE**

CASENO	APPLICANT NAME/PROPOSAL AND SITE ADDRESS	RECEIVED DATE	VETTED DATE	DECISION	DECISION
07/00928/CONV07	West Highland Housing Association Ltd Proposed Day Care Centre Craighouse Isle Of Jura Argyll And Bute PA60 7XS Change of use of house unit to respite unit	10/07/2007	16/07/2007	24/07/2007	WARAPP
07/00936/ALTER	Director Of Community Services Whitegates School Whitegates Road Lochgilphead Argyll And Bute PA31 8SY Application of external insulation/render system	11/07/2007	16/07/2007	07/08/2007	WARAPP
07/00948/ERECT	NVA (Europe) Ltd Woodland At Achnabreck By Cairnbaan Lochgilphead Argyll Erection of a timber structure for theatrical use	16/07/2007	03/08/2007	16/08/2007	WARAPP
07/00958/EXTEND	Mr James Anderson 19B Calton Avenue Campbeltown Argyll And Bute PA28 6NB Single storey rear extension to form a conservatory	16/07/2007	01/08/2007	13/08/2007	WARAPP
07/00976/ALTER	Mr J McNulty Ardtornish Tayvallich Lochgilphead Argyll And Bute PA31 8PL Alterations to form patio doors from existing window	23/07/2007	08/08/2007	08/08/2007	WARAPP
07/00983/INSTAL	Ruth Rubin 1 Long Rigg Clachan Argyll And Bute PA29 6XP Provision and installation of oil tank and external condensing combi boiler	24/07/2007	08/08/2007	08/08/2007	WARAPP

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**BUILDING STANDARDS
DELEGATED DECISIONS SINCE LAST
COMMITTEE**

CASENO	APPLICANT NAME/PROPOSAL AND SITE ADDRESS	RECEIVED DATE	VETTED DATE	DECISION	DECISION
07/01050/ALTER	Mrs C Elliot 3 Riochan Inveraray Argyll And Bute PA32 8UN Alterations to entrance doorway to install an external ramp for the benefit of a disabled person	07/08/2007	07/08/2007	07/08/2007	WARAPP

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ARGYLL AND BUTE COUNCIL**AREA COMMITTEES
SEPTEMBER 2007**

**CONSIDERATION OF INITIAL BUSINESSES CASES – TOWN CENTRE
AND WATERFRONT REGENERATION**

1 INTRODUCTION

- 1.1 As part of the process for revising the Corporate Plan the Council will need to consider the relative priority of the proposed Town Centre and Waterfront Regeneration Projects. This will follow the process outlined in paragraph 1.2 below.
- 1.2 An Initial Business Case will be prepared for each of the Town Centre and Waterfront Regeneration Projects. The format of the IBC will follow that laid out in the draft guidance on Capital Planning and Management. The IBC will be prepared from work previously carried out by the Council in respect of developing each of the Town Centre and Waterfront Regeneration Projects. Each IBC will be submitted to the appropriate Area Committee for approval and comment. Following submission to the Area Committees the IBCs will be assessed using the weighting and scoring criteria approved at the Council Meeting on 13 February 2007.
- 1.3 The purpose of the IBC is to outline, over two to four sides of A4, the contribution the project will make to the Council's plans and strategies, an indication of the likely costs, an outline of how the project will be delivered and a preliminary assessment of the risks related to the project including deliverability. Finally an outline of the action required to develop an outline Business Case would be included.
- 1.4 The role of the Area Committee is to confirm that the IBC as presented represents a fair summary of the project in its current state. If the Area Committee feels further information should be considered as part of the assessment of the project then this should be detailed at the Area Committee meeting.
- 1.5 The IBC, together with any comments made at the Area Committee, will be scored against the weighting and scoring criteria. This was approved as part of the budget motion on 13 February 2007 and was included within the budget pack. The outcome of the weighting and scoring exercise will be reported to the Council Meeting when it considers the Corporate Plan.

Bruce West
Head of Strategic Finance
6 August 2007

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INITIAL BUSINESS CASE		
<i>Project Title</i>		
Campbeltown and Kintyre Strategy		
<i>Project Description</i>		
<ul style="list-style-type: none"> • A regeneration strategy for Campbeltown and the wider area with the following objectives:- <ul style="list-style-type: none"> - Attract new investment to Campbeltown and Kintyre - Create sustainable, high quality jobs - Attract and retain skilled, economically active residents - Attract discerning, high-spending visitors • An Action Plan comprising:- <ul style="list-style-type: none"> - Strategic projects for Campbeltown and Kintyre - Specific proposals to improve the town centre experience and improve linkages between the town and the waterfront. 		
<i>Contribution to Council Plans and Strategies</i>		
<p>The strategy takes forward:-</p> <ul style="list-style-type: none"> • Argyll and Bute Structure Plan which requires the promotion of an action programme for Campbeltown town centre and waterfront to include consideration of redevelopment areas and areas to support the expansion and attraction of Campbeltown for employment-led investment. The Structure Plan also recommends the establishment of a Rural Development Area to focus on the regeneration of the fragile communities of the Kintyre Peninsula together with the Argyll Islands. • Argyll and Bute Local Plan sets out the land use allocations and policies needed to fulfil the Structure Plan requirements. The local Plan also includes five Areas for Action (AFAs) where specific issues require to be addressed. • Corporate Plan 2006-2008 includes “Campbeltown Regeneration” as a strategic priority under the heading of “Forward Looking” • The “Yellow Book” Report was adopted by the Council in 2005. It forms the basis from which the Campbeltown and Kintyre Strategy is largely derived. 		
<i>Compliance with External Requirements</i>		
There are no identified high level external requirements		
<i>Costs</i>	<i>Capital</i>	£2m (consultants’ estimate)
	<i>Revenue</i>	£535k (consultants’ estimate)
	<i>External Funding</i>	£285k revenue It should be noted that Communities Scotland will be investing up to £3m in housing in Campbeltown over the next five years. This will make a significant contribution to the objectives of the Strategy.
<i>Project Delivery Mechanism</i>		
<ul style="list-style-type: none"> • A “whole place” approach involving a concerted joined-up effort based on effective partnership between the public sector partners, business and the community. • Establishment of a steering group comprising senior representatives of the Council, HIE, Communities Scotland, Jobcentre Plus and ACHA. Together with up to three invited senior business figures and community leaders. • Appointment of a project manager/town centre manager. 		

<i>Timescale</i>
2006 - 2011
<i>Residual Consequences</i>
<ul style="list-style-type: none"> • Detailed and ongoing officer level attention is required in order to realise the opportunities available. This impacts significantly on the workload of the Development Projects Unit. • Key elements of the strategy require capital investment by the Council which is not forthcoming at present.
<i>Risks</i>
<ul style="list-style-type: none"> • Lack of commitment leading to insufficient critical mass of financial and staff resources needed to ensure success. • Degeneration of Campbeltown in terms of built environment, housing shortage, lack of employment opportunities, infrastructure failure, decline of retail offer, disincentive to visitors and inability to capitalise on latent economic development potential. • Social and community decline • Decrease in political credibility of Council
<i>Action Required to Develop Outline Business Case</i>
<ul style="list-style-type: none"> • Completion of masterplan for Kinloch Road area • Approval of Townscape Heritage Initiative bid by HLF • Feasibility study for transit marina in inner harbour • Allocation of resources for appointment of project/development officer
<i>Project Manager</i>
Andrew Robertson, Planning/Development Officer
<i>Project Sponsor</i>
Nigel Stewart, Director of Corporate Services

Scoring - Campbeltown and Kintyre Strategy			
Assessment	Score	Weight	Weighted Score
IMPACT			
Impact on Corporate Plan		1.668	
Impact on Service Plans		0.833	
Impact on Area Plans		0.833	
Impact on Corporate Strategies		0.833	
Impact on compliance with legal and national priorities		0.833	
AFFORDABILITY			
Capital costs are affordable		1.0	
Ongoing revenue costs are affordable		1.0	
External funding leveraged by the project		0.5	
DELIVERABILITY			
Timescales for delivery		0.42	
Management arrangements to deliver project		0.42	
Residual/Knock on consequences		0.41	
RISK			
Impact risks		0.25	
Delivery risks		0.25	
Affordability risks		0.25	
Risk management arrangements		0.25	
Risks of not proceeding with the project		0.25	
SCORING TOTALS			
Impact			
Affordability			
Deliverability			
Risk			
TOTAL SCORE			

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**ARGYLL AND BUTE COUNCIL
CORPORATE SERVICES**

**MID ARGYLL KINTYRE &
ISLAY AREA COMMITTEE
8TH AUGUST 2007**

USABLE CAPITAL RECEIPTS

1.0 SUMMARY

1.1 Advice has been received from the Head of Strategic Finance that arising from the disposal of assets a sum of £ 28,934.51 is now available to the Mid Argyll, Kintyre and Islay Area Committee for allocation against projects which meet the capital criteria.

2.0 RECOMMENDATION

2.1 Members are asked to consider allocation of the available sum.

3.0 DETAIL

3.1 As agreed by the Council, Capital funds allocations must be utilised in terms of the following criteria:-

- i. Any expenditure within the approved capital allocation must be approved by the Area Committee and must be fully compliant with all the legal definitions for capital expenditure by a local authority.
- ii. Any expenditure proposed by Area Committees must be in accordance with –

The Council's Goals and Values;
The Council's Strategic Objectives; and
Area Committee Area Strategy/Development Plans or approved
Departmental Service Plans

and in addition -

- Must be used for the purposes of improving Council Services or their delivery, or for improving local amenities or infrastructure which are the responsibility of the Council;
- As far as is practicably possible within the agreed spending timescale, should gear in additional external funding from other agencies either in cash or in kind to support projects being promoted; and
- Will not be utilised in such a way as to reduce current or potential Council income nor to commit the Council to revenue or capital commitments beyond the current financial year.

3.2 Appendix 1 contains a list of projects which the Area Committee has previously considered supporting, and items from the current Mid Argyll, Kintyre and Islay Area Plan which could be considered for capital receipt spend.

4.0 IMPLICATIONS

Policy: None
Financial: None – within appropriate financial capital allocation.
Personnel: None
Equal Opportunities: None

For further information contact: Shirley MacLeod, Area Corporate Services Manager
01369 704374

Date: 20th July 2007

APPENDIX 1

PROPOSALS FOR USE OF CAPITAL RECEIPT MONEY

- Bridgend / Kilmichael footpath
- Bowmore to Kilarrow house footpath
- Community mini-buses
- Passing place signs on the B842
- Single track road improvements on Islay
- Inveraray Arch and railings
- Old Quay Head environmental improvements
- Servicepoints and shared working [Port Ellen, Gigha Pier]
- Flooding at Saddell
- Security cameras for Aqualibrium

AREA PLAN PROJECTS FOR USE OF CAPITAL RECEIPT MONEY

- Reconstruction of railings and walkway along Quarry Green- Vibrant Communities
- Construction of artificial sports pitches (Lochgilphead, Tarbert, Bowmore, Campbeltown)- Vibrant Communities
- Carradale harbour improvements -Outstanding Environment

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ARGYLL & BUTE COUNCIL
OPERATIONAL SERVICES

MID ARGYLL, KINTYRE & THE ISLANDS AREA
COMMITTEE
WEDNESDAY 5TH SEPTEMBER 2007

UPDATE ON HEADSTONES RE-ERECTION WITHIN MID ARGYLL, KINTYRE AND THE ISLANDS

1. SUMMARY

1.1 Members requested an update on the progress of the re-erection of headstones within our area.

2. RECOMMENDATIONS

2.1 It is recommended that members note this report.

3. DETAIL

3.1 Achnabreac Cemetery, 54 headstones still to be re-erected as of 27th August 2007.

3.2 Kilkerran Cemetery, 210 headstones still to be re-erected as of 27th August 2007.

4. IMPLICATIONS

Legal: None.

Policy: Maintaining our cemeteries.

Financial: Costs from capital funding

Personnel and Equal Opportunity: Nil

For further information, please contact:

Donnie McLeod, Area Roads and Amenity Services Manager, Mid Argyll, Kintyre and Islay
(Tel: 01546 604671)

Stewart Turner
Head of Roads and Amenity
5th September 2007.

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ARGYLL & BUTE COUNCIL**STRATEGIC POLICY COMMITTEE****OPERATIONAL SERVICES****19 APRIL 2007**

A STRATEGY FOR PROVISION OF PLAY AREAS MANAGED BY ARGYLL AND BUTE COUNCIL

1. SUMMARY

The purpose of this report is to allow Members to set guidance to clarify the strategy for the provision of play areas managed by Argyll and Bute Council .

2. RECOMMENDATIONS

Members approve the statement shown in Appendix Three.

This statement can be used to support application for funding in the capital programme and external bids.

3. DETAIL

- 3.1 Provision of challenging, safe and accessible equipped play space for children is considered an important issue by members of the public. The provision of such space has traditionally been a function covered by Argyll and Bute Council .A policy set by Strategic Policy Committee in June 2004 set out support that the Council would give to community groups wishing to develop play space with Argyll and Bute Council. Research for this policy showed that where the community had partnership involvement with Council, the resulting play space reflected a real sense of community. Five partnership agreements are currently in place with a further three near to agreement.
- 3.2 There is an expectation that every small village will be provided with an equipped play space. In truth this is neither desirable nor affordable. National research has shown that children do not necessarily require play equipment to play. The activity of play is often more educational and challenging when children use their natural surroundings rather than be forced into pre prescribed patterns of activity by specific equipment. Large play areas with a good variety of equipment and opportunity are better suited to large open spaces where a visit is an adventure and less likely to be disappointing.
- 3.3 Routine maintenance of equipped play areas is an ongoing revenue element. Ensuring any play area is properly maintained requires resources sufficient to inspect, maintain and insure sites in the long term.
- 3.4 As little or no capital resource has been available up until 2002 for replacement of equipment many of the existing, equipped play areas have deteriorated beyond economic repair; or require parts now unavailable to carry out repairs. Updating and upgrading requires considerable capital input in a programmed and planned

approach ensuring that play space is available in locations and of a type that 21st century children will use. Any development must be sustainable.

- 3.5 Appendix 1 sets out the improvements already carried out or completed under previous projects. This shows only sites retained by Argyll and Bute Council after the transfer of a number to Argyll Community Housing Association. Appendices 2 and 2a show proposals for repair and development. Priority is given to sites where continued site safety is dependant on immediate spend.
- 3.6 The National Playing Fields Play Value assessment for playgrounds is used as a measure to assess the different sites and allow better decision making particularly to improve play areas, make a useful assessment of provision in relation to other providers, assess areas subject to existing or potential vandalism, and assess varying designs by different manufacturers and designers.
- 3.7 Appendix 3 outlines a strategy.

4. CONCLUSION

The need for a defined policy for this activity will merely serve to unnecessarily over complicate this issue. A strategy or scheme for the continued maintenance, provision and development of existing play areas gives clear guidance on what is planned where and what is required to facilitate it.

5. IMPLICATIONS

- 5.1 Policy – Clarify previous policy operation
- 5.2 Financial – Capital programme updated to bring down money from future years.
- 5.3 Personnel – None.
- 5.4 Equal Opportunities – Improvement of sites to offer play experience to all abilities.
- 5.5 Legal – Ongoing requirement to ensure that where play spaces are provided that they meet health and safety requirements or action is taken to remove danger, limit access, or close sites.

For further information, please contact Callum Robertson (Tel: 01546 604887).

Andrew R Law
Director of Operational Services
19 April 2007

Appendix One

Play Areas in Argyll and Bute Council Control/Community Partnership

Area	Site	Community Partnership	Development / Project Status	*Spend to date or Previous budget allocation
Bute	Meadows Rothesay	None	Project completed April 2007, installing of swing unit from previous phase.	
	Port Bannatyne	None	No current proposals	
Cowal	West Bay ,Dunoon	In progress	Minute of agreement signed. Phase one completed ,installed new equipment Sept 2004	
	Sandbank	In preparation	Minute of agreement signed. Will require capital/revenue allocation	
Helensburgh and Lomond	Kirkmichael	In preparation	Project still on hold .£10360 in capital ring fenced	£10360 ring fenced in capital
	Hermitage Park,Helensburgh	None	Project completed Dec 2005	£21360+21360
	Swimming Pool,Helensburgh	None	Wheeled park equipment relocated from Hermitage Park.	Expenditure
	Manse Brae Rhu	In preparation	Phase one completed June 2006	£25000/£16672.00
	Howie Park Rosneath	In progress/complete	Site expanded ,project completed 2006	£12500
	Red Gauntlet Road helensburgh	None	Ongoing maintenance, inspection, and insurance .Site refurbished by external developer and additional sinking fund for maintenance provided.	Sinking fund for maintenance portion released year on year.
	Church Road Arrochar	In preparation	Minute of agreement signed. Short list of plans now being considered. Fund raising going on by community group.	£5500
	James Street,Helensburgh	None	No current proposals	
Helensburgh and Lomond	Kilcreggan Park Rosneath	None	No current proposals	
	Luss	In progress	Minute of agreement signed. Plans being prepared to take account of requirements of planning authority in LLTNP . Improvements to access including dog proofing and creating more suitable pathway and drop kerb.	£8200
	Red Gauntlet Road	Sinking fund provided by developer for 10 years maintenance.	Refurbishment of existing site provided by developer ,retained by Argyll and Bute Council with maintenance sinking fund.	£20000 over 10 years for maintenance
	Tarbet	In progress	This project is being dealt with along with Arrochar and	

Area	Site	Community Partnership	Development / Project Status	*Spend to date or Previous budget allocation
	Duck Bay	None	Attempting to identify landownership.	
	Bendarroch Park Garelochhead.	In preparation	Minute of agreement signed.First phase of project completed March 2007.Removal of equipment and preparation of ground. Lighting installed.	£17000
Mid Argyll	Front green Lochgilphead	None	Project completed 2005. <i>A dog proof fence required and the community wish to erect a fence along the road side of the play area.</i>	8139
	Football Field Tarbert	None	Project completed 2005. <i>Some damage to play equipment attributed to the ongoing work for the new all weather pitch. Repairs to be carried out by the Contractor.</i>	4614
	KGV Ardrishaig	None	<i>Community Group has met with the Council's Play park Officer to develop the play area.</i>	0
	Front Green Ardrishaig	None	Dog proofing of site required. <i>Community trying to arrange for the erection of a fence along the public road adjacent to the play park.</i>	0
Kintyre	Kilkerran road Paddling Pool	None	Will require capital/ revenue allocation to refurbish. <i>Two mobiles removed within the last year.</i>	0
	<i>Lochend Adventure Park.</i> (adjacent Tesco)	<i>Complete</i>	Project completed <i>2007</i> .Refurbishment of old site in Argyll and Bute Council ownership.	£47419.00/ £10000
	<i>Skate Board Park, Campbeltown.</i>	<i>Completed 2006</i>	<i>Two sides of the skate board area to be fenced off when funding secured.</i>	
Kintyre	Kinloch Green (adjacent Princes Street.	None	Requires dog proofing of site .repairs to surfacing under climbing frame, review condition and ease of repair of this equipment prior to decision on surface replacement. <i>Climbing frame removed from play park.</i>	0
	Meadows Campbeltown	None	Fence to dog proof area. This work may limit the use of adjacent pitches. <i>Some minor repairs from revenue budget required as a result of vandalism.</i>	0
	<i>Skateboard Park,</i>	<i>Complete</i>	<i>New fencing recently identified as required at two sides</i>	

	Campbeltown		of park.	
Islay	Ramsey Hall	None	<i>The roundabout and seesaw were removed within the past year.</i>	0
Oban /Lorn/Isles	Adjacent Struthan Terrace Tiree	Project completed and maintenance agreement agreed through area committee.	Project completed 2005.New site completed	£7500
	KGV Mull	None	Swings replaced June 2004	£4500

*Spend to date covers on the most recent 3 year project with individual project approved through area committee.

**APPENDIX TWO
CONDITION REPORT ON PLAY AREAS**

Area	Site	General Condition	Play Value as defined under NPFA guidelines. /78	Proposals
Bute	Meadows Rothesay	Generally fair	5	Installation of new swing unit, completion of previous project. *Ongoing inspection , maintenance ,insurance
	Port Bannatyne	Fair	8	*Ongoing inspection , maintenance ,insurance
Cowal	West Bay ,Dunoon	Fair	27	Enhancement of site *Ongoing inspection , maintenance ,insurance
	Sandbank	Poor, equipment no longer viable to repair.	3	Remove old equipment as parts no longer available to repair economically . Create community partnership and access external funding *Ongoing inspection , maintenance ,insurance
Helensburgh Lomond	Red Gauntlet Road	New site refurbished by developer.	15	*Ongoing inspection , maintenance ,insurance
	Kirkmichael	Poor ,equipment in poor state	7	Replace equipment .Remove equipment where not economic to repair. *Ongoing inspection , maintenance ,insurance
	Hermitage Park ,Helensburgh	Equipment good. Entrance dog grid requires replacement to ensure Disability Discrimination Act compliance. Signage required. Requires boundary hedge height lowered.	46	Access improvements *Ongoing inspection , maintenance ,insurance

Area	Site	General Condition		Proposals
Helensburgh Lomond	Swimming Pool, Helensburgh		16	Dog proofing of site and repairs to surfacing. *Ongoing inspection , maintenance ,insurance
	Manse Brae Rhu	New equipment installed .	32	Complete further phases of project with community involvement. *Ongoing inspection , maintenance ,insurance
	Howie Park Rosneath	Good .New equipment installed Safety surface repair required under swing unit	38	Current project complete Repair safety surface to allow equipment to stay in service. *Ongoing inspection , maintenance ,insurance
	Church Road Arrochar	Poor	10	*Ongoing inspection , maintenance ,insurance
	Luss	Poor	11	*Ongoing inspection , maintenance ,insurance
	Tarbet	Poor	5	*Ongoing inspection , maintenance ,insurance. Included in Arrochar Project
	Duck Bay	Poor	3	*Ongoing inspection , maintenance ,insurance
	Kidston park	Fair	13	*Ongoing inspection , maintenance ,insurance
	Kilcreggan Park	Fair	11	*Ongoing inspection , maintenance ,insurance
	Bendarroch Park	Project in progress	60 Score based on plans for new site	Completion of revised fencing works and preparatory grounds works for installation of new equipment
Mid Argyll	Front green Lochgilphead	Good	13	*Ongoing inspection , maintenance ,insurance
	Adjacent Football Field Tarbert	Good. Repair to safety surfacing required at base of slide.	10	Repair surface to allow equipment to stay in service. *Ongoing inspection , maintenance ,insurance
	KGV Ardrishaig	Poor	4	Remove old equipment beyond economic repair and install new swing unit .Seek to create community project. *Ongoing inspection, maintenance and insurance.
Area	Site	General Condition		Proposals
Mid Argyll	Front Green	Good	5	*Ongoing inspection, maintenance and insurance.

	Adrishaig			Support to parent group to provide fence at road side.
Kintyre	Kilkerran Road Paddling Pool Kilkerran Green (Jock's Boat), Campbeltown	Good/Fair	18	Schedule equipment replacement over 3 year period. *Ongoing inspection, maintenance and insurance. Requires painting and repairs to safety surfaces.
	Lochend Adventure Park (adjacent Tesco), Campbeltown	Good .New equipment throughout site.	32	*Ongoing inspection, maintenance and insurance
	Kinloch Green (adjacent Princes Street. Skate Board park, Campbeltown.	Poor .Surfacing breaking up. Swing unit in poor condition and constant need to unwind swings from top rail. No fence, site adjacent to busy roadway and on dog walking route. Climbing frame no longer able to get replacement parts. Project completed 2006.	3	*Ongoing inspection, maintenance, insurance. If site is to be retained long term then fencing is required to improve safety and exclude dogs. A review of retention of the climber and possible replacement with more exciting equipment. Note brand new site within 500 metres of this area so major provision is not required. Any development should take account of long term plans by ACHA. Additional fencing to be erected along two sides.
	Meadows Campbeltown	Good.	11	Fence required excluding dogs. *Ongoing inspection , maintenance ,insurance
Islay	Ramsey Hall	Fair, poor selection of equipment. Dog fouling a huge problem. Vandalism of site occurs regularly due to proximity to Public Hall.	4	Fence required to exclude dogs *Ongoing inspection , maintenance ,insurance. Increase range of equipment on site after public consultation.

Oban /Lorn/ Isles	Adjacent Struthan Terrace Tiree	Good .New equipment throughout site.	22	*Ongoing inspection , maintenance ,insurance
	KGV Mull	Swings good .Climber fair. Slide Fair .	6	*Ongoing inspection, maintenance, insurance. Steps needed at embankment slide. Fence required excluding dogs, with dual purpose of enclosing play area from adjacent burn.

* Required to fulfil Public Liability obligations.

APPENDIX 2a PRIORITY FOR WORKS

Area	Site Name	Year/s budget required	Works
Bute	Meadows	Future	Increase play value
Cowal	West Bay Play area	Future	Increase play value
	Sandbank	Future	Increase play value
Helensburgh and Lomond	Kirkmichael	Future	Increase play value
	Luss	Future	Increase play value
	Tarbet	Future	Increase play value
	Arrochar	Future	Increase play value
	Duck Bay	Future	Increase play value
	Bendarroch Park	Future	Increase play value
	Manse Brae Rhu	Future	Increase play value
	Swimming Pool Helensburgh	07 08	Dog Proofing
	Howie Park	Future	Increase play value
	Hermitage Park	07 08	Access improvements
		08 09	Dog proofing
	Kidston Park		Await full development plan
	Red Gauntlet Road	2015	Site fully refurbished in 2005 Life expectancy 10 years.
Mid Argyll	Front Green Lochgilphead	Future	Increase play value
	Tarbert Adjacent to football pitch.	07 08	Dog proofing
	KGV Ardrishaig	07 08	Dog proofing
	Front green Ardrishaig	07 08	Dog proofing
Kintyre	Meadows Campbeltown	07 08	Access improvements and dog proofing
	Kinloch Green Opposite Tesco	2016	Site fully refurbished in 2006 Life expectancy 10 years.
	Kinloch Green Adjacent Aquilibrium	07 08	Surfacing under climbing frame Access improvements and dog proofing
	Paddling pool Kilkerran Road	Future	Increase play value
Islay	Ramsey Hall Port Ellen	07 08	Dog proofing
Oban Lorn and Isles	KGV Tobermory	07 08	Access improvements and dog proofing
	Adjacent Sruthen Terr Tiree	Future	Increase play value

Appendix Three

Strategy Statement.

Provision of Equipped Play Areas

Provision of challenging, safe, and accessible equipped play space for children is considered an important issue by members of the public. The provision of such space has traditionally, but not exclusively, been a function covered by Argyll and Bute Council.

There is an expectation that every small village will be provided with an equipped play space. Whilst communities may feel this desirable the ongoing revenue cost to private groups is often the obstacle to projects progressing. A policy set by Strategic Policy Committee in 3 June 2004 set out support that the Council would give to community groups wishing to develop play space with Argyll and Bute Council. Research for this policy showed that where the community had partnership involvement with the Council, the resulting play space reflected a real sense of achievement and community.

National research has shown that children do not necessarily require play equipment to play. The activity of play can be more educational and challenging when children use their natural surroundings rather than be directed into patterns of activity by specific equipment.

Large play areas with a good variety of equipment and opportunity are better suited to large open spaces where a visit is an adventure and less likely to be disappointing.

No plan is in place for the building of new equipped play space as part of an Argyll and Bute Council function nor is there a specific statutory function to carry this out. Any space equipped or not must be sustainable in terms of continued resources to undertake ongoing inspection, maintenance, and insurance of the site. Any person using the site can expect that Argyll and Bute Council have taken all reasonable steps to minimize or eliminate risk to users and this assessment must take account of whether resources can be reasonably expected to be provided.

This becomes more challenging to guarantee year on year as priorities for budget allocation are squeezed.

The policy agreed in June 2004 on support to community groups developing equipped does make provision for the Council to take on community sites provided they meet the criteria set down in this policy. This remains the most sustainable method to develop new play space as well as regenerate existing sites as it requires an undertaking by Argyll and Bute Council to ensure that any agreement made can be supported by existing budget provision without the need for additional revenue allocation.

The provision of new equipped play space should be driven by this existing policy. It encourages input from local communities at all levels to ensure sites are considered by the community and their location, level of provision and value in encouraging adventurous and educational play are. Support via capital funding for start up of projects should be provided over the next three years with application made to area committees who will be assisted in their deliberation by appropriate council officers.

Priority will be given with revenue funding to continue to make safety the principal obligation and spend allocation of access improvements and dog proofing of all sites.

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ARGYLL & BUTE COUNCIL

**MID ARGYLL,
KINTYRE AND THE
ISLANDS
AREA COMMITTEE**

CORPORATE SERVICES

8 AUGUST 2007

**EXTRACT FROM MINUTES OF STRATEGIC POLICY COMMITTEE
HELD ON 19 APRIL 2007**

**9. A STRATEGY FOR PROVISION OF PLAY AREAS MANAGED BY ARGYLL
AND BUTE COUNCIL**

A report requesting Members to set guidance to clarify the strategy for the provision of play areas managed by Argyll and Bute Council was considered.

Decision

Agreed that the report and policy be referred to the relevant Area Committees as established by the new Council, whom failing, a future meeting of the Council to determine this matter.

(Reference: Report by Director of Operational Services dated 19 April 2007, submitted).

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Local Members - Cllrs. Hay, McMillan and Philand Committee Date - 8th August 2007

**PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) (SCOTLAND) ACT 1997
PROPOSED LISTING OF BUILDING AS BEING OF SPECIAL ARCHITECTURAL
OR HISTORIC INTEREST**

BARN REAR OF COTTAGES AT NEWTON ROW, INVERARAY

SUPPLEMENTARY REPORT No1

1. INTRODUCTION

At the last Area Committee, Members considered a request from Historic Scotland to provide comments upon their proposed listing of a redundant barn in Inveraray. In the event, a decision on the matter was continued in order to afford the Council's Conservation Officer an opportunity to research into the history and significance of this building. This is now detailed below.

2. ADDITIONAL INFORMATION

Background

Newton Row (the Gallowgate), described in 1776 as "the long row of houses in the Fisherland", was begun in 1749 - a year before the first building in the planned town - to provide cottages for estate workers.

Fisherland Barn was built by the 5th Duke of Argyll as part of the modernisation of the Argyll Estate which started in 1771. William Mylne (1734-90) probably prepared the design but further work seems to have been done on the roof design by his brother Robert Mylne (1733-1811) in 1774, during the construction process. Robert Mylne appears to have been the architect responsible for this development of barn, stable and midden building. It is the stable which is now under consideration for listing.

The barn was badly damaged by fire in the early 1950s. Despite a very heavy restoration, which destroyed most of its remaining architectural and historic qualities, the building was listed as being of Special Architectural or Historic Interest in 1966. Historic Scotland has recently indicated its intention to de-list this building and the Area Committee has previously endorsed this.

The Architect

Robert Mylne (1734-1811) was born in Edinburgh and studied as an architect and engineer in Paris and Rome. As well as his work in Inveraray he is known for Blackfriars Bridge (beating a design that was actively supported by Samuel Johnson) and the Stationers' Hall in London, St Cecilia's Hall in Edinburgh (the oldest purpose-built concert hall in Scotland), and Clachan Bridge on Seil Island. He was also involved in the construction of several canals in England. He is buried in St Paul's Cathedral, London.

Model Georgian Farms

The 18th century saw huge changes in farming practise all over Britain, with model farms being developed to deal with the fast pace in technological innovation. In the north and west of Scotland this modernisation process led to vast social and economic change which has had a lasting legacy. Ruined townships and mass emigration are one side of the coin, with architect-designed farm steadings, barns, horse engines and kennels forming the other.

Whilst any good collection of 18th century agricultural and estate buildings could be seen as being of regional importance, a collection of such buildings associated with a planned town, a designed landscape and a castle (such as here in Inveraray), is undoubtedly of national significance.

While castles and churches seem to attract more attention as important historic buildings it is often the smaller, modest buildings that reflect the local way of life more vividly - and it is these that are usually much more vulnerable to neglect and decay.

The special historic and architectural interest of Inveraray is much more than its castle and planned layout. Evidence of how people lived and worked in the town, what their special way of life was like and how the town and the estate worked together is of enormous significance regionally and locally.

The Stable

The prominent upper floor of the stable, probably the hayloft, is ventilated by two louvred ventilators in the ridge and by narrow slits with splayed openings (6 in each side wall and 3 in each gable). The ground floor has two blocked up openings in the north wall and a wide inserted opening in the west wall. The floor is cobbled. This is an unusual arrangement but, even if it is replicated on other Campbell estates, this "home" example is undoubtedly an early example.

The Conservation Officer's View

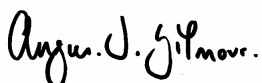
The Conservation Officer does not see any remaining significance in what remains of the big barn now used as part of Semple's garage and supports Historic Scotland's proposal to de-list it. However, she has been very concerned at the continuing dilapidation of the adjacent stable building. With, its prominent ridge ventilators and narrow side slits it is a significant feature at the entrance to the conservation area.

The building has deteriorated the last few months and has only a small curtilage with restricted physical access but, nevertheless, it is the type of building that could be brought back into use by a Building Preservation Trust working together with the owner (as described at the last Area Committee meeting). Although this building might not be practical for re-use as a permanent residence, it could form a unique holiday let, with natural light on the first floor coming in through the ridge and wall ventilators, and the original openings on the ground floor being re-opened.

She welcomes Historic Scotland's proposal to consider listing this building in its own right. As an early example of Robert Mylne's work this merits listing at least at category C(S), probably higher.

3. RECOMMENDATION

I endorse my previous recommendation, that no objection be raised to the listing of this building.



Angus J Gilmour
Head of Planning
23rd August 2007

Author and contact point: Richard Kerr 01546 604080

**PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) (SCOTLAND) ACT 1997
PROPOSED LISTING OF BUILDING AS BEING OF SPECIAL ARCHITECTURAL
OR HISTORIC INTEREST
BARN REAR OF COTTAGES AT NEWTON ROW, INVERARAY**

1. INTRODUCTION

The Planning (Listed Buildings And Conservation Areas) (Scotland) Act 1997 confers powers on the Scottish Ministers, acting through Historic Scotland, to list buildings and structures considered to be of special architectural or historic interest, taking into account the value of individual buildings, their contribution to the value of groups of buildings, and the desirability of preserving fixtures or curtilage structures.

Where such buildings or structures are identified for prospective listing, Historic Scotland are required to consult those persons with an interest in the buildings. In this case the Council is being consulted as Planning Authority in respect of this prospective listing.

2. BACKGROUND

At the last Area Committee, Members agreed to a proposal by Historic Scotland to de-list Barn Brae Garage, a much altered structure currently occupied as a vehicle repair workshop. It was noted at that time, that there was a second unused and dilapidated barn within the grounds associated with this building, which has hitherto been afforded protection by virtue of being a curtilage structure associated with the listed building. In de-listing the principal building, Historic Scotland have been considering separately whether they ought to list this building in its own right, as despite its dilapidation, it appears a more interesting structure historically than the building they intended for de-listing. They are now notifying the Council formally they are of the opinion the structure merits listing category C(S) and are seeking the Council's view about this before reaching a final decision.

3. THE MERITS OF THE STRUCTURE

The building is a former estate barn dating back to the 1770's, and constitutes a significant survival of the agricultural development of the Fisherlands area of Inveraray undertaken by the Argyll Estate in the 18th century. It comprises a stone built two storey structure with a slate roof with distinctive ventilation slits to the former hay loft. It is situated at right angles to, and very close to, the rear of the terrace of cottages fronting onto the A83.

Unfortunately, the building has not been utilised for many years and it is in a dilapidated condition. The upper floor is missing and the slate roof is in a poor state. Despite efforts by the owner to secure the building by temporary fencing there has been a history of persons accessing the building with consequent risk to their safety. The building has been inspected recently by the Council's Building Standards officers. At present, there is no immediate danger to public areas given that the building has been temporarily fenced off, although without intervention it is likely that, in particular, the roof will continue to deteriorate to a point where action may well be required. In that event, future removal of slates would expose the roof structure, with the prospect of further deterioration. Any demand to remove of the roof structure would affect the stability of the walls and would pose a serious risk in respect of the adjacent occupied property.

The view of Historic Scotland on the condition of the building is that it is not beyond repair and re-use; albeit that it is not clear as to what use might be viable for this building, given its construction, its backland location and its proximity to adjoining dwellings. Historic Scotland's view is that the minimum necessary works to make the building safe and secure should be carried out, consistent with national policy on listed buildings. Historic

Scotland are not receptive to the owner's view that the building has outlived its useful life, and due to its condition ought to be demolished.

4. THE CONSEQUENCES OF LISTING

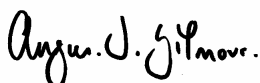
Should the building become listed, listed building consent would be necessary in respect of any works of demolition, or significant alteration of, the listed structure. By virtue of its location within the Inveraray Conservation Area the building would, irrespective of listing, already require conservation area consent in the event that it was intended to be totally demolished. In this case, the proposed listing would therefore only extend control to either partial demolition or to other alterations to the structure. With this in mind, the proposed listing is only peripheral to whether the building ultimately proves capable of retention or not, which will largely depend on whether it is capable of future viable use.

5. RECOMMENDATION

Given that Historic Scotland consider the building to be of historic significance in terms of the development of Inveraray and that, at least in the short term, there remains the prospect of securing the building whilst options for its future are investigated, it is recommended that no objection be raised to the listing of this building and that Historic Scotland be notified accordingly.

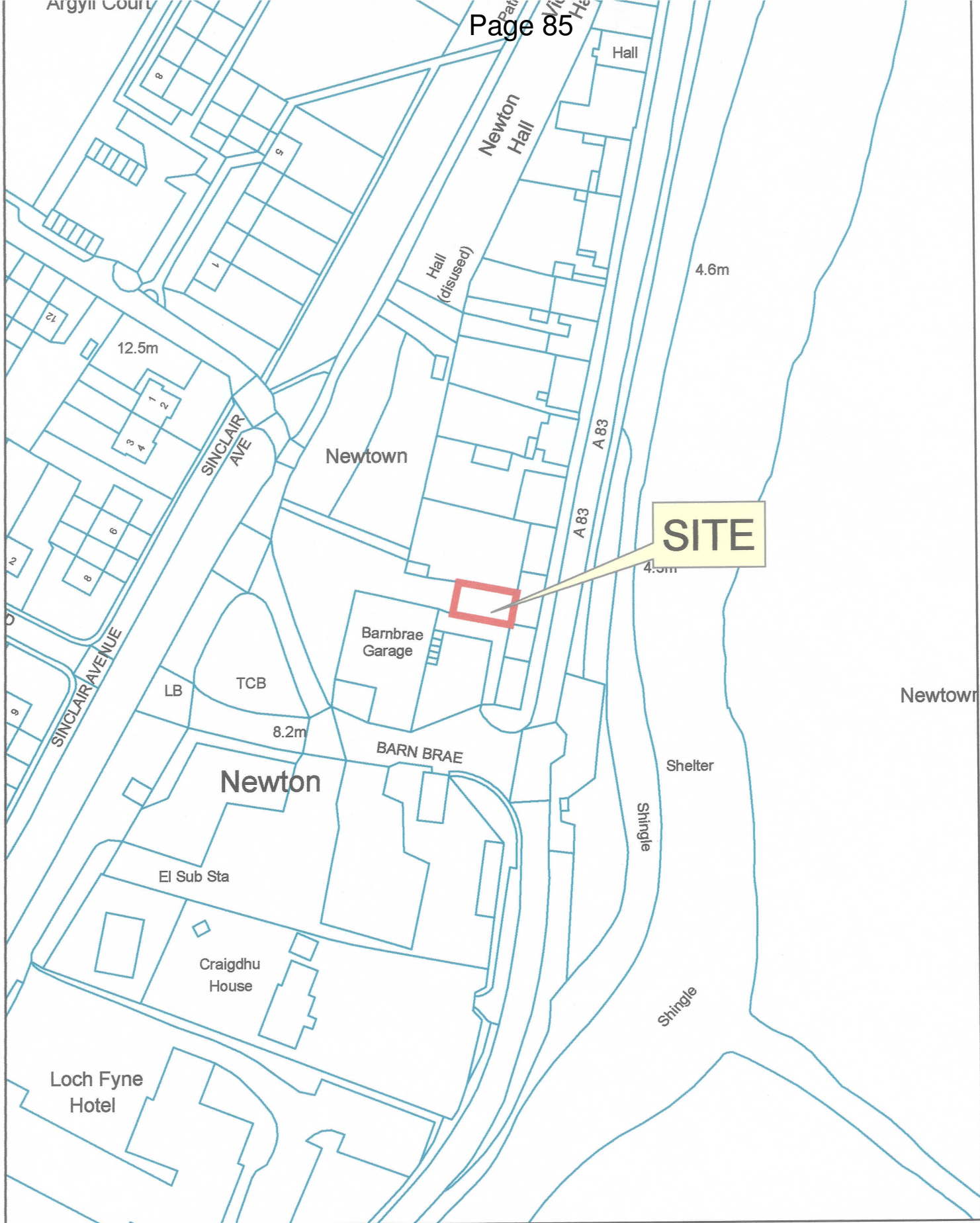
6. IMPLICATIONS

Policy, Financial, Personnel and Equal Opportunities – none.



Angus J Gilmour
Head of Planning
27th July 2007

Author and contact point: Richard Kerr 01546 604080



Location plan relevant to proposed listing of Barn at Barn Brae Garage, Inveraray



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