

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

Reference No: 10/01831/PP

Planning Hierarchy: Local

Applicant: Ee-Usk, North Pier, Oban

Proposal: Erection of 63 bedroom hotel on site of hotel to be demolished.

Site Address: Argyll Hotel, Corran Esplanade, Oban

DECISION ROUTE

(i) Local Government Scotland Act 1973

(A) THE APPLICATION

(i) Development Requiring Express Planning Permission

- Erection of new 63 bedroom hotel

(ii) Other specified operations

- Demolition of hotel (category C Listed Building);
 - Connection to existing public sewer;
 - Connection to existing public water main.
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(B) RECOMMENDATION:

It is recommended that Planning Permission be granted subject to:

- 1) The conditions and reasons set out in this report;
 - 2) The issuing of the decision notice being withheld until the associated application for listed building consent 10/01817/LIB has been cleared by Historic Scotland or has been granted by Scottish Ministers in the event of a 'call in', and the decision has been notified in writing
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(C) HISTORY:

05/00002/REFPLA - Appeal against refusal of consent for Demolition of existing buildings at rear of hotel and erection of 5 Town Houses, Argyll Hotel, Corran Esplanade, Oban, Argyll, PA34 5PZ - Appeal Withdrawn – 16th February 2005

05/00021/COND - Appeal against condition(s) imposed on application for removal of condition No.2 on planning permission ref no. 04/02426/DET relative to the flats use being restricted to holiday accommodation only - Appeal Dismissed – 25th July 2005

10/01817/LIB – Demolition of hotel (category C Listed Building) - Argyll Hotel, Corran Esplanade, Oban, Argyll, PA34 5PZ - Pending Consideration

07/00644/DET – Alterations and extension to the Argyll Hotel, Oban to form Public Bar and Flats, Argyll Hotel, Corran Esplanade, Oban, Argyll, PA34 5PZ - Application Approved - 3rd January 2008

07/00643/LIB - Construction of nine new permanent flats and associated stair towers to rear of hotel building Argyll Hotel, Corran Esplanade, Oban, Argyll, PA34 5PZ - Application Approved - 3rd January 2008

05/02290/DET- Erection of 6 Flats, Argyll Hotel, Corran Esplanade, Oban, Argyll, PA34 5PZ - Application Refused - 13th January 2006

05/01547/DET - Erection of Six Flats (rear of Argyll Hotel) Argyll Hotel, Corran Esplanade, Oban, Argyll, PA34 5PZ - Application Refused - 9th November 2005

05/00771/VARCON - Application for removal of condition No.2 on planning permission ref no. 04/02426/DET relative to the flats use being restricted to holiday accommodation only, Argyll Hotel, Corran Esplanade, Oban, Argyll, PA34 5PZ - Application Refused - 6th July 2005

05/00485/DET - Erection of Six Flats (rear of Argyll Hotel) Argyll Hotel, Corran Esplanade, Oban, Argyll, PA34 5PZ - Application Refused - 12th July 2005.

04/02426/DET Erection of Three Flats (formerly staff housing) Argyll Hotel, Corran Esplanade, Oban, Argyll, PA34 5PZ - Application Approved - 5th April 2005

04/01438/LIB – Demolition of existing buildings at rear of hotel and erection of 2 Town Houses, Argyll Hotel, Corran Esplanade, Oban, Argyll, PA34 5PZ - Application Approved - 3rd November 2004

04/01436/DET – Demolition of existing buildings at rear of hotel and erection of 5 Town Houses, Argyll Hotel, Corran Esplanade, Oban, Argyll, PA34 5PZ - Refused - 3rd November 2004

04/01434/LIB – Change of use of and alterations to hotel to form 8 flats with ground floor restaurant and public house, Argyll Hotel, Corran Esplanade, Oban, Argyll, PA34 5PZ - Application Approved - 1st October 2004

04/01433/COU - Change of use of and alterations to hotel to form 8 flats with ground floor restaurant and public house Argyll Hotel, Corran Esplanade, Oban, Argyll, PA34 5PZ - Application Approved - 1st October 2004

04/00053/LIB Demolish and construction of new extension to rear of property and refurbishment, Argyll Hotel, Corran Esplanade, Oban, Argyll, PA34 5PZ - Application Approved - 5th April 2004

04/00052/DET - Demolish Buildings at Rear of Property and Construct New Rear Extension; Refurbish Existing Hotel - Argyll Hotel, Corran Esplanade, Oban, Argyll, PA34 5PZ - Application Approved - 5th April 2004

03/01811/LIB - Demolish existing buildings at rear of property and construct new rear 3 storey extensions and refurbish existing hotel Argyll Hotel, Corran Esplanade, Oban, Argyll, PA34 5PZ - Application Approved - 27th January 2004

03/01809/DET - Demolish existing buildings at rear of property and construct new 3 storey extension and refurbish existing hotel Argyll Hotel, Corran Esplanade, Oban, Argyll, PA34 5PZ - Application Approved - 27th January 2004

06/00145/ENFLB - Poor State of Repair of C(S) Listed Building. ENF001 - Amenity Notice Served - 20th November 2006

09/00222/ENOTH1 – Interim interdict to restrain owner from carrying out works of demolition.

09/00222/ENOTH1 - Amenity Notice Served 22nd May 2009

(D) CONSULTATIONS:

Architecture + Design Scotland (A+DS) (25th January 2011) – note that a design and access statement has been submitted along with revised designs for the development. The information includes a description of the site context and history and identifies constraints and opportunities for development. Sketch diagrams that show how the various design options arrived at might relate to the adjacent buildings in terms of mass, scale and roof height. Although this information is useful in understanding how the designs relate to the site, and the buildings immediately adjacent, it is still not clear how the proposals tie into the wider context and streetscape visually. A+DS suggest that wider contextual street elevations and sections be provided to help assess this.

The design of the south gable has been revised and omits the balconies on the southern façade, replaced with a more traditional pitched roof with gabled end to reflect the Oban Inn to the south with which the development abuts. The ridge height of the northern section of the building that abuts the Regent Hotel has also been reduced. A+DS welcome these revisions, which help to address some of their previous concerns in terms of mediating the scale with the adjacent buildings, in particular the Oban Inn.

A+DS acknowledges the surrounding area comprises a mixture of different styles of architecture, reflective of the period in which they were built, and that there is potential for the proposals to follow such an approach and to create a contemporary building that is of its time and place. Notwithstanding, a contemporary approach will be required to respect and resonate with the historical context in which it sits, and to this end they support the intention to reflect the plot widths of the original hotel and create a varied and interesting roofline by separating the main elevation into 3 elements of varying height. However, they are not convinced that these elements necessarily read together to form a successful collective whole.

The central section of the building appears somewhat alien to the other parts of the design and to the surrounding context, both in terms of the curved plan forms at the upper levels and in elevation on the west façade. In addition, the feature vertical glazed strip appears curious, as does the glazed gable end of the curved façade, appearing arbitrary in respect of the layout of the building at ground and upper. A+DS suggest that the design of the overall central element requires further consideration in respect of the

proposed architectural language and the proposed roof form in order that it complement the rest of the building and the surrounding streetscape.

They also question whether the separate treatment of the base course is in keeping with the local character of the area. In any event the quality and choice of materials used at street level will be particularly important as this will be directly experienced by the public.

Historic Scotland (3rd December 2010) – confirm that they do not have a locus in respect of the redevelopment proposals and will confine their comments to the application to demolish the existing building (subject of separate application for listed building consent).

The Access Manager (9th December 2010) - advises that if the route through the site via the Pend in the building meets three tests then it may be arguable that it is a Public Right of Way. The three tests are:

1. Does the route link two public places – it provides a route between the Corran Esplanade and George Street.
2. It follows a well defined route – the route is defined by the walls of buildings..
3. It has been used without let or hindrance by the public for a period of at least 20 years – in this case likely to have been since Victorian times.

The Access Manager's view is that it is in all probability a Public Right of Way although not recorded as such. The lack of recording would not preclude it in any way from being a Public Right of Way. Note: there is no definitive map of Public Rights of Way in Scotland – therefore PRowS normally only come to the Council's attention when someone has blocked them. A Diversion Order or Stopping Up Order under the Roads (Scotland) Act 1984 would be the best way forward as this would remove the opportunity for a member of the public to challenge the decision later, whilst allowing them to be consulted prior to the route being affected.

Environmental Health Officer (23rd November 2010) – has no objection to the proposal. Further advises that he has written to the applicant to request further details regarding the layout and provision of fixtures/fittings in relation to food safety and health and safety.

Scottish Environment Protection Agency (13th December 2010) – to assist with streamlining the planning process, SEPA now focus their site specific advice in development management where they can add best value in terms of enabling good development and protecting Scotland's environment. Standing advice applicable to this type of local development is available on the website. (Following receipt of this general response SEPA were re-consulted specifically in relation to flood risk).

Scottish Environment Protection Agency (14th January 2011) – has reviewed the information provided in this consultation and it is noted that, the application site (or parts thereof) lies adjacent to the 1 in 200 year (0.5% annual probability) flood envelope of the Indicator River & Coastal Flood Map (Scotland), and may therefore be at medium to high risk of flooding. SEPA therefore recommend that the Flood Prevention Authority are contacted with regard to Flood Risk. SEPA also recommend that Regulatory Advice be provided to the applicant, which has been attached as a note to the recommendation.

Flood Alleviation Manager (2nd December 2010) – in principle no objection to the proposal but advises that it should be confirmed that surface water discharged from the development will be connected to the Scottish Water drainage network, and that the

finished ground floor level will be set at a level to avoid flooding at the 1 in 200 year plus climate change event.

Response dated 7/4/11 – The proposed ground floor level of 4.65AOD is acceptable.

Licensing Standards Officer (8th November 2010) – no comments or objection to this application.

Scottish Water (10th December 2010) –does not object to this application.

Transport Scotland (26th November 2010) –has no objection providing conditions are attached to any grant of planning permission as follows. A method statement shall be agreed with the planning authority after consultation with roads authority for the removal of the existing building prior to any works commencing on site.

Comment: following receipt of this response Transport Scotland were contacted for confirmation that they had appreciated that servicing for both the proposed hotel and the Oban Inn would take place from an on-street loading bay and that they were satisfied with this in relation to the proximity of the nearby pelican crossing. E-mail confirmation was subsequently received to confirm that they had appreciated this arrangement and were content in that regard.

Roads Operations Manager (29th November 2010) – no objection. Proposal is situated off the A85 Oban-Tyndrum Trunk Road within an urban 30mph speed restriction. Parking survey has indicated that parking requirement can be met by existing car parks which will not coincide with the peak demand from the other land users.

Oban Community Council (10th January 2011) – The topic of the Argyll Hotel has been discussed time and again at the Community Council's meetings, and they are delighted that an application has finally been submitted. They accept that the building has deteriorated to a point where there is no alternative to demolition and rebuilding.

There was debate in the media as to whether any replacement should be in a modern or retro, pseudo vernacular style. It is the Community Council's view that Oban has far too many pastiche old buildings already, and the neighbouring buildings are in a variety of contrasting styles. They therefore argued for a high-quality modern building, and from the published drawings, this seems to be what is proposed. All will depend on the quality of the materials and fixtures, but they are happy with what they have seen, and therefore have no objection in principle to the application.

There are however two issues they believe need to be clarified before permission can be granted. The first relates to public access through the site, and the other to car parking.

Access: the relocated Pend provides improved pedestrian access to Charles St, and close examination of the plans show that it will also be possible to access through the Pend around the back of the hotel to what the Community Council call the Regent Hotel Lane. Indeed this will be the goods access to the rear of the building.

First: the through access needs to be recorded as a Right of Way, to ensure that it is kept clear for public use.

Second: the owners must be required to facilitate access to the listed buildings on the North side of Charles St. These are among the oldest buildings in Oban – much older than the buildings which now surround them. While the Argyll Hotel has been dangerously derelict it has been impossible to insist that the owners of these carry out the major renovation which they urgently require before they too are lost.

Parking: This hotel does not seem to be aimed at the budget coach market, but at a clientele most of whom will arrive by car. They do not intend to provide any car parking,

and give no indication as what arrangements they intend to make. There is simply not enough space in the North Pier car park to accommodate this number of cars. The Community Council therefore ask that the owners produce clear plans for managing overnight parking.

Comment: Access matters are addressed in section D below. Private access issues are a civil matter which will require to be resolved between the developer and the relevant land/property owners, and the issue regarding the Public Right of Way, is covered by Roads legislation and will be required to be addressed under highways legislation prior to any work commencing on site. In terms of parking requirements, the Roads Operation Manager has been consulted on this application and has confirmed that no additional parking is required in this town centre location.

(E) PUBLICITY:

Listed Building/Conservation Advert – advert expires 2nd December 2010

(F) REPRESENTATIONS:

Ten letters of representation have been received comprising three in support, five against and two general representations (see appendix C0. The issues raised are covered in Appendix B of this report, but may be summarised as follows:

In Support

- Regeneration of Corran Esplanade and Argyll Hotel in particular;
- This sprawling building managed to achieve a category C(s) listing and whilst it has no particular merit, it is an improvement on the grotesque, art deco, former Marine Hotel that is sandwiched between two buildings of much more merit, the Oban Times Building and the Regent Hotel;
- There is already so much diverse design and architecture on the Esplanade that this commendable design should be allowed to take its place amongst them and to replace the current eyesore on the site;
- The building has been derelict for more than 10 years and it has long been known that the only solution for the Argyll is demolition and replacement;
- The new hotel proposal has been widely advertised and would be a superb asset for tourism in Oban and a significant addition to facilities available in Oban as a whole;
- It is understood that this much needed investment will also realise employment for up to sixty people.

Against

- A legal right of access would appear to be taken away if the proposal goes ahead.

Comment: Matters concerning private access rights are civil legal matters rather than material planning considerations. Interference with possible public access rights would be addressed separately by way of a Stopping Up or Diversion Order under highways legislation.

- Public safety is a concern if demolition is carried out in the same manner as the previous demolition.

Comment: Matters of demolition and construction safety are the responsibility of contractors and are subject to enforcement of health and safety legislation by the HSE. This is not therefore a material planning consideration as it is subject to control under separate legislation.

- Both Urban Summits and Timpson's have vehicular access and parking on ground to the rear of the shops. This access was used by the previous occupants for at least 40 years and probably more and is also we believe a public right of way for over 100 years.

Comment: Matters concerning private access rights are civil legal matters rather than material planning considerations. Interference with possible public access rights would be addressed separately by way of a Stopping Up or Diversion Order under highways legislation.

- The right of unhindered access and parking is not something we are prepared to give up lightly.

Comment: Any highway order in respect of public access rights would be subject to advertisement and opportunity for representation. Any interference with private rights claimed would require to be pursued under civil law.

- This access came to temporary end when the listed building to the rear of the main hotel building was demolished in what we believe was of dubious legality. The site was left in a very untidy state with various lumps of rubble lying about and was dangerous for pedestrians especially after dark. A concrete bollard further restricted our access.

Comment: Any interference with private rights claimed would require to be pursued under civil law.

- Our landlord has written in the past to both the Argyll Hotel owners and the planning authority expressing his concern over the restriction to the right of access both at the present and in any future plans.

Comment: Any interference with private rights claimed would require to be pursued under civil law.

- The proposed drawings show a "pend" which diverts the pedestrian right of way but does not address the vehicular right of access. We understand that it is a legal responsibility for any amendment to rights of access for the holders to be consulted before any proposals for change are progressed. No consultation has taken place to date. The only route for vehicular access to the rear of the shop for servicing is through the pend of the existing hotel and along the lane. The alternative route is not sufficiently wide enough for vehicular access. Right of access cannot be disregarded because there has not been previously complaint about the bollard erected by the applicant approximately 18 months ago.

Comment: It is not clear whether any vehicular rights exist, either private or public. The former would require to be pursued under civil law, whilst the latter would be considered as part of any Stopping Up or Diversion procedures. .

- We are also led to believe that a legal right of access over-rides any planning consents.

Comment: In the event that parties are able to substantiate private rights of way in law then these would not be affected by any planning consent which would be of no effect in respect of such rights. This would then become a matter of negotiation between the landowner and the parties exercising legitimate private rights across his land. To the extent that the applicant could not negotiate away substantiated legal rights, he would have no legal right to implement any permission to the extent that it impinged upon such rights.

- There is a burden dated 1903 on the titles for the Argyll Hotel (Title No ARG 6967) which we believe is still applicable and states that the “bridge” (over the current access point) shall be maintained at a width of “no more than 8 feet” and a clear height of 7 feet, it also states that the bridge is to be kept in “proper order and good repair and when necessary to renew the same”.

Comment: This is a matter to be addressed under under civil law and is not a material planning consideration.

- The title for Timpson’s states that “the liberty of using the lane on the west for all necessary purposes in common with the other proprietors”. In the event that access is to be interfered with, then Timpsons object to the application.

Comment: This is a matter to be addressed under under civil law and is not a material planning consideration.

- We have been unable to obtain copies of our own title given the short timescale given for comments but firmly believe that the liberty of using the lane would apply to us.

Comment: This is a matter to be addressed under under civil law and is not a material planning consideration.

- The drainage and other services from the properties in George Street run through the current lane and the space at the bottom is also used for bin collection.

Comment: Services affected by building works would require diversion as necessary, whilst bin collection could be taken from alternative locations nearby.

- If the currently proposed building goes ahead we have concerns that the proposed pend, by creating covered hidden spaces, would encourage unsociable behaviour among the down-and-outs who have been hanging about and living in the present derelict buildings in the area, this would discourage the public from using the access.

Comment: The existing derelict building and the associated unlit areas to the rear probably contribute to any unsocial activities in this area, which would be likely to reduce in the event of occupied property associated with the redevelopment proposed.

- To take down a very Scottish looking building that lends itself in style to its surroundings giving character and charm to the town (not in present condition) and replace it with a fashionable building from the school of architecture that fits any town anywhere only moves Oban towards becoming any town anywhere.

Comment: The design of the building seeks to incorporate a modern image with elements of the vernacular which respects its townscape setting and its relationship with adjacent listed buildings.

- Not only do our clients have legal title to use the areas referred to, but these areas are used in practice for the purpose of emergency escape and servicing of the Oban Inn Premises. Indeed the existing pend accessed from the Corran Esplanade and the access route leading from the pend to the outbuildings, and the rear of the Oban Inn itself, are the primary means of access for servicing and emergency escape. With regard to servicing, such route has always been used and, due to the requirements of the principal brewers who deliver wet stock to the Oban Inn Premises (and specifically the beer cellar situated within the outbuildings), it is not feasible for any other routes over which our clients have legal rights (and which will possibly remain unaffected by the proposed redevelopment) to be used for such purpose. As such, the proposed development would be of material detriment to the amenity of the Oban Inn Premises and therefore development should not be allowed to proceed.

Comment: The redevelopment proposal includes an alternative access Pend at one end of the building (to replace the Pend which currently bisects the ground floor of the existing hotel). That would provide an alternative route for servicing and emergency egress and would be less disruptive in terms of the use of the ground floor of the new hotel. Whilst this route would be more direct to the Oban Inn and would suffice as a suitable (if not better) alternative route for servicing to that which currently exists, if the owners of the Oban Inn have a substantiated private right of access via the existing Pend and continue to wish to exercise that in preference to an alternative route, then it would be open to them to do so and they could potentially frustrate implementation of the proposal at hand by so doing.

- In the event that the local authority is minded to grant planning permission, our clients would need to be fully satisfied that: -
 - no further damage shall be caused to the Oban Inn Premises as a result of the proposed development and there shall be a suitable agreement put in place with the applicant/adjacent owner whereby any damage caused shall be remedied by the applicant/adjacent owner;
 - both during the demolition process in respect of the existing building and during the construction phase for the new building suitable agreement is in place with the applicant/adjacent owner to allow for the continued exercise of all rights necessary to ensure that the Oban Inn Premises can be properly serviced and will comply with all legal requirements, including the requirements of the Fire Master and the Licensing Board;
 - post-development, the Oban Inn Premises can be properly serviced and will comply with all legal requirements, including the requirements of the Fire Master and the Licensing Board with regard to emergency escape and similar matters; and
 - suitable conditions are imposed including 1) strict time limit (not standard 3 years) on the duration of the planning permission by utilising s58 (2) of the TCPA, 2) strict time limit in which the demolition work should be completed and 3) mechanisms by which the developer will not be permitted to let the permission lapse without completing the works or simply trigger the commencement of the development without undertaking and completing substantive works.

All the conditions mentioned at D above should be drafted with caution to ensure enforceability whereby any breach by the applicant/adjacent owner can result in action being taken by the Council. Accordingly, our clients would expect to be fully consulted with regard to the imposition of conditions within the planning permission or by virtue of a planning agreement.

We would highlight that even if planning permission is granted then the applicant/adjacent owner will not be able to lawfully carry out the development without the agreement of our clients and our clients landlords (PW Scotland Limited), as well as other neighbouring proprietors whose properties also benefit from formal rights over the development site. Any such agreement would, as a minimum, require the title to the development site and the neighbouring properties to be varied, and would be at the discretion of the relevant proprietors.

Comment: The framing of appropriate conditions is a matter for the Planning Authority and not a matter subject to consultation and negotiation with third parties. Matters concerning the extent to which the development proposal could prejudice the continued legitimate use of adjacent land uses are material to the consideration of this application and have been taken into account. Matters concerning private legal rights are not material planning considerations and would require resolution at law if necessary.

NOTE: Committee Members, the applicant, agent and any other interested party should note that the consultation responses and letters of representation referred to in this report, have been summarised and that the full consultation response or letter of representations are available on request. It should also be noted that the associated drawings, application forms, consultations, other correspondence and all letters of representations are available for viewing on the Council web site at www.argyll-bute.gov.uk

G) SUPPORTING INFORMATION

Has the application been the subject of:

- (i) **Environmental Statement:** No
- (ii) **An appropriate assessment under the Conservation (Natural Habitats) Regulations 1994:** No
- (iii) **A design or design/access statement:** Yes (5th November 2010)
- (iv) **A report on the impact of the proposed development e.g. Retail impact, transport impact, noise impact, flood risk, drainage impact etc:**
 - Design & Access Statement (5th November 2010)
 - Conservation Plan (received 10th January 2011)
 - Feasibility Cost Option Appraisal, Grontmij (February 2009)
 - Letter from Grontmij, regarding Feasibility Cost Option Appraisal (30th March 2009)
 - Structural Appraisal Inspection, Grontmij (September 2008)
 - Letter from Effective Engineering regarding Structural Inspection of Partial Collapse of Rear Facade & Visual Appraisal of Overall Stability of Property (29th June 2010).

(H) PLANNING OBLIGATIONS

(i) **Is a Section 75 agreement required:** No

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

(J) Section 25 of the Act; Development Plan and any other material considerations over and above those listed above which have been taken into account in the assessment of the application

(i) **List of all Development Plan Policy considerations taken into account in assessment of the application.**

'Argyll & Bute Structure Plan' (approved 2002)

Policy STRAT DC 1: Development Within Settlements

Policy STRAT SI 1: Sustainable Development

Policy STRAT DC 10: Flooding and Land Erosion

Policy STRAT DC 9: Historic Environment & Development Control

'Argyll & Bute Local Plan' (adopted 2009)

Policy LP ENV 1: Development Impact on the General Environment

Policy LP ENV 13a: Development Impact on Listed Buildings

Policy LP ENV 14: Development in Conservation Areas and Special Built Environment Areas

Policy LP ENV 19: Development Setting, Layout and Design

Policy LP SERV 9: Flooding and Land Erosion – The Risk Framework for Development

Policy LP TRAN 1: Public Access and Rights of Way

Policy LP TRAN 6: Vehicle Parking Provision

APPENDIX A: Sustainable Siting and Design Principles

APPENDIX C: Access and Parking Standards

(ii) **List of all other material planning considerations taken into account in the assessment of the application, having due regard to Annex A of Circular 4/2009.**

- Scottish Planning Policy, advice and circulars
 - Argyll & Bute Council Economic Development Action Plan 2010 - 2013
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(K) Is the proposal a Schedule 2 Development not requiring an Environmental Impact Assessment: No

(L) Has the application been the subject of statutory pre-application consultation (PAC):

No.

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

(N) Does the Council have an interest in the site: No

(O) Requirement for a hearing: Not in view of the limited number of third party representations received.

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

This application relates to a site in the settlement boundary and main town centre of Oban. It involves the replacement of a derelict hotel building with a new larger hotel and the use is therefore appropriate to this town centre location. The key issue in the determination of this case is whether or not a sufficiently high standard of design has been produced to justify replacement of the existing derelict category C(s) listed Argyll Hotel, on an important town centre site immediately adjacent to three different category 'B' listed buildings within a Special Built Environment Area.

It is clear from the lack of substantial public representation for and against the application for listed building consent for demolition (considered under 10/01817/LIB) that there is no strong community feeling about the demolition of the building either way. This application has also attracted little by way of third party representation (ten in total), which provide comments both for and against the proposed design. Those opposed to the proposal primarily raise access issues in relation to the servicing of adjacent premises through an access pend in the existing building.

The proposal represents a significant potential investment supporting economic development and the tourism function of Oban as well as bringing employment opportunities. The current proposal has emerged following a series of pre-application designs which were considered unacceptable in terms of securing an appropriate relationship with historic buildings surrounding the site. It is now considered to be an acceptable solution in terms of scale, design, its relationship with adjoining property and in terms of its overall fit within the surrounding townscape. There are no servicing constraints which would not be capable of being overcome by condition.

The consideration of the merits of this redevelopment proposal is predicated upon the need for prior consideration having been given to the listed building consent application to demolish the existing building occupying the site (10/01817/LIB reported elsewhere on the agenda). Only in the event that the listed building application is considered favourably should Members proceed to determine this application in the light of the recommendation to grant permission.

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

(R) Reasons why Planning Permission should be granted

The development would remove a negative influence upon this area of the town by the demolition of a long-standing vacant and progressively deteriorating building which represents a high opportunity cost in respect of the local economy. It is considered that that there is a strong case to support demolition and redevelopment to provide a modern 63 bed hotel, which, would provide a high level of economic and community benefit for Oban to the benefit of the tourist economy and Oban's status as a leading tourist destination on the west coast. Previously suggested designs have been rejected in favour of a proposal which now has a modern image but which is sufficiently sensitive in terms of its relationship with adjacent listed buildings and the townscape in general that there are not now compelling reasons to resist the proposal on design grounds.

(S) Reasoned justification for a departure to the provisions of the Development Plan

Not Applicable.

(T) Need for notification to Scottish Ministers or Historic Scotland:

The associated Listed Building Consent application reference 10/01817/LIB will be notified to Historic Scotland. Consequently, until such time that confirmation from Historic Scotland has been received that the Listed Building Consent application has been 'cleared' it would be appropriate to withhold any Planning Permission Decision Notice in respect of redevelopment of the site.

Author of Report: Arlene H Knox Date: 4th April 2011

Reviewing Officer: Richard Kerr Date: 5th April 2011

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

CONDITIONS AND REASONS RELATIVE TO APPLICATION 10/01831/PP

1. That the development to which this permission relates must be begun within three years from the date of this permission.

Reason: In accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997.

2. The proposed development shall be carried out in accordance with the details specified in the application form dated 21st October 2010; and the approved drawings received on the 10th November 2010 numbered:
2326/P/001 – Location Plan;
2326/P/002_revA – Block Plan;
2326/P/09 – ground floor plans as proposed;
2326/P/11 – first and second floor plans as proposed;
2326/P/12 – third floor plan as proposed;
2326/P/13 – fourth floor plan as proposed;
2326/P/14 – fifth floor plan as proposed;
2326/P/15 – west elevation as proposed;
2326/P/16 – south elevation as proposed; and,
2326/P/17 – east elevation and section as proposed;
and stamped approved by Argyll and Bute Council, and also in accordance with the requirements of all other conditions of this permission.

Reason: In order to ensure that the proposed development is carried out in accordance with the details submitted and the approved drawings.

3. Prior to work starting on site, full details of the design of doors/windows shall be submitted to and approved in writing by the Planning Authority in the form of drawings at a scale of 1:20. The drawings shall include: arrangement, dimensions, method of opening and materials. Development shall thereafter be carried out using the approved designs and materials or such alternatives as may be agreed in writing in advance with the Planning Authority.

Reason: To ensure appropriate detailing and to maintain the overall quality and character of the development and the surrounding environment.

4. The external walls of bay 1 (adjacent to the Regent Hotel) and Bay 3 (adjacent to the Oban Inn shall be finished in white smooth wet cement render and Bay 2 (Central Section) shall be finished in a rain-screen finish, the type and colour and a sample of which shall be submitted to and shall be approved in writing by the Planning Authority prior to development being commenced. Additionally, samples and/or full details of all external materials to be used in the construction of the ground floor road frontage of the building, including window and door frames, plinths and wall panels, shall be submitted to and shall be approved in writing by the Planning Authority prior to development being commenced. Development shall thereafter be carried out using the approved materials, or such alternatives as may be agreed in writing in advance, with the Planning Authority.

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

5. Notwithstanding the details shown on the approved plans, the roofs of Bay 1 (adjacent to the Regent Hotel) and Bay 3 (adjacent to the Oban Inn) shall be finished in natural slate (salvaged from the demolition of the listed building as far as possible).

Reason: In the interests of sustainability and in order to improve the character and appearance of the new building and to integrate the roofs into the roofscape/townscape of the surrounding Special Built Environment Area.

6. Prior to the commencement of demolition, a Demolition Method Statement shall be submitted to and approved in writing by the Planning Authority in consultation with Transport Scotland. The Demolition Method Statement shall cover and take account of proximity to the Trunk Road and Public Footpath, and Traffic Management. The development shall be implemented in accordance with the duly approved Method Statement.

Reason: To maintain the safe and free flow of traffic and pedestrians on the Trunk Road during demolition.

7. Prior to work starting on site, the applicant shall submit written confirmation of Scottish Water's agreement that that all surface water discharged from the development shall be connected to the Scottish Water drainage network.

Reason: To ensure the drainage arrangements for the site are acceptable.

8. Prior to work starting on site, the applicant shall secure either the diversion or extinguishment of any public access rights through the development site by way of a Stopping-up or Diversion Order under the Roads (Scotland) Act 1984. No obstruction of the route afforded by the Pend (notwithstanding the demolition of the building incorporating that Pend), should take place until the required Stopping-up or Diversion Order has been sought and has taken effect. For the avoidance of doubt such works shall be undertaken at the expense of the developer.

Reason: In order to maintain the public right of way through the site by diversion or to secure an alternative equally commodious route.

NOTES TO APPLICANT

Note 1:

In terms of condition 2 above, the council can approve minor variations to the approved plans in terms of Section 64 of the Town and Country Planning (Scotland) Act 1997 although no variations should be undertaken without obtaining the prior written approval of the Planning Authority. If you wish to seek any minor variation of the application, an application for a non material amendment (NMA) should be made in writing to Planning Services, Dalriada House, Lochgilphead, PA31 8ST which should list all the proposed changes, enclosing a copy of a plan(s) detailing these changes together with a copy of the original approved plans. It should be noted that only the original applicant can apply for an NMA under the terms of Section 64 of the Town and Country Planning (Scotland) Act 1997. Any amendments deemed by the Council to be material, would require the submission of a further application for planning permission.

Note 2:

Contact should be made with Scottish Water to secure appropriate consents for connection to their infrastructure.

Scottish Water
Customer Connections
419 Balmore Road
Glasgow
G22 6NU

Customer Support Team
T: 0141 355 5511
F: 0141 355 5386
W: www.scottishwater.co.uk
E: connections@scottishwater.co.uk

Note 3:

It should be noted that both listed building consent and planning permission are required for the demolition and redevelopment of this site, consequently, both must be obtained before work can commence. No work should therefore commence until such time as the Listed Building Consent sought under 10/01817/LIB has been granted, and all relevant pre-commencement of work conditions and the requirement to notify RCAHMS have been satisfactorily discharged and addressed.

Note 4:

Regulatory Requirements (SEPA)

Details of regulatory requirements and good practice advice can be found on SEPA's website at www.sepa.org.uk/planning.aspx. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the regulatory team at your local SEPA office at:

2 Smithy Lane,
Lochgilphead,
Argyll,
PA31 9JN

If you have any further queries please contact Nicola Abrams on 01224 266698 or e-mail at planningaberdeen@sepa.org.uk

Note 5:

This permission should not be construed as having any effect in respect of private access rights as may be capable of being demonstrated in respect of the Pend through the existing building, which affords a means of access to George Street and Charles Street and beyond, and where it is understood that private rights exist in respect of the servicing of adjacent premises. Whilst any disputes concerning private access rights would be a civil legal matter between the site owner and the persons seeking to exercise such rights. Stopping Up or Diversion of public rights of way through the development site would require to be pursued under highways legislation. The developer would be expected to meet the legal and advertising costs of any such Order

Note 6:

This permission does not carry with it the right to carry out works within the trunk road boundary, consequently, Transport Scotland must be consulted through their Management Organisation, on the terms and conditions, under Roads legislation, that require to be agreed to enable works within the trunk road boundary to be approved.

TranServ, Broxden House, Broxden Business Park
Lamberkine Drive, Perth, PH1 1RA

A. Settlement Strategy

In terms of local plan designation, the site is located within the Main Settlement of Oban within the Main Town Centre in a designated Special Built Environment Area. It also lies within Area for Action 5/2, Oban –George Street/North Pier, where the nature of action is identified as strategic, town centre/waterfront development and management.

The Council's Economic Development Action Plan describes 'Oban, Lorn and the Isles' as being:

“endowed with a concentration of world class tourist attractions and a variety of environments unsurpassed in Scotland (Mull, Iona, Tiree, Coll and Lismore are just a few of the inhabited islands). The town of Oban is the transport gateway to the inner and Outer Hebrides and is a centre for retail, tourism, Gaelic culture and world class marine research”.

The type of development proposed is acceptable in terms of the relevant planning policy, in that it will serve a wide community of interest and it will be located on an appropriate redevelopment site. It will entail the demolition of a derelict hotel building in the town centre which is a wasted asset with a modern hotel development which will represent a significant asset to the tourist economy and which will support business in the area. It is also anticipated to create up to fifty full and part-time jobs. It is considered that the proposal is consistent with all other relevant policies of the Structure and Local Plan.

Having due regard to the above it is considered that the proposal is consistent with the provisions of Policy STRAT DC 1 of the Argyll & Bute Structure Plan (approved 2002).

B. Location, Nature and Design of Proposed Development

In terms of context, the site occupies a sensitive position within a terrace of Victorian buildings in a prominent location adjacent to the North Pier. When viewed from the approach to Oban by sea, it forms an important part of the foreground in the townscape, rising up to McCaigs Tower on the skyline.

The existing Argyll Hotel (proposed to be demolished) is effectively made up of three separate buildings of different ages which consequently vary in appearance, with different roof profiles, window heights etc., being linked only by their external white finish, the use of slate as the common roofing material and their historical development.

The site forms part of the original planned town, in conjunction with the Oban Inn and the two storey listed buildings in Charles Street. The latter is now a forgotten and sorely neglected part of the back court area due to the tenements which were constructed in front to form Stafford Street.

There is an existing Pend through the 'middle' section (2nd Bay) of the Argyll Hotel which provides shared service access to the back court, for both the Argyll Hotel and the Oban Inn, an assumed Public Right of Way to George Street and potentially private access to properties on George Street, Charles Street and Stafford Street (refer to section D of report).

The design of the proposed hotel has evolved significantly from those which were originally presented as part of the pre-application discussions and which were considered inappropriate in terms of their design with the townscape context within which the building is to be located. Its development can be broken down into three main

stages. Initially a modern block with horizontal emphasis was presented, but rejected as it was considered that the design would conflict with the vertical emphasis of the adjacent listed buildings. It was considered that such a large element was too massive and uninspired in its approach. The design then began to evolve by changing the emphasis to vertical, which did represent an improvement but did not balance the scale of the building with its neighbours, and finally, the concept of design evolved to what we have before us today, which is a building with modernistic pretensions, respectful of its neighbours, and to the scale of neighbouring buildings (particularly the much smaller Oban Inn), comprising 'three bays' thus reflecting the historical 'three' stage development of the original Argyll Hotel.

The outcome of the design process is a three bay building comprising:

Bay 1 (adjacent to the Regent Hotel) – comprises traditional proportions with contemporary features, and a ridgeline set slightly lower than that of the Regent (a category B listed building);

Bay 2 (centre) – contemporary design, with higher ridgeline to reflect that of the original building's development.

Bay 3 (adjacent to Oban Inn) – like bay 1 – comprises traditional proportions with contemporary features and a lower ridgeline, in order to be more sympathetic to the Oban Inn (also a category B listed building).

Given the sensitivities of this site, the importance of the building in the context of Oban, and the relationship with adjacent listed buildings, Development Management has sought advice from Architecture & Design Scotland. In terms of design, despite the proposal being amended, A+DS are still not convinced that the three elements of the building necessarily read together to form a successful collective whole. They still consider that the central section of the building appears somewhat alien to the other parts of the design and to the surrounding context, both in terms of the curved plan form at the upper levels and in elevation on the west façade. In addition they have reservations about some of the glazed elements which they feel are arbitrary in respect of the layout of the building at ground and upper floors and foreign to the context.

A+DS continue to suggest that the design of the overall central element requires some further consideration in respect of the proposed architectural language and the proposed roof form in order that it complement the rest of the building and the surrounding streetscape. They also question whether the separate treatment of the base course is in keeping with the local character of the area. In any event they consider that the quality and choice of materials used at street level will be particularly important as this will be directly experienced by the public. (It is recommended that final finishing materials be secured by a condition).

Development Management has worked extremely hard with the applicant over approximately 2 years, to try and secure a high standard of appropriate design in accordance with the design principles set out in the Local Plan. This was in recognition of the sensitivity of the site and the fact that the redevelopment would be replacing a listed building.

The setting of a development sets a visual, and sometimes, a cultural context for layout and design considerations. It is important when assessing the impact of the development setting to focus on the regional and local characteristics of the development pattern, the historic environment and the built environment in general. In terms of development setting, it is considered that the development has been sited and positioned so as to pay regard to the context within which it is located. Its scale is appropriate to adjoining buildings and its function as a hotel is appropriate to its surroundings. Its presence will

have consequences for the listed terrace (occupied mainly for storage) at Charles Street to the rear, but this is already overpowered by adjacent more recent buildings (including the hotel building to be demolished) which have long since usurped the setting of these buildings and have consigned them to a backland situation and inevitable neglect and decay as a consequence. In terms of development layout and density, it is considered that the development will effectively integrate with its urban setting. It is not considered that the proposal constitutes over-development nor that it will cause any unacceptable adverse impact to adjacent properties by means of over-shadowing.

Compatibility with existing nearby development and ensuring a positive contribution to the townscape of the area are important factors in the Council's general requirement for a high standard of design throughout Argyll and Bute. In terms of Development Management it is considered that the design of the development is compatible with its surroundings. Particular attention has been made to massing, form and design details within this sensitive location, in between listed buildings and within a Special Built Environment Area.

Subject to the recommended conditions Development Management considers that the proposal represents an appropriate high quality new development that respects the local environment and will contribute to the maintenance of a sense of place. Development Management does agree with Architecture and Design Scotland and considers that some improvement could have been made to the central bay of the building. However, the applicant has refused to make any further changes and it would not be considered appropriate to recommend refusal of what would be an important development in the context of Oban for such a minor and ultimately partly subjective matter. It should be noted that the recommended conditions require the re-use of slate salvaged from the demolition of the listed building for the roofs of bay 1 (adjacent to the Regent Hotel) and Bay 3 (adjacent to the Oban Inn) rather than the lead roof specified on the drawings which would be less appropriate to its townscape context.

It is considered that the proposal is sustainable, in that it will maximise local community benefit, assist in the maintenance and development of the tourist and business economies, and will make use of a derelict/brownfield site.

Having due regard to the above it is considered that the proposal is consistent with the provisions of Policy STRAT SI 1: Sustainable Development of the 'Argyll & Bute Structure Plan' (approved 2002) and Policy LP ENV 19: Development Setting, Layout and Design and Appendix A: Sustainable Siting and Design Principles of the 'Argyll & Bute Local Plan' (adopted 2009).

C. Built Environment

Historic Scotland has advised that they do not have a role in commenting on the proposed new building, and will confine their comments to the listed building consent application for the demolition of the existing building on the site.

This proposal will result in the loss of a category C(s) listed building, and shall affect the settings of three other listed buildings, namely: the Regent Hotel (category B); the Oban Inn (category B) and Charles Street (category B). It will also stand opposite to the Columba Hotel (category B). It is considered that the design of the proposed new hotel is now of a sufficient standard to ensure that it will not have a significant adverse impact on the adjacent listed buildings or their settings and that it will conform to Scottish Historic Environment Policy 2008 as a consequence.

The site is also located within a 'Special Built Environment Area' and it is considered that the proposal will not detract from its character and appearance. Furthermore, it is considered that the location, siting, scale, form and design of the proposal will not undermine but will complement the built heritage within which it is to be located. Hotel development in the immediate locality is diverse in terms of its age and style, reflecting the aspirations of the period (from the 19th Century to the 1930's) and this development includes a modernistic element in its design whilst including elements which continue to replicate the three bay form of the original building and which present an appropriate transition in scale to neighbouring historic buildings. Development which will secure the protection, enhancement and positive management of the historic environment is promoted by development plan policy.

Having due regard to the above it is considered that the proposal is consistent with the provisions of Policies STRAT DC 9: Historic Environment & Development Control of the 'Argyll & Bute Structure Plan' (approved 2002); and Policies LP ENV 13a: Development Impact on Listed Buildings; LP ENV 14: Development in Conservation Areas and Special Built Environment Areas, and Appendix A: Sustainable Siting and Design Principles (LB's and CA's) of the 'Argyll & Bute Local Plan' (adopted 2009).

D. Impact on Access

The Council's Senior Solicitor has been consulted for advice on access matters and has advised that access rights under the Land Reform Act are separate from and do not affect any other rights of access. Matters raised concerning the existence of private access rights across the development site are between respective proprietors and the landowner. The Council's Senior Solicitor recommended that the Access Team be consulted on the proposal to establish a clearer picture about any public rights.

The Access Manager considers that there are likely to be public rights in existence between the Corran Espalande and George Street via the Pend through the building, backland areas to the rear and the foot of the stairway alongside the Regent Hotel. His view is that it would be appropriate to seek a Diversion Order or Stopping Up Order under the Roads (Scotland) Act 1984 prior development proceeding, which would need to specify pedestrians and cyclists as well as motor vehicles. His feeling is that in the event that the likelihood of a public right of way were to be ignored, then the developer would run the risk of a legitimate objection being raised to interference with a public right of way once development had been commenced. It is therefore a more responsible course of action to accept that the route may well be a PRow and get on with diverting or closing it.

The development includes a relocated Pend in order to provide rear servicing to the proposed building, to the Oban Inn and to the buildings on Charles Street. This is an acceptable alternative means of servicing in land use planning terms, but might not prove entirely acceptable to those exercising private rights of access for the rear serving of nearby buildings. That would, however, be a matter for the prospective developer to resolve with those parties, as private rights of access do not constitute material planning considerations. A claim has been made on behalf of the tenants of a shop property on George Street that the Pend provides them with a means of rear access for servicing and that they would continue to wish to exercise whatever private rights are available to them. It is not clear whether vehicular rights are claimed, but it should be noted that the Pend has been bollarded off for around 18 months and no legal recourse appears to have been sought by any party seeking to continue to exercise vehicular rights. Although lack of usage would not have consequences for the validity of any established rights, it is clear that the property in question is capable of continuing to trade without having vehicle access through the existing hotel building. Alternative access to the rear of the property on George Street is available from George Street itself, via the level section at

the top of the stairway passage up the side of the Regent Hotel, which provides a pedestrian only link between George Street and the Corran Espalande below.

Local Plan policy requires that development proposals safeguard public rights of way; and where public rights of way, will be prejudiced by a development, including during construction and upon completion, then the developer should be expected to incorporate appropriate alternative or modified public access provisions. A condition has therefore been recommended to address this matter.

It is also worth noting that Development Management strongly advised the applicant to resolve all outstanding private and public access issues prior to the determination of this application, but, the applicant insisted that the proposal be moved forward to determination as he feels that access issues have been raised by officers in a bid to frustrate development. This is not of course the case, as these issues have been raised at an early stage to ensure that such matters do not arise at the last minute, potentially once development is committed and underway. Development Management has emphasised to the applicant that if access issues were not addressed satisfactorily in the context of the approved scheme, that unresolved private access disputes might render a consent unimplementable, and that alterations to an approved design might be required to overcome these, which might represent 'material' changes and therefore require the submission of a further planning application. At the end of the day however, it is up to the applicant to decide how best to engage with parties which might benefit from private rights of access across his property and at what point in the process to do so.

Having due regard to the above it is considered that the proposal is consistent with the provisions of Policies LP ENV 1 (B) and LP TRAN 1: Public Access and Rights of Way of the 'Argyll & Bute Local Plan' (adopted 2009).

E. Road Network, Parking and Associated Transport Matters.

The Roads Operations Manager has no objection to this application. His view is that the submitted parking survey has indicated that the parking requirement for the proposed new hotel can be met by existing car parks which will not coincide with the peak demand from other land users. That is not a view shared by the Oban Community Council who have raised the issue of parking in connection with this application. As this is a town centre site (the existing hotel building has no parking provision) and that on and off street parking is available within the town centre it is not considered that the lack of off street parking dedicated to hotel use is an impediment to development in this location.

Transport Scotland have advised that they have no objection to the proposal providing a condition is attached to any grant of planning permission to secure a method statement to be agreed with the planning authority after consultation with roads authority for the removal of the existing building prior to any works commencing on site. They have indicated their satisfaction with the proposed access and servicing arrangements for this building in association with existing buildings taking servicing access via the development site.

Having due regard to the above it is considered that the proposal is consistent with the provisions of Policy LP TRAN 6: Vehicle Parking Provision and Appendix C: Access & Parking Standards of the 'Argyll & Bute Local Plan' (adopted 2009).

F. Infrastructure

Scottish Water has advised that they have no objection to this planning application. However, that any planning permission granted does not guarantee a connection to their infrastructure. Approval for connection to their infrastructure can only be given by them. They therefore advise that the applicant contact them to ensure the appropriate procedure is followed. It is recommended by them that the applicant be advised to contact Scottish Water and that this would be attached as a note to any grant of planning permission.

Having due regard to the above it is considered that the proposal is consistent with the provisions of Policies LP SERV 1: Private Sewage Treatment Plants and Wastewater (i.e. Drainage) Systems and LP SERV 4: Water Supply of the 'Argyll & Bute Local Plan' (adopted 2009).

G. Flooding

The Scottish Environment Protection Agency advised that the application site (or parts thereof) lies adjacent to the 1 in 200 year (0.5% annual probability) flood envelope of the Indicator River & Coastal Flood Map (Scotland), and may therefore be at medium to high risk of flooding. In light of this they recommended that the Flood Alleviation Manager be consulted on the proposal.

The Flood Alleviation Manager has no objection to the proposal in principle but advises that it should be confirmed that: surface water discharged from the development will be connected to the Scottish Water drainage network. He has confirmed that the proposed ground floor level of 4.65 m AOD as shown on the plans is acceptable.

Providing the recommended condition is attached it is considered that the proposed development will not be at significant risk of flooding or from erosion, and would not increase the risk to other land or property and is therefore acceptable in this regard.

Having due regard to the above it is considered that the proposal is consistent with the provisions of Policy STRAT DC 10: Flooding and Land Erosion of the 'Argyll & Bute Structure Plan' (approved 2002) and Policy LP SERV 9: Flooding and Land Erosion – The Risk Framework for Development.

H. Environmental Health & Licensing

The Environmental Health Officer has no objection to the proposal. However, advises that he has written to the applicant to request further details regarding the layout and provision of fixtures/fittings in relation to food safety and health and safety. These are matters which would be regulated by environmental regulations/legislation rather than planning legislation. The Licensing Standards Officer has no comments or objection to this application.

APPENDIX C – REPRESENTATIONS RELATIVE TO APPLICATION NUMBER: 10/01831/PP

1.	Hugh MacDonald	19 Longrow South Campbeltown PA28 6AH	23/11/10	Representation
2.	David Ayling	87 George Street Oban PA34 5NN	8/12/10	Representation
3.	Alastair Knox	VIOPTI Polaroid Building Vale Of Leven East Dumbarton G82 3PW	29/12/10	Support
4.	Hugh MacDonald	19 Longrow South Campbeltown PA28 6AH	10/11/10	Support
5.	Morham & Brotchie	5 Stafford Street Oban	22/11/10	Support
6.	Punch Pub Company (Trent) Ltd, C/o Burness LLP	120 Bothwell Street Glasgow G2 7JL	29/12/10	Objection
7.	Speirs Gumley	194 Bath Street Glasgow G2 4LE	9/12/10	Objection
8.	Speirs Gumley Property Management	194 Bath Street Glasgow G2 4LE	9/12/10	Objection
9.	MacArthur Investment Trust Ltd, C/o Spiers Gumley Property Management	194 Bath Street Glasgow G2 4LE	9/12/10	Objection
10.	Alasdair McBurnie	Searidge 114 George Street Oban PA34 5NT	26/11/10	Objection

