

**CONDITIONS AND REASONS RELATIVE TO APPLICATION 13/00123/PPP
RECOMMENDED IN RESPONSE TO THE REQUEST OF THE LOCAL REVIEW BODY IN
TERMS OF CONSIDERATION OF REVIEW 13/0008/LRB:**

1. Plans and particulars of the matters specified in conditions 3, 4, 6, 7, 8, and 9 below shall be submitted by way of application(s) for Approval of Matters Specified in Conditions in accordance with the timescales and other limitations in Section 59 of the Town and Country Planning (Scotland) Act 1997 as amended. Thereafter the development shall be completed wholly in accordance with the approved details.

Reason: To accord with Section 59 of the Town and Country Planning (Scotland) Act 1997 as amended.

2. Except as may be amended by the conditions attached to this planning permission in principle, this permission is granted in accordance with the details specified on the application form dated 21st January 2013 pertaining to application ref. 13/00123/PPP and the approved drawing numbers 1 of 3, 2 of 3 and 3 of 3.

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

3. Pursuant to Condition 1 – plans, sections and elevations of the proposed house shall be submitted and must incorporate:

- i) A statement addressing the Action Checklist for developing design contained within the Argyll and Bute Sustainable Design Guide 2006
- ii) Local vernacular design
- iii) Maximum of 1¾ storey building
- iv) Rectangular footprint with traditional gable ends
- v) External building span not exceeding 7.0 metres
- vi) Symmetrically pitched roof angled between 37 and 42 degrees finished in natural slate
- vii) External walls predominantly finished in natural stone, masonry render, or a mixture of both
- viii) Details of finished ground floor levels relative to an identifiable fixed datum located outwith the application site, furthermore, these shall demonstrate that the building has been sited so far as practicable to fit with the natural contours of the site and maximise the use of existing landscape features to provide a suitable context for the development; and
- ix) Window openings with a vertical emphasis.

Reason: To accord with Section 59 of the Town and Country Planning (Scotland) Act 1997 as amended and in order to integrate the proposed dwellinghouse with its surrounds.

4. Pursuant to Condition 1 – a scheme of boundary treatment, surface treatment and landscaping shall be submitted including details of:

- i) Location, design and materials of proposed walls, fences and gates
- ii) Surface treatment of proposed means of access and hardstanding areas
- iii) Any proposed re-contouring of the site by means of existing and proposed ground levels; and
- iv) Proposed hard and soft landscaping works.

The development shall not be occupied until such time as the boundary treatment, surface treatment and any re-contouring works have been completed in accordance with the duly approved scheme.

All of the hard and soft landscaping works shall be carried out in accordance with the approved scheme during the first planting season following the commencement of the development unless otherwise agreed in writing by the Planning Authority.

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

5. All existing trees and shrubs within the application site as identified by the red line, shall not be lopped, topped, felled, lifted or removed without the prior written consent of the Planning Authority.

Reason: Retention of the existing trees and shrubs will ensure that the proposed dwellinghouse will conform with the landscape character of the immediately surrounding area which is situated directly adjacent to Kennacraig and Esragan Burn Site of Special Scientific Interest which is designated for its woodland features of interest and within an area listed on the Ancient Woodland Inventory.

6. Pursuant to Condition 1 – plans and particulars of the means of vehicular access and parking/turning arrangements to serve the development shall be submitted, incorporating:
 - i) Construction of the junction with the B845 public road serving the development site in accordance with the Council's Roads Standard Detail Drawing SD 08/004 rev a. with visibility splays measuring 2.4 metres by 53.0 metres to the north west and 2.4 metres by 75 metres to the south east from the centre line of the junction.
 - ii) The provision of parking and turning in accordance with the requirements of Policy LP TRAN 6 and Appendix C of the 'Argyll and Bute Local Plan' 2009.

No walls, hedges, fences etc will be permitted within 2.4 metres from the channel line of the B845 public road.

Prior to work starting on site, the approved scheme of works in respect of junction layout shall be formed to at least base course standard and the visibility splays shall be cleared of all obstructions such that nothing shall disrupt visibility from a point 1.05 metres above the junction/carriageway. The final wearing surface on the access shall be completed prior to the initial occupation of the house hereby approved and the visibility splays shall be maintained clear of all obstructions thereafter in perpetuity.

The approved parking and turning layout shall be implemented in full prior to the development first being occupied and shall thereafter be maintained clear of obstruction for the parking and manoeuvring of vehicles.

Reason: In the interests of road safety.

7. Pursuant to Condition 1 - an appraisal of the wholesomeness and sufficiency of the intended private water supply and the system required to serve the development shall be submitted.

The appraisal shall be carried out by a qualified hydrologist and shall include a risk assessment having regard to the requirements of Schedule 4 of the Private Water Supplies (Scotland) Regulations 2006 which shall inform the design of the system by which a wholesome and sufficient water supply shall be provided and maintained. The appraisal shall also demonstrate that the wholesomeness and sufficiency of any other supply in the vicinity of the development, or any other person utilising the same source or supply, shall not be compromised by the proposed development.

The development shall not be brought into use or occupied until the required water supply system has been installed in accordance with the agreed specification and is operational.

Reason: In the interests of public health and in order to ensure that an adequate private water supply in terms of both wholesomeness and sufficiency can be provided to meet the requirements of the proposed development and without compromising the interests of other users of the same or nearby private water supplies.

8. Pursuant to Condition 1 – details of the proposed means of private foul drainage to serve the development shall be submitted including the location, capacity and outfall arrangements for the proposed private drainage system.

The duly approved scheme shall be implemented in full concurrently with the development that it is intended to serve and shall be operational prior to the occupation of the development.

Reason: To ensure that an adequate means of foul drainage is available to serve the development.

9. Pursuant to Condition 1 – full details of the means of surface water drainage shall be submitted. Such details as are approved shall be operational prior to the development being brought into use and shall be maintained as such thereafter in perpetuity.

Reason: To ensure the provision of an adequate surface water drainage system and to prevent flooding.

10. No development shall commence on-site or is hereby authorised until the existing ruinous structure identified as Kennacraig within the landholding has been razed to the ground and permanently removed from the landholding, except where demolition materials are used in the construction of the house hereby approved in principle.

Reason: To ensure that the existing redevelopment opportunity which exists at Kennacraig is removed in perpetuity which shall then ensure that the applicant can only erect 1 dwellinghouse within the area of land within the same ownership as identified by Plan 2 of 3 (Drawing No. STR12030/01).

NOTE TO APPLICANT

- This permission constitutes Planning Permission in Principle under Section 59 of the Town and Country Planning (Scotland) Act 1997 as amended and as such does not authorise the commencement of any development until matters requiring the further consent of the Planning Authority have been satisfied.
- Application(s) for Approval of Matters Specified in Conditions must be made in accordance with the provisions of Regulation 12 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008 within the time limits specified in Section 59 of the Act. Application(s) must be submitted within 3 years from the date of which Planning Permission in Principle was granted. The exception being where an earlier submission for the Approval of Matters Specified in Conditions was refused or dismissed on appeal, in which case only one further application in respect of all outstanding matters requiring further approval of the Planning Authority may be submitted within a period of 6 months from determination of the earlier application. Any elements of the Planning Permission in Principle for which further approval of the Planning Authority has not been sought within the time periods summarised above will no longer be capable of being implemented within the terms of this permission.
- A Road Opening Permit under the Roads (Scotland) Act 1984 must be obtained from the Council's Roads Engineers prior to the construction of a junction with the B845 public road. The access must be constructed and drained to ensure that no surface water is discharged onto the B845 public road.
- Regulatory requirements for private water supplies should be discussed with the Council's Environmental Health Officers in the first instance.
- Private drainage arrangements are also subject to separate regulation by Building Standards and SEPA.