



PLANNING AND ACCESS COMMITTEE

MEETING: Monday 23rd March 2020

SUBMITTED BY:	Director of Rural Development and Planning
APPLICATION NUMBER:	2019/0324/DET
APPLICANT:	David McCowan
LOCATION:	Woodbank Inn, Balloch Road, Balloch
PROPOSAL:	Erection of single storey glazed extension; external alterations and construction of decking

NATIONAL PARK WARD:	5 (South West Loch Lomond)
COMMUNITY COUNCIL AREA:	Balloch and Haldane
CASE OFFICER:	Name: Vivien Emery Tel: 01389 722619 E-mail: vivien.emery@lochlomond-trossachs.org

1 SUMMARY AND REASON FOR PRESENTATION

- 1.1 The application is for extensions and alterations to an existing restaurant and inn, Woodbank Inn, located within Balloch to the north side of Balloch Road.
- 1.2 In accordance with section 5.10 of the National Park Authority's Scheme of Delegation, this application must be determined by the Planning and Access Committee as the applicant is a Member of the Planning and Access Committee.

2 RECOMMENDATION

That Members: Approve the application subject to the conditions set out in Appendix 1 of the report.

3 BACKGROUND

Site Description:

- 3.1 The Woodbank Inn is located approximately 110m to the west of Balloch Train Station on the north side of Balloch Road. The site is accessed directly off Balloch Road. See location plan in Figure 1 below.

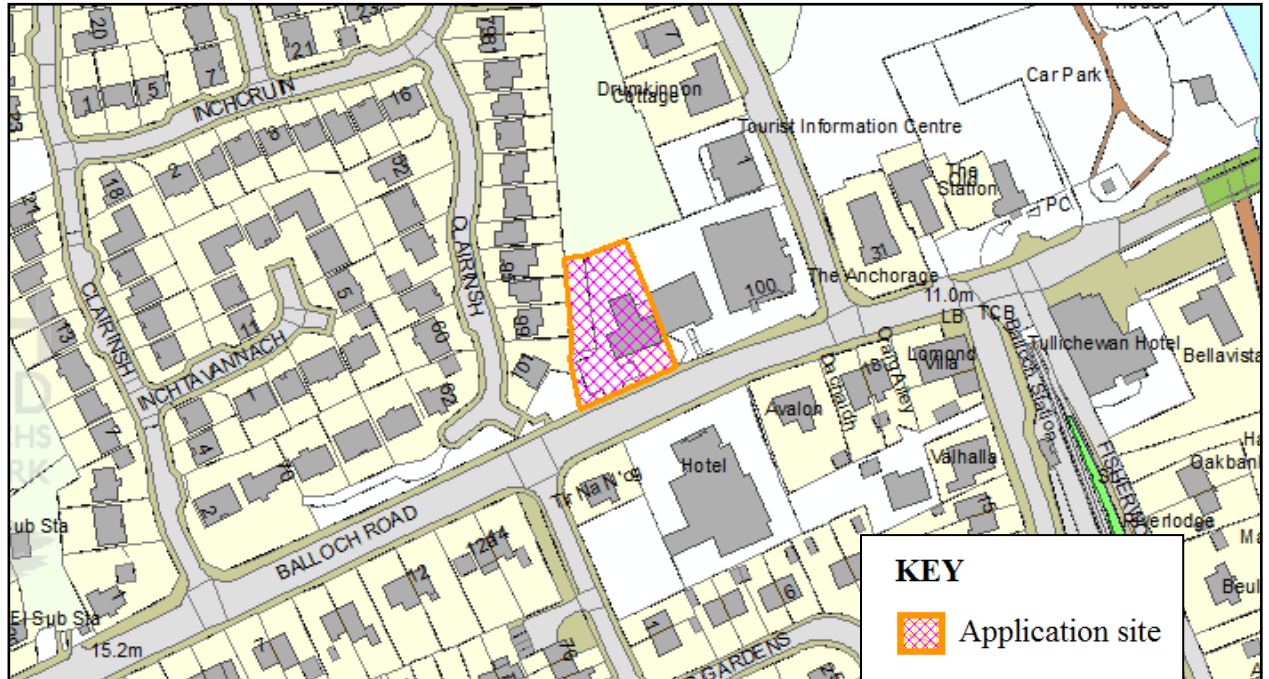


Figure 1. Location Plan.

- 3.2 The building fronts onto Balloch Road and has an outdoor seating area between the building and road. The site is bounded by an established residential estate to the west; the properties are set at a higher ground level than the application site. Commercial properties are located to the east and Drumkinnon Wood is to the north.
- 3.3 The Woodbank Inn is a substantial two storey modern building with prominent arched windows on the principal elevation at ground floor level. The building is clad in Fyfe stone to the lower section of the building with an off white render to the upper section and concrete tiled roof. The building is not of any particular architectural merit. A photograph of the building is provided in Figure 2. below.



Figure 2. Existing Building

- 3.4 The building formerly had 6 letting rooms and a 60/70 'cover' restaurant but is currently closed. Planning permission was granted in 2017 for the erection of a 3 storey extension to the rear of the property comprising 18 No. hotel rooms and kitchen. Works have recently started on the implementation of this consent.

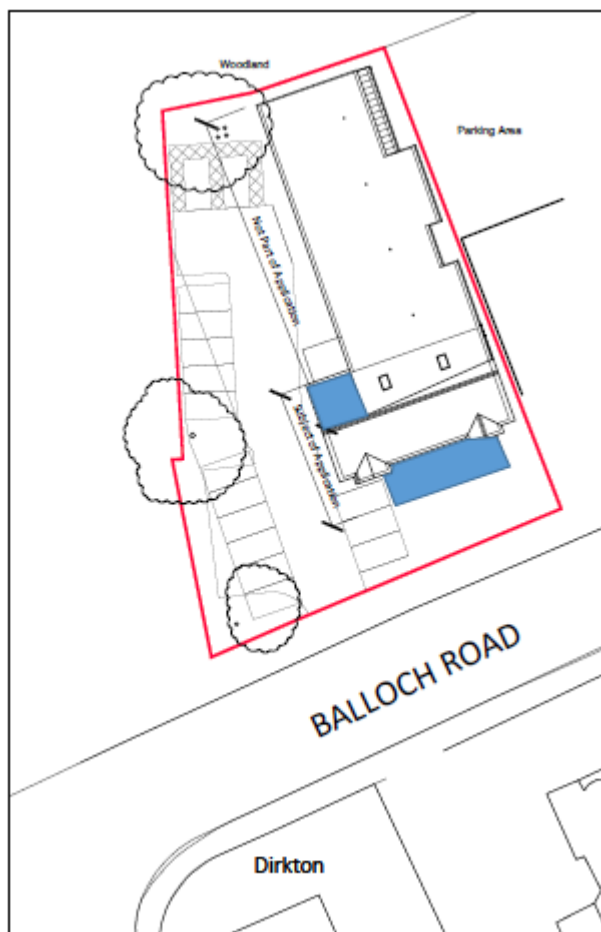
Environmental Impact Assessment (EIA):

- 3.5 For the purposes of the Environmental Impact Assessment (Scotland) Regulations 1999 the National Park is identified as a 'Sensitive Area'. As a 'Competent Body' the National Park Authority has a statutory duty to consider whether proposals for development should be subject to the EIA process. In this particular instance it has been determined that an EIA is not required.

Description of Proposal:

- 3.6 The development proposed is for the erection of single storey glazed extension to the front (to extend the bar/restaurant), a small new side entrance extension, external alterations and construction of decking area. The development approved in 2017 included the provision of additional car parking and a total of 17 car parking spaces will be provided within the site. A site plan is contained within Figure 3 below.
- 3.7 The floor area of the proposed front extension is approximately 45 square metres. The extension will have a timber frame and a slated hipped roof. The reception extension (approximately 12 square metres) is proposed to be flat roofed and clad in wall boarding (a timber effect boarding). An area of decking with glass balustrade is proposed along the front of the extension. Proposed elevations of the building are provided in Figure 4.

Figure 3. Site Plan



Proposed Extensions 

- 3.8 In addition to the extension it is proposed to re-clad parts of the front and side elevation with wall boarding. The external walls are currently a combination of “fyfe stone”, smooth render and the new cladding would be a “timber effect” board of a blue/grey colour. The existing outdoor seating area would be decked to provide a new outdoor eating/drinking area. The planting of two standard trees to the front is also proposed. Proposed elevations of the building are provided in Figure 4. below.

Figure 4. Elevations



South (Roadside) Elevation as Proposed showing front extension, glass balustrade and new cladding to first floor.



West Elevation as Proposed showing front extension and rear extension, glass balustrade and new cladding to first floor.

Planning History:

- 3.9 Planning permission was granted in 2017 (2017/0223/DET) for the demolition of a kitchen extension and erection of 3 storey extension comprising of 18 No. hotel rooms and kitchen. Construction on this extension is currently underway.

4 CONSULTATIONS AND REPRESENTATIONS

Responses to Consultations:

4.1 West Dunbartonshire Council Roads

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No objections. Given the modest size of the extension it is appropriate to make use of the existing dedicated parking and nearby communal parking provision.

4.2 **West Dunbartonshire Council Environmental Health**

No objections, subject to conditions regarding lighting, noise impact assessment, hours of work and biomass heating. It is recommended that the outside area not be utilised after 9pm and that no amplified music or noise making equipment be used outside the building at any time, to protect the local amenity.

Summary of Representations Received:

4.3 No representations received.

5 **POLICY CONTEXT**

The Development Plan

5.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 states that planning applications are to be determined in accordance with the Development Plan unless other material considerations indicate otherwise. The Development Plan comprises the Loch Lomond & The Trossachs National Park Local Development Plan (LDP) (adopted 2017) and Supplementary Guidance (SG).

Local Development Plan (2017-2021)

5.2 The Local Development Plan (LDP) sets out the vision for how the National Park should change over the next 20 years. The LDP covers the period from 2017 to 2021 and is updated every 5 years.

5.3 The following LDP Policies are relevant to the determination of this application:

Overarching Policy 1: Strategic Principles

Overarching Policy 2: Development Requirements

Visitor Experience Policy 1: Location and Scale of New Development

Visitor Experience Policy 2: Delivering a World Class Visitor Experience

5.4 Full details of the policies can be viewed at:

<http://www.lochlomond-trossachs.org/planning/planning-guidance/local-development-plan/>

Other Material Considerations:

National Park Aims

5.5 The four statutory aims of the National Park are a material planning consideration. These are set out in Section 1 of the National Parks (Scotland) Act 2000 and are:

- (a) to conserve and enhance the natural and cultural heritage of the area;
- (b) to promote sustainable use of the natural resources of the area;
- (c) to promote understanding and enjoyment (including enjoyment in the form of recreation) of the special qualities of the area by the public; and
- (d) to promote sustainable economic and social development of the area's

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communities.

- 5.6 Section 9 of the Act then states that these aims should be achieved collectively. However, if in relation to any matter it appears to the National Park Authority that there is a conflict between the first aim, and the other National Park aims, greater weight must be given to the conservation and enhancement of the natural and cultural heritage of the area.

National Park Partnership Plan (2012-2017)

- 5.7 All planning decisions within the National Park require to be guided by the policies of the Partnership Plan, where they are considered to be material, in order to ensure that they are consistent with the Park's statutory aims. In this respect the following policies are relevant:

RD Policy 2: Spatial Development Strategy

6 PLANNING ASSESSMENT

- 6.1 The proposal is for the erection of a conservatory extension to front, small side extension, decking and cladding of existing building.
- 6.2 The main determining issues with this application are as follows and will be considered in turn.
- Principle of Development
 - Design
 - Neighbouring Amenity

Principle of Development

- 6.3 The principle of the proposal is assessed against Visitor Experience Policy 1(a) (VEP1a) of the Adopted Local Development Plan (2017-2021). New/Improved or expanded visitor facilities are supported by policy VEP1a where it is located within a town or village context. The proposed development is located within the town of Balloch and the expansion of the existing tourism business is therefore supported in principle.

Design

- 6.4 The existing property is not of particular architectural merit and the replication of the design characteristics of the existing building into the proposed extensions is not necessary.
- 6.5 The proposed design to the front elevation is a modern glazed extension with slate hipped roof. The extension would be set back from either side of the main building and appear subordinate to it. The side extension is very modest and will be clad in "wall boarding". It is considered that the new wall boarding to parts of the front of the building would improve the overall appearance of the building.

Neighbouring Amenity

Privacy

- 6.6 The conservatory extension will be close to the eastern (side) boundary and will front Balloch Road. Commercial properties are located to the east and to the opposite side of the road and the extension raises no privacy issues.

Noise

- 6.7 West Dunbartonshire Council Environmental Health Service were consulted on the proposal and have recommended conditions regarding the control of external lighting, and the submission of a noise impact assessment to ensure that the premises is operated in such a way so as not to impact on the amenity of nearby residential properties. Conditions are recommended in this regard.
- 6.8 West Dunbartonshire Council Environmental Health Service has also recommended conditions requiring that the use of the outdoor area cease after 9pm. It should be noted that an outdoor seating area, associated with the previous use as a restaurant, has existed at this property for a number of years. No planning permission is required for the use of this area for outdoor seating, and no restrictions on its use currently exist. It would therefore not be appropriate or reasonable to impose such a condition. It should however be noted that West Dunbartonshire Council have powers under licencing legislation to control such matters. Furthermore, a condition is also recommended in relation to the timing of deliveries and biomass heating. As such conditions/informatives have been imposed on the 2017 consent for the larger extension, there is no need to repeat these with regard to this application (a reminder of the relevance of the conditions of the existing permission would be provided by means of an informative).

7 CONCLUSION

- 7.1 The principle of the proposal is considered to comply with policy VEP1(a) of the National Park Local Development Plan as the development is located within the settlement boundary of Balloch. The key planning considerations are with respect to design and impact on neighbouring amenity.
- 7.2 The extension and proposed cladding to the existing building will result in an improvement to the external appearance of the existing building. The proposed planting of two standard trees to the front will make a positive contribution to the streetscene. The Council Environmental Health Service has recommended a number of conditions to ensure limited impact on amenity of neighbours during construction and operation.
- 7.3 In conclusion, the proposal would result in the appropriate expansion of an existing local/visitor facility and, subject to conditions, is in accordance with the Local Development Plan.

Background <http://www.lochlomond-trossachs.org/planning/>

Documents: *Click on view applications, accept the terms and conditions then enter the search criteria as '2019/0324/DET'*

List of Appendix 1 - Conditions Appendices:

Appendix 1: Planning Conditions and Informatives

Conditions

1. **Agreement of Materials and Specifications:** Prior to the commencement of development on site, a further detailed specification of the undernoted proposed external finishing materials to be utilised on the building, (including samples as indicated) shall be submitted to, and agreed in writing by, the Planning Authority. Thereafter the specification and materials as may be approved in accordance with this condition shall be undertaken and used respectively in the completion of the project, prior to the proposed development being brought into use.

- a) The slate to be used on the roof;
- c) Manufacturers details of the windows and doors;
- d) The wall boarding;
- d) The balustrade and decking; and
- e) The details of the material and colour of rainwater goods, barge boards and fascias.

REASON: To ensure that the external appearance of the development complements the character of the area and to ensure the implementation of the development in accordance with the further details as may be approved in compliance with the conditions attached to this permission.

2. **Details of Landscaping:** Prior to the commencement of development a specification of the proposed 2 trees to be planted shall be submitted to and approved in writing by the Planning Authority (for the avoidance of doubt these trees shall be selected "standard" trees). Not later than 12 months from the occupation of the building(s) or the substantial completion of the development hereby permitted, whichever is the sooner, the aforementioned trees shall be planted. If either of these trees die, are removed or become seriously damaged or diseased, within a period of 5 years from the date of their planting, that tree shall be replaced in the next planting season with another of similar sizes and species unless the Planning Authority gives written approval to any variation.

REASON: The proposed development and its location requires landscaping to fully integrate the proposal with its surroundings. Without such landscaping the proposal would be considered contrary to the provisions of the development plan.

3. **Lighting/Floodlights-** No development shall take place on site until such time as details (including specific luminaire and lamp type; beam control; wattage; the use of reflectors; baffles; louvers; cowling; lux contours/distribution diagrams and columns types/colours) of any floodlights have been submitted to and approved in writing by the Planning Authority in consultation with the Local Council Environmental Health Service. The floodlights shall then be implemented in accordance with the approved details and shall be maintained in this condition. Any subsequent changes to their position or specification shall be subject to the prior written approval of the Planning Authority.

REASON: To ensure that the development does not adversely affect the amenity of neighbouring properties by creating excessive illumination.

4. **Noise Impact Assessment** – No development shall take place on site until such time as a noise impact assessment has been submitted to, and approved in writing by, the Planning Authority in consultation with the Local Council Environmental Health Service. This noise impact assessment shall include an assessment of the potential for the proposed development to cause noise nuisance affecting nearby properties. Where potential noise disturbance is identified, proposals for the attenuation of that noise shall be submitted to and approved in writing by the Planning Authority. Any such approved noise attenuation scheme shall be implemented prior to the development being brought into use and shall thereafter be retained in accordance with the approved scheme. Should the approved noise attenuation scheme impose

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restrictions upon the way in which operations on site shall be carried out, the site shall be operated in this manner unless otherwise approved in writing by the Planning Authority. The noise impact assessment and any recommendations in respect of attenuation measures shall be prepared by a suitably qualified person.

REASON: To ensure that the development does not adversely affect the amenity of neighbouring properties by creating excessive noise.

5. Construction Sites – Hours of Work (Noise)

During the period of construction, all works and ancillary operations which are audible at the site boundary (or at such other place(s) as may first be agreed in writing with the Planning Authority), shall be carried out between the following hours unless otherwise approved in writing by the planning Authority:

Mondays to Fridays:	0800-1800
Saturdays:	0800-1300
Sundays and public holidays:	No working

REASON: To ensure the development does not adversely affect the amenity of neighbouring properties by creating excessive noise and disturbance at unsocial hours.

Informatives

1 Biomass Heating System - You are advised to make early contact with the Councils Environmental Health Section (Tel: 01389 738204) if the proposed development is to utilise a biomass heating system.

2 It should be noted that condition 11 of consent 2017/0223/DET restricts the timing of deliveries to the site.

3 Notification of Completion of Development - As soon as practicable after the development is complete, the person who completes the development is required by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give written notice to the planning authority of the completion of the building works. As before, there is notice for you to complete for this purpose included in the decision pack. In larger, phased developments, a notice of completion is to be submitted as soon as practicable after each phase is finished by the person carrying out the development.

4 Duration of permission - In accordance with section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended), this permission lapses on the expiration of 3 years beginning from the date of this permission, unless the development to which this permission relates is begun before that expiration.

5 Notification of Initiation of Development - Under section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the planning authority prior written notification of the date on which it is intended to commence the development. We recommend this is submitted 2 weeks prior to the start of work. A failure to submit the notice, included in the decision pack, would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.