

Argyll and Bute Council
Comhairle Earra Ghaidheal agus Bhoid

Customer Services
Executive Director: Douglas Hendry



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16 January 2013

**ARGYLL AND BUTE LOCAL REVIEW BODY – RECONVENED MEETING
WEDNESDAY 23 JANUARY 2013 AT 9.30AM IN THE COUNCIL CHAMBER,
KILMORY LOCHGILPHEAD**

I attach hereto further written submissions that were requested by the Argyll and Bute Local Review Body at their meeting on 22 November 2012.

Douglas Hendry
Executive Director - Customer Services

BUSINESS

1. **APOLOGIES FOR ABSENCE**
2. **DECLARATIONS OF INTEREST (IF ANY)**
3. **CONSIDER NOTICE OF REVIEW REQUEST: LAND NORTH WEST OF ARDARE,
COLINTRAIVE**
 - (a) **Further written submissions from Applicant (Pages 1 - 4)**

ARGYLL AND BUTE LOCAL REVIEW BODY

Councillor Sandy Taylor (Chair)
Councillor James McQueen

Councillor Robert Graham MacIntyre

Contact: Hazel MacInnes Tel: 01546 604269

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James Barr

Our Ref: EA/PC56975
Your Ref: 12/0007/LRB

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Argyll & Bute Council
Local Review Body
Committee Services
Kilmory
LOCHGILPHEAD
PA31 8RT

6 December 2012

Dear Sir/Madam,

**LOCAL REVIEW BODY 12/0007/LRB
ERECTION OF DWELLINGHOUSE ON LAND NORTH OF ARDARE, COLINTRAIVE
ADDITIONAL WRITTEN SUBMISSIONS**

Further to your request for further information by written submissions, I wish to take this opportunity to lodge further submissions on behalf of Mr. Nicholas Staunton providing further comments on policy constraints in relation to the potential approval of planning permission for the proposed residential dwelling.

We believe that the proposal is infill development as it constitutes new development positioned largely between other substantial buildings and this new development is of a scale subordinate to the combined scale of the buildings adjacent to the development site - as described in the glossary of the adopted Argyll & Bute Local Plan.

However, as concerns have been raised about the location of the proposed development site between properties that are designated in the settlement and in the countryside around settlement, we are writing to consider the proposal in terms of other policy considerations and exceptions identified in the adopted Argyll & Bute Local Plan.

The adopted Argyll & Bute Local Plan states that development would also be acceptable where there is a locational or operational need, and there is no prejudice to the existing or future settlement plan for the area.

The site has been retained as there is a historical family connection with the site, and one which the Staunton family are keen to retain through the development of a new family dwelling in this location.

In terms of the assessment of the proposed development against Argyll & Bute Structure Plan, the proposed development must be considered in terms of Policy STRAT DC 1 and Policy STRAT DC 2. In these policies, infill development is supported where deemed to be appropriate both within settlements and in countryside around settlements, provided that the development does not result in inappropriate rounding-off on the edge of settlements.

This presumption in favour of infill development has also been adopted in the Argyll & Bute Local Plan, as referred to in our original statement to the Local Review Body.

It is believed that these policies support the development proposal currently subject to review by the Local Review Body. A development proposal of this nature cannot, due to the fact it is an infill development, result in the inappropriate rounding-off of the settlement boundary. The nature of rounding off development means development that would be positioned between buildings on one side and ground or natural features on the other and arranged in such a manner that the local pattern of development terminates at this point. This description does not fit with the proposed development site at Colintraive.

Structure Plan policy states that developments which do not accord with this policy are those which would erode the setting of settlements or result in undesirable forms of ribbon development or settlement coalescence. Evidence has been provided through the appeal to the Local Review Body that the site cannot be described as ribbon development, or erode the setting of the wider settlement of Colintraive due to the existing residential properties bounding this site to the east and west along the coastline.

In that respect, the proposed development can be seen to accord with Structure and Local Plan Policies, which allows infill development in both settlement and countryside around settlement locations where deemed to be appropriate.

We recognise that the Local Plan identifies the potential extension of a settlement boundary as a being an undesirable form of development; however, the local plan also states that housing developments are considered on the basis of whether the proposal will be consistent with, and co-ordinated by, the settlement plan that covers that zone. In that respect, the settlement plan has identified that housing development in the area of countryside around the settlement is acceptable - and the nature of Colintraive shows that residential properties in settlements and countryside around settlements can coexist without any impact on the wider setting of the area.

Each application should be determined on its own merits, and the proposed development on land west of Ardare does not raise issues in terms of development pressure to extend development into the countryside, does not encourage ribbon development, and does not erode the setting of the wider settlement of Colintraive.

We believe that this development, as a site within the designated Countryside Around Settlement, is justified by Structure Plan and Local Plan policies regarding appropriate development - due to the fact that it is an infill site. The fact that the site adjoins a property that is designated within one of the six settlement boundaries at Colintraive does not affect the policies against which this proposal should be considered. In terms of the potential extension to the settlement boundary, this site is designated as Countryside around Settlement, where infill development is acceptable. It is within the Council's control to amend this settlement boundary if deemed appropriate, however, we do not believe that changes to the settlement boundary are required to justify this proposal, nor should this affect the consideration of this site as a infill site designated as countryside around settlement, and therefore an acceptable location for development appropriate to the wider character and setting of the area.

If the Local Review Body have concerns regarding the situation of the site adjoining the settlement boundary of Colintraive, we wish to stress that this application could be considered acceptable as a 'minor departure' to the development plan when taking account of material considerations that the development is an infill site and therefore would not encourage any further development along the coastline, or affect the wider setting of the settlement of Colintraive or the wider Countryside location.

Just because planning permission is granted for development on this site doesn't mean that the settlement boundary has to be extended to reflect this - as is shown by the exclusion of the existing residential properties to the east, running along the coastline at Colintrave.

Ultimately, the Local Review Body has the powers to determine planning applications irrespective of whether it is deemed in compliance with or contrary to the development plan.

We trust that this submission will be given full consideration by the Local Review Body as the appeal progresses towards determination.

Yours sincerely



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Senior Planner

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Enc

Cc: Mr N. Staunton

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