

# Public Document Pack

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

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16 June 2014

### **SUPPLEMENTARY PACK 4**

#### **PLANNING, PROTECTIVE SERVICES AND LICENSING COMMITTEE - COUNCIL CHAMBERS, KILMORY, LOCHGILPHEAD on WEDNESDAY, 18 JUNE 2014 at 2:00 PM**

I enclose herewith supplementary planning reports for items 6, 7 and 8 which were not included on the Agenda for the above Meeting.

#### **Supplementary Reports**

- 6. STRACHUR HOUSING ALLOCATION (H-AL 2/15) MASTERPLAN REPORT  
(REF: 14/001330/MPLAN)**  
Report by Head of Planning and Regulatory Services (Pages 1 - 2)
- 7. MR AND MRS HALL: ERECTION OF DWELLINGHOUSE: PLOT 7, LAND TO  
THE SOUTH WEST OF HEATHER COTTAGE, STRACHUR (REF: 13/01625/PP)**  
Report by Head of Planning and Regulatory Services (Pages 3 - 6)
- 8. ARCHD FERGUSSON LTD: FORMATION OF ACCESS ROAD, INSTALLATION  
OF PRIVATE SEWERAGE SYSTEM AND INSTALLATION OF SURFACE WATER  
DRAINAGE (ALL TO SERVE A SEVEN PLOT HOUSING DEVELOPMENT) AND  
SUBMISSION OF A HOUSING ALLOCATION MASTERPLAN: LAND TO THE  
SOUTH WEST OF HEATHER COTTAGE AND KIKUT, STRACHUR (REF:  
14/00557/PP)**  
Report by Head of Planning and Regulatory Services (Pages 7 - 10)

#### **PLANNING, PROTECTIVE SERVICES AND LICENSING COMMITTEE**

Councillor David Kinniburgh (Chair)	Councillor Gordon Blair
Councillor Rory Colville	Councillor Robin Currie
Councillor Mary-Jean Devon	Councillor George Freeman
Councillor Alistair MacDougall	Councillor Robert Graham MacIntyre
Councillor Donald MacMillan	Councillor Roderick McCuish
Councillor Alex McNaughton	Councillor James McQueen
Councillor Sandy Taylor	Councillor Richard Trail

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**DEVELOPMENT AND INFRASTRUCTURE SERVICES****PLANNING PROTECTIVE SERVICES AND LICENSING COMMITTEE****18<sup>th</sup> June 2014**

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**STRACHUR HOUSING ALLOCATION MASTERPLAN REPORT 14/01330/MPLAN**

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**SUPPLEMENTARY REPORT NO.1****1. INTRODUCTION**

The attention of Members is drawn to the report dated 29<sup>th</sup> May 2014 in respect of this Masterplan, which is currently before them for consideration.

**2. FURTHER INFORMATION**

Members will note that, under the road network part of the report (Section G), it mentions that the access road has not been constructed strictly to an adoptable standard (principally due to gradient issues). However, it goes on to state that, in order to comply with Policy LP TRAN 4 of the Argyll and Bute Local Plan 2009, a relaxation of standards can be justified.

Subsequent discussion with the Roads Department has ascertained that their guidance notes that steep gradients should be avoided as the associated footways can cause problems for those with mobility issues. Any relaxation from these gradients would be at the discretion of the Network Manager.

The Network Manager has advised that the gradient limit for the adoption of a new road would normally be 8% (1 in 12), however up to 10% (1 in 10) has been accepted over short distances in the past. The gradient currently on site is 12.5% (1 in 8) and this would not be suitable for adoption as it would not be compliant with Disability Discrimination Act guidance.

**3. CONCLUSION**

The site is a Housing Allocation in both the adopted Local Plan and proposed Local Development Plan. This site is required in order to secure the effective implementation of Housing Land Supply to provide much needed houses in Strachur in order to support economic development and reverse population decline.

There is a history of approvals for housing development on this site and while the proposed gradient of 12.5% is not permitted within road development guidance, this gradient has been accepted for some private accesses serving up to 5 dwellings within the lifetime of the current Local Plan elsewhere in Argyll and Bute. Indeed there are many older existing private and public roads and accesses of this gradient and beyond which operate successfully in the Council Area. In these circumstances it is considered that there are sufficient and compelling reasons to justify a minor departure from Local Plan Policy LP TRAN 4 and to accept a private access to serving 7 houses.

**IMPLICATIONS**

Policy:	None
Financial:	None
Personnel:	None
Equal opportunities:	None

**Author of Report:** Steven Gove 01369 708603

**Date:** 16<sup>th</sup> June 2014

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

**Argyll and Bute Council  
Development and Infrastructure Services**

**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**

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**Reference No:** 13/01625/PP

**Planning Hierarchy:** Local

**Applicant:** Mr and Mrs Hall

**Proposal:** Erection of Dwellinghouse

**Site Address:** Plot 7, Land to the South East of Heather Cottage, Strachur

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**SUPPLEMENTARY REPORT NO.1**

**(A) INTRODUCTION**

The attention of Members is drawn to the report dated 11<sup>th</sup> June 2014 in respect of this application, which is currently before them for consideration.

Members will note that, under the road network part of the report (Section C of Annex A), it mentions that the access road has not been constructed strictly to an adoptable standard (principally due to gradient issues). However, it goes on to state that, in order to comply with Policy LP TRAN 4 of the Argyll and Bute Local Plan 2009, a relaxation of standards can be justified.

Subsequent discussion with the Roads Department has ascertained that their guidance notes that steep gradients should be avoided as the associated footways can cause problems for those with mobility issues. Any relaxation from these gradients would be at the discretion of the Network Manager.

The Network Manager has advised that the gradient limit for the adoption of a new road would normally be 8% (1 in 12), however up to 10% (1 in 10) has been accepted over short distances in the past. The gradient currently on site is 12.5% (1 in 8) and this would not be suitable for adoption as it would not be compliant with Disability Discrimination Act guidance.

The site is a Housing Allocation in both the adopted Local Plan and proposed Local Development Plan. This site is required in order to secure the effective implementation of Housing Land Supply to provide much needed houses in Strachur in order to support economic development and reverse population decline.

There is a history of approvals for housing development on this site and while the proposed gradient of 12.5% is not permitted within road development guidance, this gradient has been accepted for some private accesses serving up to 5 dwellings within the lifetime of the current Local Plan elsewhere in Argyll and Bute. Indeed there are many older existing private and public roads and accesses of this gradient and beyond which operate successfully in the Council Area. In these circumstances it is considered

that there are sufficient and compelling reasons to justify a minor departure from Local Plan Policy LP TRAN 4 and to accept a private access to serving 7 houses.

Whilst this does not have a direct bearing upon the current application (which relates to the erection of a single dwellinghouse), it will have implications for the report on application 14/00557/PP.

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**(B) RECOMMENDATION:**

It is recommended that Members note the new information contained within Section A above and that Planning Permission be granted subject to the conditions, reasons and informative notes contained at the end of this report.

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**Author of Report: Steven Gove**

**Date: 16 June 2014**

**Reviewing Officer: Angus Gilmour**

**Date: 16 June 2014**

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

**CONDITIONS AND REASONS RELATIVE TO APPLICATION REF. NO. 13/01625/PP**

1. The development shall be implemented in accordance with the approved drawings: Drawing No. HBS 01; Drawing No. HBS 02A; Drawing No. HBS 1.01; Drawing No. HBS 1.02; and Drawing No. HBS 1.03 unless the prior written approval of the planning authority is obtained for an amendment to the approved details under Section 64 of the Town and Country Planning (Scotland) Act 1997.

Reason: For the purpose of clarity, to ensure that the development is implemented in accordance with the approved details.

2. Unless otherwise agreed in writing with the Planning Authority, the access onto the existing internal access shall be formed with visibility splays of 20 metres in both directions measured from a point 2.0 metres back from the edge of the carriageway at the centre point of the access. No walls, hedges, fences or other obstructions shall be allowed over a height of 1.0 metres above the level of the carriageway within these visibility splays.

Reason: In the interests of road safety.

3. Prior to the occupation of the dwellinghouse, the access to the site from the A886 road shall be constructed in accordance with the Road Layout and Road Details and Specification submitted with planning application 14/00557/PP unless otherwise agreed in writing with the Planning Authority.

Reason: In order to ensure that the dwellinghouse is served by an access that is commensurate with the scale of development.

4. Prior to the commencement of the development, full details of the landscaping to take place within the plot shall be submitted to and approved in writing by the Planning Authority. The scheme shall comprise a planting plan and schedule which shall include details of the location and species to be used together with a programme for the timing, method of implementation, completion and subsequent on-going maintenance. Particular attention should be paid in the plan to planting to the north of the dwellinghouse with a view to screening the underbuilding.

All of the landscaping works shall be carried out in accordance with the approved scheme unless otherwise approved in writing by the Planning Authority.

Any trees/shrubs which within a period of five years from the completion of the approved landscaping scheme fail to become established, die, become seriously diseased, or are removed or damaged shall be replaced in the following planting season with equivalent numbers, sizes and species as those originally required to be planted unless otherwise approved in writing by the Planning Authority.

Reason: To assist the integration of the proposal with its surroundings in the interest of visual amenity.

**NOTE TO APPLICANT**

3. This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period. [See section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended).]
4. In order to comply with Section 27A(1) of the Town & Country Planning (Scotland) Act 1997, prior to works commencing on site it is the responsibility of the developer to complete and submit the attached 'Notice of Initiation of Development' to the Planning Authority specifying the date on which the development will start.
5. In order to comply with Section 27B(1) of the Town & Country Planning (Scotland) Act 1997 it is the responsibility of the developer to submit the attached 'Notice of Completion' to the Planning Authority specifying the date upon which the development was complete.
6. The Area Roads Manger has advised that a Road Opening Permit may be required for services and that surface water drainage will be required to prevent water running onto the public road.



**Argyll and Bute Council  
Development and Infrastructure Services**

**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**

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**Reference No:** 14/00557/PP

**Planning Hierarchy:** Local

**Applicant:** Archd Fergusson Ltd

**Proposal:** Formation of access, installation of private sewerage system and installation of surface water drainage (all to serve a seven plot housing development) and submission of a Housing Allocation master plan

**Site Address:** Land to the South West of Heather Cottage and Kikut, Strachur

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**SUPPLEMENTARY REPORT NO.1**

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**(A) INTRODUCTION**

The attention of Members is drawn to the report dated 11<sup>th</sup> June 2014 in respect of this application, which is currently before them for consideration.

Members will note that, under the road network part of the report (Section C of Annex A), it mentions that the access road has not been constructed strictly to an adoptable standard (principally due to gradient issues). However, it goes on to state that, in order to comply with Policy LP TRAN 4 of the Argyll and Bute Local Plan 2009, a relaxation of standards can be justified.

Subsequent discussion with the Roads Department has ascertained that their guidance notes that steep gradients should be avoided as the associated footways can cause problems for those with mobility issues. Any relaxation from these gradients would be at the discretion of the Network Manager.

The Network Manager has advised that the gradient limit for the adoption of a new road would normally be 8% (1 in 12), however up to 10% (1 in 10) has been accepted over short distances in the past. Due to the presence of extensive rock at the site, the gradient currently is 12.5% (1 in 8) and this would not be suitable for adoption as it would not be compliant with Disability Discrimination Act guidance.

In view of the above, it is considered that there is no potential for relaxing the Roads Department's standards on adoptability. On this basis, the proposal must be approved as a departure from the Development Plan (see Section C below) and Condition 4 must be revised.

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**(B) RECOMMENDATION:**

Having due regard to the Development Plan and all other material considerations it is recommended that planning permission be granted subject to the conditions, reasons and informative notes given at the end of this report.

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

Policy LP TRAN 4 of the Argyll and Bute Local Plan 2009 states that developments of more than 5 dwellinghouses should be served by a road to adoptable standard. The guidance from the Roads Department notes that steep gradients should be avoided as the associated footways can cause problems for those with mobility issues. Any relaxation from these gradients would be at the discretion of the Network Manager.

The Network Manager has advised that the gradient limit for the adoption of a new road would normally be 8% (1 in 12), however up to 10% (1 in 10) has been accepted over short distances in the past. Due to the presence of extensive rock at the site, the gradient currently is 12.5% (1 in 8) and this would not be suitable for adoption as it would not be compliant with Disability Discrimination Act guidance.

The site is a Housing Allocation in both the adopted Local Plan and proposed Local Development Plan. This site is required in order to secure the effective implementation of Housing Land Supply to provide much needed houses in Strachur in order to support economic development and reverse population decline.

There is a history of approvals for housing development on this site and while the proposed gradient of 12.5% is not permitted within road development guidance, this gradient has been accepted for some private accesses serving up to 5 dwellings within the lifetime of the current Local Plan elsewhere in Argyll and Bute. Indeed there are many older existing private and public roads and accesses of this gradient and beyond which operate successfully in the Council Area. In these circumstances it is considered that there are sufficient and compelling reasons to justify a minor departure from Local Plan Policy LP TRAN 4 and to accept a private access to serving 7 houses.

**Author of Report: Steven Gove**

**Date: 16 June 2014**

**Reviewing Officer: Angus Gilmour**

**Date: 16 June 2014**

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

**CONDITIONS AND REASONS RELATIVE TO APPLICATION REF. NO. 14/00557/PP**

1. The development shall be implemented in accordance with the approved drawings – Location Plan (scale 1:2500); Block plan Indicating Road Layout and Plot Locations; Block Plan Indicating Foul Water Disposal; Road Layout; Block Plan Indicating Surface Water Disposal; and Road Details and Specification unless the prior written approval of the Planning Authority is obtained for an amendment to the approved details under Section 64 of the Town and Country Planning (Scotland) Act 1997.

Reason: For the purpose of clarity, to ensure that the development is implemented in accordance with the approved details.

2. Prior to the occupation of the first residential unit, visibility splays measuring 75 metres in both directions from a 2.4 metre setback shall be maintained at the junction with the A886 clear of all obstructions over 1 metre in height at all times.

Reason: In the interests of road safety

3. The proposed vehicle access to each dwelling shall have visibility splays of 20 metres x 2 metres in each direction formed from the centre line of each access. Prior to the occupation of each dwelling, these visibility splays shall be cleared of all obstructions over one metre in height above the level of the adjoining carriageway and thereafter shall be maintained clear of all obstructions over one metre in height.

Reason: In the interests of road safety.

4. Unless otherwise agreed in writing with the Planning Authority, prior to the occupation of the first residential unit, details of the final design and specification of the road shall be submitted to and approved in writing by the Planning Authority.

Reason: In the interests of road safety to ensure the provision of a road commensurate to the scale of development.

5. No dwellinghouse served by the proposed access shall be occupied until the access has been fully constructed between the plot and the A886, unless otherwise agreed in writing with the Planning Authority.

Reason: In order to ensure that any dwellinghouse is served by an access that is commensurate with the scale of development.

6. Unless otherwise agreed in writing with the Planning Authority, the sewage treatment plant shall not be brought into use until maintenance schedules for the plant and odour control measures have been submitted to and approved in writing by the Planning Authority, in consultation with Public Protection Services. None of the dwellings shall be occupied until the construction of the sewage treatment plant has been completed and is fully operational in accordance with the approved details.

Reason: In the interests of public health and amenity.

**NOTES TO APPLICANT**

3. In order to comply with Section 27B(1) of the Town & Country Planning (Scotland) Act 1997 it is the responsibility of the developer to submit the attached 'Notice of Completion' to the Planning Authority specifying the date upon which the development was complete.
4. The Area Roads Manager has recommended the following:
  - A system of surface water drainage should be provided to prevent water running onto the A886 road;
  - A channel must be formed at the uppermost passing place to direct water into the adjacent gully;
  - A system of surface water drainage shall be provided to prevent the flow of surface water from each plot onto the access road;
  - An inspection regime shall be formulated relating to the inlet grille of the 900 mm diameter culvert within Plot 7. Such a regime shall ensure that the grille does not become blocked with debris, etc.
  - The developer shall supply a street name plate and a grit bin shall be placed at locations to be agreed with the Area Roads Manager;
  - A Road Opening Permit will be required for any works on or adjacent to the A886 carriageway.
5. SEPA has recommended that, given a watercourse runs through Plots 3 and 4, the future developers of those plots should be aware that a buffer strip will be required between the watercourse and any development. In relation to Plot 4, they have highlighted that, although culverting for access may be acceptable, SEPA is opposed to culverting for land gain. This issue would need to be a consideration for any future application for Planning Permission.