

RHU MARINA MASTERPLAN REPORT FOR HEARING

1. SUMMARY

Rhu Marina is designated in the current adopted Local Plan as Potential Development Area (PDA) 3/29. Under this designation a masterplan is required as part of the determination of any application for all or part of the site. Members will consider separately an application, reference 12/01696/PP, by GSS at Rhu Marina for the change of use of land for the temporary siting of a modular building (office accommodation) with associated parking, 2 containers, welfare facilities and installation of pontoons. A Masterplan has been submitted and is considered below.

2. RECOMMENDATION

The components of the mixed-use scheme are considered to be compatible with PDA 3/29. Whilst the masterplan is light on some information it is considered that there is sufficient detail to assess the proposed redevelopment in principle. As such it is recommended that, subject to a Hearing, it be approved and endorsed as a material consideration in the assessment of the current planning application for GSS reference 12/01696/PP.

3. ASSESSMENT

The Rhu Marina site is designated in the current adopted Local Plan as Potential Development Area (PDA) 3/29. Under this designation it is identified for a mixed use development comprising Housing, Leisure, Tourism, Business and Retail.

PDAs are areas identified by the Council that can contribute to economic development and environmental improvement. In turn they reflect the advice and desire of Scottish Government to improve the economic base of the country.

PDAs are defined in the plan as areas of land within which opportunities may emerge during the period of the Local Plan (5 to 10 years) for infill, rounding-off, redevelopment or new development. Such opportunities as were identified were not fully resolved at the time of the adoption of the plan. As such it requires constraints to be overcome in terms of the 'mini development brief' accompanying these PDAs before development opportunities within the PDA area can be realised and be supported by the Local Plan. It is standard practice to require a Masterplan when considering the development of such designated areas. Masterplans help the Council assess at an early stage in the development process the interrelationships of layout, design, access, existing transport infrastructure and sustainable modes of travel, landscape and ecology, open space provision and integration of a proposed development with existing communities.

The Scottish Government most commonly refers to Masterplans being, '*a plan that describes and maps an overall development concept, including present and future land use, urban design and landscaping, built form, infrastructure, circulation and service provision. It is based upon an understanding of place and it is intended to provide a structured approach to creating a clear and consistent framework for development*' (PAN 83). The Scottish Government endorses the use of masterplanning in general, but considers that it is especially useful for large sites and in areas/sites

which are going to undergo substantial change, have multiple uses, or are sensitive in environmental or landscape terms.

At the meeting of the PPSL Committee on 23 November 2011, Members considered and agreed a policy paper on masterplans. This stated, *inter alia*, that:

“Proposals for development of PDAs should be accompanied by a Masterplan which demonstrates how the proposed development will relate to the wider area and any parts of the PDA which do not form part of the application site, and that the publicity and consultation arrangements for the masterplan and planning application run concurrently for a minimum period of 21 days.”

Given the current planning application submitted by GSS, which is being considered separately by Members, a masterplan has been required for prior consideration as part of the determination of that application. This has now been submitted, has been the subject of consultation and publicity, and is assessed below.

4. CONSULTATIONS

SEPA	(Letter dated 15/04/13)	In any future detailed planning application for proposals within the Masterplan area the following issues should be addressed: Flood Risk, Waste Water Drainage, Surface Water Drainage, Pollution Prevention and Environmental Management and Space for Waste Management Provision.
Flood Prevention Officer	(memo dated 01/05/13)	A Flood Risk Assessment (FRA) should be submitted which identifies the minimum Finished Floor Level (FFL) required. The submitted drawings should be amended to show the proposed FFL. The FRA should address how the building and car park area will be safely managed in regard to flood events.
Public Protection	Awaiting response	
Scottish Water	(letter dated 05/04/13)	No objections
Roads Engineer	(memo dated 29/04/13)	No objections in principle. The vehicle access would require to be adopted and sightlines improved. Additional parking spaces may be required as well as an additional vehicular access service point.

Rhu & Shandon Community Council (letters dated 24.03.2013, 17.04.13 and 05.08.13)

The quality of the drawings on the website are such that it is very difficult to make out the detail and several days have been wasted before we have been able to access good quality drawings. Even now, the drawings on the A&BC Planning System are of poor quality and this will hamper the public's understanding of the proposals.

R&S CC welcome the publication of the Masterplan for the Rhu Marina area. The CC is keen to see the marina facilities developed and improved but are adamant that this must always be done in the context of its central location within a conservation village, and as an important element in the high quality panoramic views of Rhu Bay.

Mindful of our responsibility to represent the views of the community R&S CC have carried out a survey of visitors to an open event held by the developers of the Masterplan on 02.04.13, and also held an open meeting on 15.04.13 to ascertain the views of the residents. Our understanding of these views has been taken into account in preparing this submission.

Considering the views expressed in our survey (approx. 110 returns) and our open meeting (approx. 140 attendees), even allowing for overlapping between the two groups, on balance the R&S CC concludes that there is significant support within the village for development of the marina area. However, many of those who agree with the Masterplan proposals have strong reservations about certain aspects which, when coupled with the substantial portion of the community who have expressed disagreement with the proposed Masterplan, means that the R&S CC feels that they must object to the Masterplan as currently presented. The following points listed below list the perceived shortcomings and other factors which R&S CC feel should be taken into consideration:

(NB: References to policy refer both to the current adopted Local Plan 2009, generally prefixed "LPxx", and also to the draft Local Development Plan currently out for consultation, which is a material consideration, and its Supplementary Guidance, where policies are prefixed "LDPxx" and "SG LDPxx" respectively).

1. The area covered by the Masterplan extends beyond the area covered by PDA 3/29 and includes an area of land reclamation to the north-west of the PDA area. This reclamation is felt by the community to be unnecessary and also would appear to be contrary to Argyll & Bute 2009 policies LP CST4 and SG LDP CST1 which only permit development of the foreshore when it is essential and there is no other option. In this case the development to the north-west of the PDA is not considered essential to a foreshore site. There are concerns that the impact of such land reclamation could be detrimental to the behaviour of the tides and water flows, and the biodiversity of Rhu Bay, contrary to SG LDP CST1. An Environmental Impact Assessment, or similar study, must show this impact to be acceptable before such land reclamation is approved.
2. The whole of the Masterplan Area lies within the conservation area of Rhu village and as such is subject to A&BC policies in respect of development in a conservation area (2009 Local Plan Policies LP ENV13a and LP ENV14). Whilst A&BC are in default in not yet having published a Conservation Area Charter for Rhu village, as required under their own policy, nevertheless their own policies require that, amongst other things:
 - a. The development does not detract from the setting of a conservation village (LP ENV14). The size and scale of the proposed buildings are considered by many residents to be too intrusive for policies LP ENV14 and LP ENV19A, B & C to have been met
 - b. Buildings mass and scale are widely thought to be generally inappropriate with the surrounding residential area (contravenes policy LP ENV19 A, B and C).
 - c. In particular many of the building elevations are unacceptable, being up to 18m high. These should be limited to that of the current highest building on the marina (RNLI Boathouse) which is shown on the diagrams to be 15m above datum (this elevation has been queried), but always taking into account their position on the site and the impact on the surrounding conservation setting.
 - d. The development will severely impact the panoramic qualities of the views of Rhu Bay and are such in contravention of LP ENV14 and LP ENV19. Whilst Rhu Bay is not currently specified as an Area of Panoramic Quality nevertheless it is an iconic view, jealously guarded by the community, and the R&S CC believes the requirements of policy LP ENV 19C and LP ENV10 should be applied.
3. The 2009 Local Plan Coastal Development policy must apply to this site as it clearly lies within a coastal zone. In this respect policy LP CST 1A is met in respect of the marina facilities and clubhouse which do require a coastal location, but is contravened by the hotel,

residential and office uses which do not. In addition, SG LDP CST 1, which accompanies the new draft Local Development Plan and hence is a material consideration, makes it clear that applications for coastal development on land will ONLY be supported where it can be demonstrated that “..... a coastal location is essential to the development and that there is no other alternative site outwith the coastal zone”. There is no justification why a coastal location is essential for hotel, residential, convenience store and office accommodation. LP CST 1D is contravened in that the scale and mass of the proposed buildings are not compatible with the surrounding landscape and setting. It is accepted that LP CST 1C would appear to be satisfied in terms of economic and social benefit.

4. There is a strong belief that the marina site should be developed in a manner which supports and enhances its fundamental purpose of being a marina, which is supported by LP CST1A, and, whilst it is not a commercial scale harbour, the requirements of LP TRAN8 to promote retention for marine uses. In this respect it is felt that;
 - a. A development of 20 residential units is considered to be medium-scale and therefore not appropriate for a village setting (see LP HOU1 and SG LDP HOU1, which is a material consideration). Policy LDP CST1 specifically constrains development on coastal land unless it is essential and there is no alternative inland site available. It is believed that there are inland sites available for housing.
 - b. A clubhouse is appropriate provided a local club will adopt it.
 - c. A small hotel operation would not appear to require a coastal location and there is already excess capacity in the village at existing hotels, and bed and breakfast establishments (i.e. policies LP CST1 and SG LDP CST1 are contravened).
 - d. The separate office block appears to be speculative with no obvious marina link given that the facilities building has office accommodation.
 - e. The facilities building is appropriate in terms of function but is unacceptable in terms of overall mass and elevation.
 - f. The convenience store seems excessive given other provision in the village. Its siting on the roadside on current landscaped ground will detract from the approach and general appearance of the site. Also, 3000ft² is close to the size requiring a Retail Impact Assessment under policy LP RET3.
 - g. A restaurant is appropriate
5. The provision for boat storage and parking seems inadequate and not to required standards.
6. There are concerns over traffic flows in and out of the marina area, and generally on road access on the A814 – traffic would be exacerbated by residential units etc.
7. A significant failing of the Masterplan is that it does not make clear future provision for some of the current marina activities. Specifically, whilst there appears to be some office provision to replace the temporary facilities requested under 12/01696/PP, the other activities addressed by this temporary application are not provided for in the Masterplan. Continued long term use of containers as stores, workshops and welfare facilities is not acceptable and proper provision must be made in the Masterplan. The temporary pontoon proposed in the application also does not appear to have a permanent provision in the Masterplan.
8. From the above it will be seen that if the proposals were to be adopted then there would departures from a number of A&BC policies in the current 2009 Local Plan, viz: LP CST1A, LP CST1D, LP CST4, LP ENV 10, LP ENV 13A, LP ENV 14, LP ENV 19A, LP ENV 19B, LP ENV 19C and possibly LP HOU1. Similar policies in the proposed Local Development Plan

and its Supplementary Guidance are also infringed. This number of departures would be contrary to 2009 Local Plan Policy LP DEP 1 (Departures to the Development Plan) which requires that "(A) The council shall seek to minimise the occurrence of departures to the Development Plan to grant planning permission as departure ONLY when material planning considerations so justify." Thus agreeing to this proposal would have to mean demonstration of material planning considerations to justify each of the departures from the Local Plan which occur in the Masterplan. This should not be left until the individual applications are made and should be addressed as part of the master plan approval process.

9. There is considerable support in the village for development and improvement of the site, with some believing that it will improve the site and the amenity of the village. Even amongst those expressing support concerns remain around the height and mass of the buildings proposed, and the impact of the shop, hotel etc on existing local businesses.
10. It is understood that there will be no affordable housing on the site. Provided that this is addressed in other ways under A&BC policy this should be acceptable.
11. The provision of public access paths and public open space is welcomed and is to be encouraged. Note that the provision has not been checked against policy LP HOU4.
12. It is to be noted that an effective Masterplan should include "how the project will be implemented through a delivery strategy which sets out phasing, timing and funding". (See PAN83, page 7).

We have noted the submission by Rhu Marina Developments Ltd. Our submission of 19th April 2013 states:

"R&S CC welcome the publication of the Masterplan for the Rhu **Marina area**. (emphasis added) The CC is keen to see the marina facilities developed and improved but are adamant that this must always be done in the context of its central location within a conservation village, and as an important element in the high quality panoramic views of Rhu Bay."

Our submission goes on to say:

"However, many of those who agree with the Masterplan proposals have strong reservations about certain aspects which, when coupled with the substantial portion of the community who have expressed disagreement with the proposed Masterplan, means that the R&S CC feels that they must object to the Masterplan as currently presented."

"R&S CC concludes that there is significant support within the village for development of the **marina area**." (emphasis added)

This should not be mistaken for significant village support for the whole area covered by the masterplan, which extends beyond the boundaries of PDA3/29. The above reservations and concerns are all covered quite clearly in our original submission and we see no value in reiterating them in an exhaustive list.

Analysis of all the representations on the planning websites regarding the Rhu Marina Masterplan confirms a total of 64 objections with only 2 supporters. We believe that our submission accurately reflects that position. Since the reservations expressed to the CC are significant, maintaining an objection is appropriate. We are confident that our support of some aspects of the Masterplan and our objection to other parts of the plan reflects the considered view of the local community.

Built Heritage Conservation Officer

The Master plan sets out an initial broad outline of the policy frame work regarding this site, and a brief assessment of a design approach. There are areas that it would be helpful to expand on to help facilitate the design approach to both independent aspects of the phased development and the overall final development.

Point 2.6 touches on how the current development on the site doesn't provide sufficient enhancement of the conservation area but that this could be addressed by redevelopment. However it is important that the detail regarding these points is drawn out further so that the appropriateness of any new design can be adequately assessed. Historic Scotland's "New Design in Historic Settings" will be particularly helpful in focussing a suitable approach.

I think it's fair to add that one of the principle aims of Master Plan for this site would also be to manage a design response to the setting of the site which is significant in its prominence both locally and from the Roseneath Peninsula equally one of the main objectives would be to ensure that any development makes a positive contribution to the conservation area. However the current master plan is not explicit in how this will be achieved, although it does recognise the importance of doing so.

It would be helpful if there was a clear site analysis, i.e. something that sets out the physical and historical context in which the design is being considered;

What are the key views and vistas from the site, how does the new design respond to this?
What is the topography of the site and setting, how do surrounding built forms and the new design respond to this?

Is there a pattern to surrounding density, mix, form, scale, materials, detailing etc. if so what is it, how does the new design respond to this?

What is the historic significance and special character of the site and its surroundings, in what way does the new development help protect and enhance these qualities?

All the above developed over the years, reacting to the surrounding environment, what part does the new development play in this continuum?

The above is not an exhaustive list but it represents an idea of an appropriate methodology, this should be supported by appropriate images, plans, maps, sketches, photos etc. The sketches in the current master plan could be further developed to represent better the surrounding area, particularly the elevation drawings and height consideration drawings which do not show the proposed development in accurate relationship to the surrounding area. The character images are helpful but again these should be discussed in more detail and the reasoning behind design choices clearly expressed as further proposals are considered.

The current master plan is a starting point for future proposals, in the long term the proposed development for the site is of a sufficient scale to expect a robust and detailed approach such as that set out in the HS guidance mentioned above, equally as a phased approach is being taken this will facilitate a more successful and cohesive design approach over all.

5. PUBLICITY

The Masterplan has been advertised (expiry date 12.04.2012) and a public meeting held on 2 April 2013.

6. REPRESENTATIONS

Seventy nine objections have been raised by sixty six individuals. One representation in support of the masterplan has also been submitted. These are listed below:

Objectors

Michael McAulay, Old Court, Artarman Road, Rhu, Helensburgh (e-mails dated 04/09/12 and 23/04/13 and letter dated 14/07/13)

Andrew Smith, Ardenmore Cottage, Pier Road, Rhu, Helensburgh (e-mails dated 18/09/12 and 18/04/13)

Jim Duncan, Shoreacres, Artarman Road, Rhu, Helensburgh (e-mails dated 14/09/12 and 28/03/13 and letters dated 28/03/13, 05/04/13 and 08/07/13)

Alistair Moore, Smugglers' View, Pier Road, Rhu, Helensburgh (e-mails dated 15/09/12, 18/04/13 and 24/04/13)

Trevor McKay, Ardenmohr, Pier Road, Rhu, Helensburgh (e-mails dated 15/09/12 and 20/04/13)

Mrs Nazzarene McKay, Ardenmohr, Pier Road, Rhu, Helensburgh (e-mail dated 15/09/12)

James Kerr, Ardenberg, Pier Road, Rhu, Helensburgh (e-mail dated 15/09/12)

Mrs Adrienne Kerr, Ardenberg, Pier Road, Rhu, Helensburgh (e-mail dated 15/09/12)

Peter Paisley, Ardlea, Artarman Road, Rhu, Helensburgh (e-mail dated 15/09/2012 and letter dated 09/04/13)

Jack Rudram, 21 Queens Point, Shandon, Helensburgh (e-mail dated 19/09/12)

Adam Muggoch, Artarman House, Artarman Road, Rhu, Helensburgh (e-mail dated 18/09/12)

Mrs Pat Pollock-Morris, 4 Cumberland Road, Helensburgh (e-mail dated 18/09/12 and letter dated 10/04/13)

John McGall, Dunmore West, Pier Road, Rhu, Helensburgh (e-mails dated 19/09/12 and 06/04/13)

Mrs Alison McGall, Dunmore West, Pier Road, Rhu, Helensburgh (e-mail dated 19/09/12)

Mrs Margaret Stewart, Dunmore West, Pier Road, Rhu, Helensburgh (e-mail dated 19/09/12)

Mrs Margaret Stewart, John & Alison McGall, Dunmore West, Pier Road, Rhu, Helensburgh (letters dated 06/04/13 and 12/08/13)

Craig Jackson, Ingleby Green, Artarman Road, Rhu, Helensburgh (e-mails dated 19/09/12 and 22/04/13)

Mary Jackson, Ingleby Green, Artarman Road, Rhu, Helensburgh (e-mail dated 22/04/13)

Mrs Linda Duncan, Shoreacres, Artarman Road, Rhu, Helensburgh (letters dated 16/09/12 and 29/03/13) and e-mail dated 19/09/12)

Sheriff Simon Pender, Kentara, Pier Road, Rhu (e-mails dated 03/04/13 and 22/04/13)

David Johnson, Woodcote, Pier Road, Rhu (e-mail dated 14/04/13)

Miss Johann Crawford, Garedale, Manse Brae, Rhu (e-mail dated 12/04/13)

Ian N Reynard and Leila F L Reynard, 34 Loch Drive, Helensburgh (letter dated 11/04/13)

Mr K and Mrs P MacKenzie, 11 Water's Edge Court, Rhu (letter dated 18/04/13)

William Quaile, Ulston Grove, Spys Lane, Rhu (e-mail dated 17/04/13)

Carolyn Rudram, 21 Queens Point, Shandon, Helensburgh (e-mail dated 17/04/13)

Peter Henry, 14 Laggary Park, Rhu (e-mail dated 17/04/13)

Moyra Conner (no address) (e-mail dated 17/04/13)

Gordon and Susan Mucklow, Wychwood, Lineside Walk, Rhu (e-mail dated 22/04/13)

J T Brownrigg, Ardentigh, Glenoran Road, Rhu (letter dated 22/04/13)

Craig Lesley, Seefels, Pier Road, Rhu (e-mail dated 21/04/13)

Geoffrey Kitt, The Briars House, Shandon (e-mail dated 21/04/13)

Dorothy Donaldson, 9 Cumberland Terrace, Rhu (letter dated 20/04/13)

Donald Donaldson, 9 Cumberland Terrace, Rhu (letter dated 19/04/13)

Margaret A MacKenzie, 8 Cumberland Terrace, Rhu (letter dated 18/04/13)

Mrs Janna Campbell, 2 The Gables, Shandon (e-mail dated 22/04/13)

Alasdair Duncan, Shoreacres, Artarman Road, Rhu (e-mail dated 22/04/13)

Fiona Baker, Hillcroft, Station Road, Rhu (letter dated 24/04/13)

Andrew Gemmell, The Cottage, Glenoran Road, Rhu (e-mail dated 24/04/13)

Mrs Patricia Low, 2 Ardgare, Shandon (e-mail dated 23/04/13)

Graham Miller, 5 Woodstone Court, Pier Road, Rhu (e-mail dated 23/04/13)

Kenneth Thom, The Flats, Laggary House, Rhu (e-mail dated 23/04/13)

T C Lamb, Rhu Cottage, Ferry Road, Rhu (letter dated 23/04/13)

Brian and Ruth Fleming, Abergare, Ferry Road, Rhu (letter dated 22/04/13)

Dr Jean Cook, Inverallt, Shandon, Helensburgh (e-mail dated 23/04/13)

Brian Cook, Inverallt, Shandon, Helensburgh (e-mail dated 23/04/13)

Yvonne Leslie, Seefels, Pier Road, Rhu (e-mail dated 21/04/13)

Jane Nicholson, Torwood Cottage, Pier Road, Rhu (e-mail dated 21/04/13)

Richard Erskine, Budore, Pier Road, Rhu (e-mail dated 21/04/13)

Maud Tait, Tigh Na Craig, Pier Road, Rhu (e-mail dated 21/04/13)

Agnes Smith, Ardenmohr Lodge House, Pier Road, Rhu (e-mail dated 21/04/13)

Bob D'Arcy, 225 East Clyde Street, Helensburgh (e-mail dated 08/04/13)

Debbie Carr, Braeside Cottage, Portincaple (e-mail dated 09/04/13)

Gerrard Whyte, Kirkpatrick Cottages, Church Road, Helensburgh (e-mail dated 26/03/13)

Janet McBean, 4 Empress Road, Rhu (letter dated 07/04/13)

Janice Hunnicutt, Dunmore East, Pier Road, Rhu (e-mail dated 11/04/13)

JPC Whittaker, 10 Laggary Park, Rhu (letter dated 22/04/13)

Peter Knox, 7 Ardenconnel Way, Rhu (e-mail dated 31/03/13)

Peter Hillis, 17 Inchgower Grove, Rhu (letter dated 08/04/13)

Mark Davies and Lorna Davies, Dunadd, Pier Road, Rhu (e-mail dated 12/04/13)

Mr and Mrs Stephen McColl, Rachel McColl, Waternish, Pier Road, Rhu (e-mail dated 22/04/13)

Summary of issues raised

- Rhu residents were assured that any consultation would be for 6 weeks but only 3 weeks have been allowed. The notice in the Helensburgh Advertiser was not displayed in a manner which made the item easy to find even when searching for it. The documents available on the website were illegible, for a significant length of time. As was the hard copy at Blairvadach.

Comment: A minimum of 21 days is allowed for such consultation. Additional time has been allocated for comments on the masterplan. A3 documents were made available for inspection at Blairvadach.

- Object to the masterplan being considered before the period of consultation for the latest Local Development Plan is completed and the New Local Development Plan has been adopted. The Masterplan is devoid of comment about the draft LDP.

Comment: This PDA was included in the adopted Local Plan following a long period of public consultation. The emerging Local Development Plan has limited material weight as it has only recently completed its public consultation period and there are representations concerning PDA 3/29. As such it does not prevent its determination having regard to the provisions of the adopted plan.

- The Masterplan does not address the siting of GSS. Therefore how can the GSS application be considered when it has not been included in the Masterplan. After all the purpose of a Masterplan is to prevent piecemeal development in a PDA.

Comment: The GSS application is for temporary permission. However, it has been included within the amended Masterplan drawing.

- The Masterplan makes no reference to extensive land reclamation to the west of the site either in the drawings or the text. The area proposed for development is larger than PDA3/29. This has not been highlighted in the application and is a gross omission in the masterplan. Nor is it a brownfield site, but natural coastline. In fact the term brownfield, where it is used, is misleading. The area owned by The Crown Estates had been reclaimed by the previous owners, to facilitate leisure facilities at the marina. It has never had an industrial use. To what extent has Marine Scotland, who would require to consent to this reclamation, been engaged as part of the masterplan consultation exercise?

Comment: This is a brownfield site as it includes land which has previously been developed. The area of infill is smaller than what was proposed under application 04/01218/DET. Application

04/01218/DET was itself a renewal of application 98/01100/DET for infilling works to provide a revised layout of berths via floating pontoons, car parking area and erection of new building to provide public bar, restaurant, hotel (Class 7), office accommodation (Class 4) and ancillary facilities. It time expired on 4 February 2013.

Irrespective of application 04/01218/DET, the area of infill proposed, when assessed on its merits, is smaller than that approved under the 2004 application and is within settlement boundary. It is approximately 15% to 20% of the wider PDA and therefore considered ancillary. This area of infill is considered complementary to the overall regeneration of the site by allowing a more substantial area for public realm, increasing diversity of use and, potentially, strategic planting. As such it is considered that it is part of the locational and operational need associated with the marina redevelopment, an appropriate extension to and consistent with the PDA and its aims, supportive of the redevelopment proposed and consistent with the Local Plan.

- The height of the facilities building (Ref 11/00789/PP), referred to as the Amenities building in some documentation, is at odds to surrounding buildings.

Comment: With reference to the Facilities Building the ground floor datum is 4.85 with a ridge datum height of 16.10 (the actual height of the building being 11.25 m from ground floor level to ridge). This is reflected in the elevation of the Waterfront as viewed from offshore.

- The building of 2 blocks of high flats and a hotel in that location will spoil the whole ethos of Rhu Conservation Village, especially since building works are proposed to be carried out on land which at present does not exist. The heights of the proposed buildings are excessive and inconsistent with the Conservation Area status of the site. In this instance, there is a presumption against development which doesn't preserve or enhance the character and appearance of the Conservation Area. The masterplan should set out what steps are being taken to preserve and enhance the special interest of the asset

Comment: A Design Statement has been submitted. See also my assessment.

- There has been no study undertaken to show that Rhu needs another convenience store. It already has 2 stores and a Post Office. A store of this size (3000 square feet) would be approximately 3/5ths of the Farmfoods store in Helensburgh.

Comment: PDA 3/29 includes retail as part of the proposed mixed use. The Marina already has associated retail and any additional facilities would be assessed against Development Plan Policy and other material considerations. As originally envisaged the plan indicated a 3000 square feet convenience store. This has now been withdrawn and a Class 4, 6 or 10 use indicated as possible alternatives for the proposed building. See also my assessment.

- The drawings show parking for 400 cars and storage for 23 boats. The A814 is an extremely busy road and a main thoroughfare for traffic to Faslane. At the present time it can be difficult to enter or leave Artarman Road because of the volume of traffic. I suggest that it would be extremely dangerous to have 400 cars using the existing entrance to the Marina, as shown on the Masterplan. This entrance is beside a bend in the road, close to a blind hill, opposite Artarman Road and adjacent to 2 bus stops. This new proposal would make this road even more dangerous to motorists, cyclists and pedestrians crossing the road.

Comment: The Area Roads Manager has indicated no objections in principle.

- The proposed number of new dwellings is 20 or 40 if you include apartments. This would constitute a Medium-Scale Housing Development. There is a general presumption against such a scale of development in Rhu.

Comment: At the top end, 40 units would constitute large-scale housing developments. Rhu is classified as a small village where there is a presumption against large-scale housing development i.e. over 40 units. However, PDA status allows for higher density development.

- The masterplan does not explain why a coastal location is essential for the proposed housing development, the convenience store or the non-Marina related business activities.

Comment: The Marina is located on the coast and is designated a PDA for a mixed use development comprising Housing, Leisure, Tourism, Business and Retail. The proposed convenience store has been removed. See also my assessment.

- However, would support a Masterplan for the Marina which developed the site for leisure activities associated with a marina and took cognisance of neighbouring properties, the ethos of Rhu as a Conservation village and the vistas from the A814. The area covered by this Masterplan is owned by two different entities. One is The Crown Estates and the other is Rhu Marina Developments, who were the original owners of the whole site. Therefore the development of the marina part of the site should not be dependent on the development and reclamation to the west by Rhu Marina Developments.

Comment: The area of infill is smaller than what was proposed under application 04/01218/DET. Application 04/01218/DET was itself a renewal of application 98/01100/DET for infilling works to provide a revised layout of berths via floating pontoons, car parking area and erection of new building to provide public bar, restaurant, hotel (Class 7), office accommodation (Class 4) and ancillary facilities. It time expired on 4 February 2013. See also my assessment.

Irrespective of application 04/01218/DET, the area of infill proposed, when assessed on its merits, is smaller than that approved under the 2004 application and is within settlement boundary. It is approximately 15% to 20% of the wider PDA and therefore considered ancillary. This area of infill is considered complementary to the overall regeneration of the site by allowing a more substantial area for public realm, increasing diversity of use and, potentially, strategic planting. As such it is considered that it is part of the locational and operational need associated with the marina redevelopment, an appropriate extension to and consistent with the PDA and its aims, supportive of the redevelopment proposed and consistent with the Local Plan.

- The site is a marina and should be maintained and developed as a marina. It is wholly inappropriate to develop the site with housing, hotel accommodation and a fairly large shop. A small shop for sailors' essentials and yacht related items would be fine but there are already some small shops in Rhu and two hotels and B+B's whose business would be affected by the development of such facilities at the marina. If a new clubhouse is built it could contain some accommodation facilities for visiting yachtsmen.

Comment: The Marina is designated a PDA for a mixed use development comprising Housing, Leisure, Tourism, Business and Retail.

- The Masterplan shows a total of 23 boats on the land – one only has to look at Rhu Marina today to know that the proposed boat storage facilities out of the water is totally inadequate. The Masterplan itself does not even address this issue but RMD (Rhu Marina Developments) comment when asked that 70 boats could be stored out of the water and they will be rotated at three monthly intervals. A revolving system for 70 boats is not sufficient for a marina or indeed an appropriate level of service for a well-run marina. The current capacity is for 140 boats so in fact the Masterplan proposes a downgrading and reduction of marina facilities. The car parking is also inadequate considering big boats may have a crew of five or six require a lot of kit so each boat may need several parking spaces rather than just one when boat is in or out of the water.

Comment: The boat storage shown is for summer storage. Winter storage is proposed on part of the car parking area. The Area Roads Manager has no objection in principle.

- The undercroft parking idea for the proposed aparthotel and housing seems a ridiculous suggestion considering the site in landfill and on the shore.

Comment: The Area Roads Manager has no objections in principle.

- There appears to be no clear provision for yacht related business and more importantly HM Coastguard – as essential as the RNLI - do not seem to be accommodated at all in the Masterplan.

Comment: Retail is part of the PDA designation and is included on the masterplan. The RNLI building will be retained. Rhu Marina Developments has indicated that no decision has been made on whether the Coastguard will be accommodated within their existing building, one of the proposed new buildings or elsewhere.

- The Masterplan is lacking in many respects and is really a rather flimsy document and falls short on a number of the requirements outlined in the Argyll and Bute 'Guidance on the use of Masterplan's document dated 23.11.11. There are no decent mock-up views of how the developed site would look, no clear identification of the present site extent and how much would be newly infilled; no indication of building materials; the plans are generally poorly presented; there is no clear provision of permanent facilities to replace the temporary facilities requested under planning application 12/01696/PP and it does not indicate which part of the site is Crown Estate and which part is RMD.

Comment: See my assessment.

- The Masterplan states in 5.1.5 that a significant structural landscape belt alongside the cycleway adjacent to the A814 to give the marina site a sense of enclosure would be developed. In actual fact the NE corner of the site has car parking adjacent to the road and no green strip at all. Also enclosing the whole site and effectively cutting it off from the village and bay would further impact on general amenity and views.

Comment: See my assessment.

- The new cycle path is used all day by cyclists, mums with prams, walkers and many school children. Site vehicles accessing the area of infill and build would greatly endanger the lives of those vulnerable users of this walkway and cycle path.

Comment: The Area Roads Manager has no objections in principle.

- The marina is not really suited to the site it is currently on. Strengthening tidal effects and increasing storms effects demonstrate this, along with the historic problems of the breakwaters of the marina which has fallen victim of the tidal currents and sinkage effects of the seabed in the past.

Comment: SEPA has indicated no objections in principle. The Flood Alleviation Officer indicates a Flood Risk assessment will be required. Tidal issues would require to be addressed as part of any planning application.

- Any development on this infill/land reclamation site would also incur a much greater quantity of light pollution in the affected area. Such shore light is known as 'backscatter' and is known to be of detrimental effect when maintaining a safe lookout for other vessels' navigational lights during hours of darkness.

Comment: This would be a minor material consideration in the assessment of any subsequent planning application(s).

- The village already suffers with the continued pollution of the polystyrene pontoon material which is washed up on our shores. This is not the sort of developer we would wish to see working in the community, when they cannot take appropriate responsibility for their current site. One would question that should this development take place, how much consideration on the rest of the community would be incorporated into the developers' intentions.

Comment: This is not a material planning consideration.

- We are all being asked to look at our carbon footprint. Man-made aspects of the area are very ordinary, whilst the natural world dimensions of the place are both striking and stunning. The area between Rhu and Shandon is home to large number of birds. We would not want to see them driven away elsewhere through destruction of their habitat by infilling bays and turning the area first, into a building site, and then into another suburban sprawl of housing schemes.

Comment: The Marina is designated a PDA for a mixed use development comprising Housing, Leisure, Tourism, Business and Retail. Ecology/Bio-diversity would be dealt with in detail during the processing of the planning application(s) for the PDA development.

- This proposal is of such significance that it requires the removal of the current Conservation Area status and the re-zoning of Rhu as a Major Development Area. This is completely contrary to all existing planning guidance for Rhu. If Rhu Marina is to be improved this should be done sympathetically, retaining the current low visual impact with single storey buildings providing appropriate facilities for boat owners and boat storage.

Comment: The Marina is designated a PDA for a mixed use development comprising Housing, Leisure, Tourism, Business and Retail. See also my assessment.

- The Masterplan contains a speculative Class 4 Office building, surely not permitted in a Conservation Area.

Comment: There is nothing inherently problematic with a Class 4 Office use in a Conservation Area. The Marina is designated a PDA for a mixed use development comprising Housing, Leisure, Tourism, Business and Retail.

- The effect of the decision of the PPSL Committee in November 2011 is to severely limit the amount of information that would normally be required in respect of the guidance in Planning Advice Note (PAN) 83 on Masterplans. Consequently, the masterplan is nothing more than an identification of uses and indicative outline of what buildings may look like. This runs contrary to the Council's philosophy on Conservation Areas i.e. Article 4's etc.

Comment: See my assessment.

- The Council's Built Heritage Conservation Officer has been asked by a number of objectors if she will be commenting on the GSS application and the masterplan.

Comment: In terms of the GSS application it was not considered that the Built Heritage Conservation Officer's input was required in this instance. This was on the basis that the application is for a temporary permission for a building contained within a larger brownfield site which is a working marina. The application is assessed against development plan policy and other material considerations. As such it is considered that it will have a minor and temporary impact on the wider Conservation Area. With regard to the masterplan, at this stage we are dealing with a document which sets a theoretical overview for the whole site. It has sufficient detail for this purpose but will require additional information when a planning application for redevelopment is submitted. It was considered that it was at that stage that the Council's Built Heritage Conservation Officer's input would give added value to the process. However, the Council's Built Heritage Conservation Officer has now responded and her comments are included in this report.

- The original Report dated 29th May 2013 records 37 objectors. The Supplementary Report dated 18th June 2013 records an additional 6 objectors. The Argyll & Bute website (planning sections for GSS & Facilities Building) actually records a total of 59 individual objectors to the Masterplan and only 2 unqualified supporters. The Report is neglecting to

mention the total number of objectors and does not properly convey to the Members of the PPSLC the strength of opposition in the local community to these proposals.

Comment: There was an issue of the number of individuals making several separate representations on both the GSS application and on the masterplan. Members have asked for clarification on this issue in an updated report for the Hearing to be held in August. In addition, anyone who has made representations will be invited to that meeting.

- In section 7 K Assessment, the Report states:

“It is considered that the development, including some infill previously approved under application 04/01218/DET but now time expired, would not damage the limited natural foreshore area.”

There is no justification offered, or credible survey report presented, to make the statement in the Report that “the foreshore will not be damaged by this proposed development”.

Comment: The comment on the previous infill was part of the assessment by the case officer. Under application 04/01218/DET the infill was previously assessed and considered to be acceptable.

- Item number 4 in the Rhu Marina Masterplan – Supplementary Report gives prominence to an e-mail dated 10/04/2013 that implies an objector withdrew an earlier objection to the Masterplan. **This is not correct.** The retracted objection applies to the GSS application (with certain conditions) and the original objection to the Masterplan still stands.

Comment: It wasn't clear from the representation from Mrs Pat Pollock-Morris whether the objection was being removed, with caveats, to both the GSS application and the masterplan. Given your clarification this will be brought to the attention of Members.

- Item 4 (Statutory Consultations) of the Rhu Marina Masterplan Report contains extensive and considered comments from the Rhu & Shandon Community Council (R&SCC). It contains approximately 15 A & B Council policies that are contravened by the Masterplan. As a Statutory Consultee I am surprised that the Planning Report ignores virtually every concern and policy breach raised by the R&SCC.

Comment: The planning reports assess both the GSS application and the masterplan against Development Plan Policy and other material considerations as required by Section 27 of the Planning Act. It will be up to elected Members to decide on the merits of the case.

- Rhu Marina Developments Ltd (RMD) Supporting Statement.

Item 1, Land Reclamation states:

“ We would point out that this area (infill to the west) was previously identified and included in all the many earlier submissions and Masterplans to the Council back around 2007 and earlier, and planning permission was received for this infill around 2008 under permission numbered 04/01218/DET dated 4th February 2008. “

It is not appropriate that RMD, a developer with a vested interest, has been allowed to make such statements about a previous consent without, at the very least, some comment from Planning Officers as to its accuracy and relevance.

Comment: It is up to individuals, organisations and other third parties to decide what they want to write in terms of a particular application. It is normally the case that direct comments by the Planning Authority on submissions are confined to those in relation to representations either for or against a proposal. However, all submissions, including an applicant's supporting statement and

the views of statutory consultees, are taken into account in the formal assessment of the proposal in the case officer's report.

- This section of the Report also includes the following:

"More importantly, turning now to the Community Council submissions **referred to above** (emphasis added), and with respect only to the section on the Masterplan, we would make further comment on the points made by the Community Council as follows....."

The highlighted text is a reference to the points raised by the R&SCC in the Report. This begs a number of questions:

How did RMD know the location of the R&SCC statements in the Report?

Did the planners allow RMD access to the draft Report before it was submitted to the PPSLC?

Did RMD have drafting input?

It is not appropriate to allow a developer to have such a direct input to the drafting of a formal Report.

RMD goes on to make accusations that R&SCC have misrepresented the community's views on this Masterplan. Can you please explain why RMD (as Developer and Applicant) has been given this platform in the Report, as it smacks of an attempt to undermine the integrity and credibility of the R&SCC?

The submission by the R&SCC, a Statutory Consultee, is the unanimous view by that Community Council of the various public meetings and discussions held regarding the Masterplan. Argyll & Bute Council should not be providing a platform, particularly in a formal Report to the planning authority that allows individuals (especially someone with a vested interest) to question that submission. RMD are entitled to their view of any Statutory Consultee's submission but that view should be reserved for the Hearing and should not be included in the formal Report Document.

The entire Supporting Statement by Rhu Marina Developments Ltd should be removed from the Masterplan Report document, and a fresh Report should be issued to the Members of the PPSLC taking account of the points raised in this letter.

Comment: The response from the Community Council to the Masterplan was put on to our public system. RMD commented on the representations on a point by point basis following the numbering in the Community Council letter. Only officers have input in to the drafting of a formal report. It is up to individuals, organisations and other third parties to decide what they want to write in terms of a particular application. For example, representations have questioned the assessment of the proposal by the case officer in the report. It is the prerogative of anyone, whether pro or anti the development proposed, to question the validity of other submissions if they so wish. Moreover, as most applications are not decided by a Hearing then observations on other statutory consultees' comments are both valid and legitimate and can be made at any time. On this basis the request that the statement from RMD be removed cannot be supported. At the Hearing, the submissions of all parties will be subject to scrutiny by elected Members.

- At the meeting of the PPSL Committee on 23 November 2013, Members considered and agreed a policy paper on Masterplans. This stated, inter alia, that:

Proposals for development of PDAs should be accompanied by a Masterplan which demonstrates how the proposed development will relate to the wider area and any parts of the Potential Development Area which do not form part of the application site, and that the publicity and

consultation arrangements for the Masterplan and planning application run concurrently for a minimum 21 day period.

In addition to containing a number of significant departures from the current Local Development Plan, the proposals before the PPSLC include a significant piece of land to the west that is not included within PDA 3/29. This equates to somewhere between 15% and 20% of the size of the PDA land mass and can hardly be regarded as immaterial.

The words “*how the proposed development will relate to the wider area and any parts of the Potential Development Area which do not form part of the application site*” cannot be said to permit using this process to allow development of land that is not within the PDA to be considered.

Paragraph 2.1.3 of the Council’s Scheme of Delegation sets out matters that are excluded from any functions delegated to Committees or Officers. The effect of paragraph 2.1.3 is to exclude any functions delegated “The approval of any plan which is part of the Policy Framework and any other plan which introduces new policies of major significance or varies existing plans or policies to a material extent”. Should the Masterplan be approved in its current form it would either “become part of the Policy Framework” and/or vary “existing plans or policies to a material extent” because it would be overruling existing Council policies without proper justification. Accordingly, the combined effect of the Council’s Constitution and the Scheme of delegation would appear to limit the remit of the PPSLC, in terms of the policy decision of 23 November 2011 to considering Masterplans that cover development and use within the defined PDAs in the current Local Plan.

Comment: All Masterplans submitted to the Council in association with PDA’s are subject to evaluation by the Council and if necessary, forwarded to all relevant consultees including local Community Councils. Prior to reaching a determination in respect of the planning application the Council will analyse the content of the Masterplan submission in terms of the contents of the written text and illustrative plan. All planning applications which require to be accompanied by a Masterplan will be considered by the PPSL Committee. Following approval by the PPSL Committee the Masterplan associated with a PDA will be regarded as a material consideration that will provide a context for deciding any future planning application within the PDA. The Masterplan will not however form part of the plans and strategies which together comprise the Development Plan. It should be noted that all Masterplans are indicative and not prescriptive in nature.

Where a site is considered to be of strategic importance to Argyll and Bute and/or associated with a major phased, urban expansion or regeneration project, or being taken forward by the Council, Masterplans will require to provide a greater level of detail and shall be subject to subsequent public consultation. The Masterplan shall require to be approved by the Council’s Executive. Such Masterplans, once approved, will be considered as non-statutory planning guidance.

Policy LP CST 1 – Coastal Development on the Developed Coast (Settlements and Countryside Around Settlements) and LP CST 4 – Development Impact on the Foreshore, would apply to this site. Policy LP CST 1 is supportive of development which requires a coastal location, is of a form consistent with STRAT DC 1-3, provides economic and social benefits to the local community, respects the landscape/townscape character and amenity of the surrounding area and is in accordance with Policy LP ENV 1.

In the Argyll and Bute Structure Plan it identifies developed coast as coastal sectors of existing settlements and countryside around settlements. This is the preferred area for coastal development particularly where it makes best use of existing infrastructure or brownfield land. It is considered that, in principle, the PDA site meets these criteria.

The Rhu Marina site is of economic importance locally but is not of strategic importance to Argyll and Bute. It is a regeneration project but is primarily a redevelopment of an existing marina. As previously indicated the Masterplan site is larger than the designated PDA. It includes an area of infill that was the subject of application 04/01218/DET. Application 04/01218/DET was itself a

renewal of application 98/01100/DET for infilling works to provide a revised layout of berths via floating pontoons, car parking area and erection of new building to provide public bar, restaurant, hotel (Class 7), office accommodation (Class 4) and ancillary facilities. It time expired on 4 February 2013.

Irrespective of application 04/01218/DET, the area of infill proposed, when assessed on its merits, is smaller than that approved under the 2004 application and is within settlement boundary. It is approximately 15% to 20% of the wider PDA and therefore considered ancillary. This area of infill is considered complementary to the overall regeneration of the site by allowing a more substantial area for public realm, increasing diversity of use and, potentially, strategic planting. As such it is considered that it is part of the locational and operational need associated with the marina redevelopment, an appropriate extension to and consistent with the PDA and its aims, supportive of the redevelopment proposed and consistent with the Local Plan.

It is not therefore considered that the Masterplan in respect of Rhu Marina, if approved, will form a new plan which is part of the Policy Framework or will introduce new policy of major significance, or vary existing plans or policies to a material extent. As such the content of the Masterplan will fall to be considered by the PPSL in accordance with the Council's Scheme of Delegation, and if approved, can be dealt by the PPSL at the pre-determination hearing. The Masterplan will not require to be approved by the Council's Executive.

- The Council will be familiar with a recent case involving City of Edinburgh Council in terms of which the SPSO made a recommendation (followed by the Council) to revoke a planning permission because the Council failed to comply with its own policies.

Comment: I note your reference to the SPSO findings in relation to Edinburgh City Council and whilst I can understand the consideration that failure to follow a scheme of delegation properly may give rise to such a finding the concerns in this case are significantly different and more complex than in the case you allude to.

- In relation to the 2008 consent the report contains very little detail and is misleading. It creates the idea that the Masterplan proposals for the area of infill to the West of the PDA are consistent with the current Local Plan. Additionally, a picture is painted that that the development and use of land proposed by the 2008 consent is in some way similar to the proposals contained in the Masterplan. The approval issued in 1998 and renewed in 2008 was directly related to the operation of the marina and no buildings were approved for construction on the land to be infilled. The development and use for that area proposed by the Masterplan is for the construction of a flatted development and an Aparthotel which have no direct relationship with the marina operations and are uses that are not permitted by the current Local Plan. The Draft Local Development Plan imposes even stricter tests for coastal development.

Comment: See my assessment.

- The Main Issues Report issued as part of the process for updating the Local Development Plan contained proposals to extend the area for development adjacent to PDA 3/29, including the area for infill contained in the Masterplan. This was subsequently removed from the Draft Local Development Plan. Presumably there was good cause for doing this and should have been highlighted in the report, particularly if representations were made to reinstate this area. If no representations have been submitted then the Planning Authority cannot ignore the grounds that the Policy Unit had for removing it.

Comment: The emerging Local Development Plan has limited material weight as it has only recently completed its public consultation period and there are representations concerning PDA 3/29. Some support the current boundaries of the PDA as shown in the Adopted Plan, and in the Proposed LDP. Others are objecting to any proposed enlargement of the PDA, whilst the developers have submitted an objection requesting that the PDA be enlarged.

As such it does not prevent its determination having regard to the provisions of the adopted plan. See also my assessment.

- Much emphasis is placed on the status of part of the Masterplan site being a PDA. The report omits to give clear guidance on the relationship between PDAs and existing policies and procedures. In a recent planning application (09/00385/OUT) it is stated that:

“The presence of the PDA and AFA do not supersede or take precedence over other policies in the plan.....”

Comment: The report states that “PDAs are defined in the plan as areas of land within which opportunities may emerge during the period of the Local Plan (5 to 10 years) for infill, rounding-off, redevelopment or new development. Such opportunities as were identified were not fully resolved at the time of the adoption of the plan, which requires constraints to be overcome in terms of the ‘mini development brief’ accompanying these PDAs before development opportunities within the PDA area can be realised and be supported by the Local Plan. It is standard practice to require a masterplan when considering the development of such designated areas. Masterplans help the Council assess at an early stage in the development process, the interrelationships of layout, design, access, existing transport infrastructure and sustainable modes of travel, landscape and ecology, open space provision and integration of a proposed development with existing communities.”

Planning applications such as 09/00385/OUT require, by law, to be assessed against Development Plan Policies and other material considerations. The Masterplan is not a planning application but serves the purpose outlined above. However, the proposed development shown in the Masterplan is also assessed against policy and other material considerations as will any planning application submitted for the constituent parts of the Masterplan development should it be progressed.

- The Planning Authority has failed to make the case for approving the proposed development of the infill area to the West of the PDA or for the construction of residential units. It relies entirely on the 2008 consent for approving the inclusion of the area of infill for development in the manner proposed: all other considerations are not only disregarded but ignored in their entirety. The Planning Authority presents this as a material consideration that not only outweighs all other considerations but is of such significance and weight that other considerations are not even worthy of mention.

Comment: In respect of the argument that the expired consent has been given over reliance by the Council on reaching a decision it is important to note that no decision has yet been made. It is clear that the planning history of a site can be a material consideration and it will be for the decision makers to determine what weight to give to it. It is also clear that a time expired consent should be given less weight than one that is still extant. It is also the case that where objectors dispute the professional views outlined by planning officers that they will have the opportunity, if so advised, to present alternative arguments to the Committee who will ultimately determine the application.

- The legal precedent this will set should not be underestimated after all Rhu is a conservation village and as such ought to have legal status and protection. What would there be to stop developers acquiring any part of our beaches, undergo massive landfill and subsequently build there and take away our views and amenity residents have enjoyed for many years. Any new build should be minimal, sited where they are least obtrusive and only to meet the reasonable and legitimate needs of the marina and not allowed to breach the heights of the buildings already there. Any new infill should be kept to a minimum and only allowed if it was to slightly expand the area for storage/car parking commensurate with the size of the berthing membership.

Comment: The adopted Local Plan identifies the marina as a Potential Development Area and accepts its redevelopment for a mixed housing/leisure/tourism/business/retail related scheme. The area of infill is within settlement boundary. It is approximately 15% to 20% of the wider PDA and therefore ancillary. This area of infill is to be retained as part of the Masterplan and is

complementary to the overall regeneration of the site by allowing a more substantial area for public realm, increasing diversity of use and, potentially, strategic planting. As such it is considered consistent with the Local Plan and an appropriate extension to the PDA, consistent with its aims and supportive of the redevelopment proposed. There is no right to a view. The redevelopment of the marina will be the subject of a planning application(s). See also my assessment.

Supporters

Nicholas Cowie, Garemound Lodge, Shandon (e-mail dated 16/04/13)

Summary of issues raised

- Tastefully done and with due consideration for the height of the buildings they would make a good addition to the village and create a mini community in its own right.

Comment: See my assessment.

Rhu Marina Developments Ltd Supporting Statement

We refer to the Community Council representations dated 19 April 2013 as submitted to the Council for the above two planning applications coupled with the masterplan submission.

Together with my colleagues involved in this project, we were present at both consultative meetings and we are surprised that their letters of representation following these meetings are worded as they have been.

The Community Council state at the second paragraph of their submission that they are mindful of their responsibility to represent the views of the community and that their views have been taken into account in preparing the Community Council's submissions. It is our view, for the reasons given below, that this is not the case as the submissions do not fully reflect the views made at the two meetings of 2nd and 15th April, and we consider that their comments are not representative of the views of the community and do not give a balanced view of the meetings and comments made.

The Community Council submission refers to the two meetings and states correctly that there was significant support for development of the marina, but with certain reservations, but that this was offset by a 'substantial portion of the community who expressed disagreement'. The figures can be seen in the notes of the meeting of 15 April on the Community Council website as follows.

Agreed with the proposals	7	5.2%
Agreed with reservations	78	58.2%
Disagreed	44	32.9%
No comment	5	3.7%
Total	134	100%

However the Community Council have now left out of their notes of the meeting and their power point presentation, which is now on their website, what was asked of those attending under the above heading of 'Disagreed', which was 'Disagreed with reservations' and not 'Disagreed'. I personally asked what the difference was between 'Agreed with reservations' and 'Disagreed with reservations', and it was considered by the Chairman that it was a question of degree of reservation, but not complete disagreement with the plans, which is now implied in the summary above from the Community Council notes of the meeting.

Looking also at the specific comments made by the various people who spoke at the 15 April meeting, there are the following people who stated any significant reservations.

Patrick Whitaker	Heights and access
Arnold Bretman	Affordable housing and effects on the Bay
Steven McColl	Infilling of bay
Robert Vance	Overall objection

This is 4 out of 134 present, of which only one is a complete objection to the plans. There were the following in support who spoke, i.e. 3 out of 134 present.

Jeremy Spounge
Fraser King
Colin McKirby

In the light of the above and the vote taken, it was suggested by Jeremy Spounge that, in view of the majority of opinions expressed, the Community Council should be generally supportive of the masterplan when making representations to the Council, but to then state in their submission to the Council what specific objections they considered should be addressed. This seemed to have the approval of those present. Despite this appeal, the Chairman was not in favour of this approach, and said he was preparing to make any submission based on an overall objection to the plans. Indeed in the draft minute of the Extraordinary Meeting posted on the R&SCC website, it is minuted that the chairman considered "that objection would be a stronger starting point for further negotiation."

We are aware of and have studied all the comments/objections from the meetings and also on the Council website, and the issue that concerns people the most has always been the height of buildings. Previous to these meetings, the last submission was a Development Framework about two years ago, which talked of four storey buildings which was considered to be too high. The masterplan now tabled is based therefore on a maximum of 2.5 storeys high and with an overall height now of no more than 16m above datum.

In summary of the position of the meeting of 15 April, and in a similar way the same applies to the analysis of the exit poll of the meeting of 2 April, our view is that the notes and representations by the Community Council are not fully representative of the views expressed openly by the residents of Rhu at these meetings.

More importantly, turning now to the Community Council submissions referred to above, and with respect only to the section on the masterplan, we would make further comment on the points made by the Community Council as follows.

Using the same order of numbering as their submission our comments are as follows:

1. Land Reclamation

The area of land to the northwest of the PDA is necessary to provide both open and public space, improved public access and provide all the facilities that are also discussed below. The area to the west will be the focus for the local community and also for visitors to Helensburgh/Rhu. This would not be possible without the relatively small added infill. We would point out that this area was previously identified and included in all the many earlier submissions and masterplans to the Council back around 2007 and earlier, and planning permission was received for this infill area in 2008 under permission numbered 04/01218/DET dated 4 Feb 2008.

2. Conservation Area

The site was agreed some time ago within the current Local Plan as a mixed use site within the conservation village of Rhu. The current masterplan has been prepared on that basis. With respect to the buildings and heights, these are now very significantly less than that included in the original masterplan submission made by Keppies in July 2005 at the stage of the representations for the current Local Plan. The Crown and RMD are now quite agreeable to limiting the height of buildings to 16m maximum above datum.

3. Coastal Development

See below for comments on specific buildings.

4. Specific Buildings

- (a) Residential units. In our view, and this is backed up by the specific interest already shown in the development, there is a significant demand for quality coastal housing and it is clear to everyone that there is a lack of other sites, due primarily to Green Belt. The provision of some residential accommodation on the site creates a sense of place and security. These issues were carefully considered at the time of agreeing the current Local Plan.
- (b) Clubhouse. Noted and agreed
- (c) Aparthotel. The proposal is not for a hotel that is similar or in competition to other local hotels. The proposal here is for an aparthotel, which had previous planning approval under permission numbered 04/01218/DET dated 4 Feb 2008, and which incorporates larger self-catering studios and apartments for visitors and tourists to the area, linked to the marina by its location. This is similar to the apartments built at Portavadie marina.
- (d) Business block/ offices. The business block is included to house several of the existing businesses that are on the site which could also include some aspects of the current tenants, but this has not been discussed with them. We have also noted that the Coastguard building has been removed so possibly the Coastguard may require a building. Apart from the GSS operation, there are three other existing businesses on the land to the west currently providing marina style services, before any new ones are considered. Such businesses all supplement the marina operation, and continue to provide local employment that would be lost without this business block.
- (e) Facilities Building. The Crown has recently reduced the height of the Facilities building to 15M. Internally it is of a size which seems more than adequate for their own administration and may be able to provide office space for other tenants. However, we are not privy to The Crown's management plans so The Crown would have to comment further on the detail here if required.
- (f) Convenience Store. The Crown has advised that they have received interest from two retailers for the unit as shown, and as such would wish this to remain as part of the mixed uses for the site. In our view, a business case will be prepared for this when any planning application is submitted.
- (g) Restaurant. It is noted that the Community Council consider a restaurant is appropriate.

5. Boat Storage and car parking

The masterplan states that, at the stage of a detailed planning application, the parking will be required to meet the current standards. The boat storage shown on the masterplan is for a summer configuration. There is also a winter configuration drawing available which we have asked The Crown to be submitted.

6. Traffic Flows

'Exacerbated' is considered to be a rather biased comment as the residential units would account for less than 10 per cent of the total traffic and would generally not be using the access at the same time as the marina users.

7. Temporary arrangements applied for by GSS

There are a number of options within the buildings shown on the masterplan, and the tenant concerned is in discussions with The Crown.

8. Local Plan departures

These points are noted which will be addressed by the Council presumably.

9. General comment on village amenity

The purpose of the overall development is to improve the amenity for village and get away from what people view as a messy car park in the summer and an equally messy boatyard in the winter, with little or no amenity at any time of the year, and rather a dead place other than when boat owners are there in the summer at the weekend. Tidying the place up will not really change this at all in our view, and any significant improvement of amenity for village will only be achieved by the wider site having the facilities and space to provide an improved amenity.

10. Affordable Housing

The requirement to provide affordable housing will be met under the terms of the ABC Local Plan policy, most likely by a Section 75 agreement.

11. Public Space

Considerable effort has gone in to providing public and open space on the masterplan which is only achieved and achievable by the added infill area and the funding for the open space that will come from aspects of the development as shown. Particularly being an important conservation area it is essential, in our view, that these open spaces, suitably landscaped, are provided.

12. Implementation

As stated in the masterplan, the phasing on all sides will be market led.

13. Landscaping

It is agreed that structured tree and other planting is required for the successful development of the site. This will be considered in greater detail at the next stage of the planning process where the selection of species will also require careful consideration in view of the site's waterfront location.

RMD is not authorised to comment on the detailed planning applications by either The Crown for the Facilities Building or GSS for the Temporary Accommodation.

RMD concludes with making the point again that they consider that the submission to the Council by the Community Council with respect to the masterplan does not represent the views of the community in a balanced manner which they should consider as being their duty.

RMD would reiterate that the masterplan has been prepared on the basis of the mixed uses as prescribed in the current Local Plan. It also seeks to encourage locals and visitors to the area

to integrate through the development, through safe pedestrian access, promenade walks culminating in a large landscaped public realm area which provides panoramic views across the Gareloch, further enhanced by a public viewing jetty. The development proposals link in to the promenade at Helensburgh, Kidston Point, and Rhu village, providing a destination point for locals and tourists alike which, together with the various uses, provides an area with varying activities bringing added life to the site and to the village.

7. ASSESSMENT

List of all Development Plan Policy considerations taken into account in assessment of the masterplan.

'Argyll and Bute Structure Plan' (2002)

Policy STRAT SI 1 – Sustainable Development.

Policy STRAT DC1 – Development within Settlements

Policy STRAT DC 7 – Nature Conservation and Development Control

Policy STRAT DC 8 – Landscape and Development Control

Policy STRAT DC9 – Historic Environment and Development Control

Policy STRAT DC 10 – Flooding and Land Erosion.

STRAT HO 1 – Housing – Development Control Policy

PROP REC SI 1 – Trans-Clyde Ferry and Rapid Transit Potential

PROP SI 4 – Investment and Development in the Cardross-Helensburgh-Garelochhead Corridor

'Argyll and Bute Local Plan' (2009)

Policy LP ENV 1 – Development Impact on the General Environment -

Policy LP ENV 2 – Development Impact on Biodiversity

Policy LP ENV 7 – Development Impact on Trees/Woodland

Policy LP ENV 12 – Water Quality and Environment

Policy LP ENV 13(a) – Development Impact on Listed Buildings

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

Policy LP ENV 19 – Development Setting, Layout and Design

Policy LP CST 1 – Coastal Development on the Developed Coast (Settlements and Countryside Around Settlements)

Policy LP CST 4 - Development Impact on the Foreshore

Policy LP BUS 1 – Business and Industry Proposals in Existing Settlements

Policy LP RET 3 – Retail Developments in the Villages and Minor Settlements -

Policy LP BAD 1 – Bad Neighbour Development

Policy LP BAD 2 – Bad Neighbour Development in Reverse

Policy LP TOUR 1 – Tourist Facilities

Policy LP HOU 1 – General Housing Development

Policy LP HOU 2 – Provision of Housing to meet Local Needs including Affordable Housing.

Policy LP HOU 4 – Housing Green-Space

Policy LP SERV 1 – Private Sewage Treatment Plants and Wastewater

Policy LP SERV 3 – Drainage Impact Assessments

Policy LP SERV 5 – Waste Related Development and Waste Management in Developments

Policy LP SERV 7 – Contaminated Land

Policy LP SERV 8 – Flooding and Land Erosion

Policy LP TRAN1 – Public Access and Rights of Way

Policy LP TRAN 2 – Development and Public Transport Accessibility

Policy LP TRAN 3 – Special Needs Access Provision

Policy LP TRAN 4 – New and Existing Public Roads and Private Access Regimes

Policy LP TRAN 5 – Off Site Highway Improvements

Policy LP TRAN 6 – Vehicle Parking Provision

Policy LP TRAN 8 – Piers and Harbours

Policy LP REC 1 – Sport, Leisure and Recreation

Policy LP DEP 1 – Departures to the Development Plan

Appendix A – Sustainable Siting and Design Principles

Appendix C – Access and Parking Standards

List of all other material planning considerations taken into account in the assessment.

Argyll & Bute Sustainable Design Guidance (2006)

Proposed Local Development Plan 2012

APPENDIX A – RELATIVE TO MASTERPLAN

PLANNING LAND USE AND POLICY ASSESSMENT

A. Development Plan Context

The masterplan sites lies within the 'settlement' boundary of Rhu and within the Conservation Area. It is designated as Potential Development Area (PDA) 3/29. The PDA proposals for this specific location are an expression of the Local Plan's objectives for the site.

Potential Development Area 3/29 advocates the development of a mixed housing/leisure/tourism/business/retail related scheme. No specific density is advocated but there should be 25% affordability in terms of the residential element. The Masterplan does not conform with the PDA boundary. The extended area, in part, reflects the previous planning application approved in 2008 under reference 04/01218/DET which did include infilling. This proposed area of infill is to be retained as part of the M0asterplan and assists in creating an area for public realm and, potentially, strategic planting.

B. Settlement Strategy

The masterplan site is primarily split into two halves. On the east side is the redeveloped Marina incorporating a number of new buildings. These are two Marina amenities buildings, both 2 storey and both 765 square metres. The first has non-food retail and office while the second has non-food retail, office and restaurant. A single storey 3000 square foot food retail store was shown close to the North-East boundary. However, following discussions this has now been withdrawn and a substitute building proposed comprising either a Class 4 Office use, Class 6 Storage and Distribution or a Class 10 use, Non-Residential Institutions. The non-residential institutions class groups together buildings visited by the public for a wide range of purposes on a non-residential basis, e.g. museums, libraries, churches and church halls. This class is intended to include day, adult training centres and other premises for the provision of non-resident social services as well as non-residential schools and colleges. Car parking, boat storage and two pontoon/jetties are also indicated.

The western part of the larger site comprises a 2 storey, 410 square metre clubhouse, a 2 storey, 500 square metre Class 4 Office, a 5 unit, 2 storey residential block, a 15 unit, 2 and a half storey residential block and a 2 and a half storey studio apartment/boutique hotel with 20 rooms for rental. The existing access close to the eastern boundary is intended to serve the whole site and car parking is based on Council standards, subject to ratification by the Area Roads Manager.

Under Policy STRAT DC 1 – Development within the Settlements, in small towns and villages such as Rhu, encouragement is given to development serving a wide community of interest, including ‘medium scale’ development on appropriate infill, rounding-off and redevelopment sites. Medium scale development is defined in the Local Plan as development of between 6 and 30 dwellings. In exceptional cases, ‘large scale’ development may be supported if it helps to counter population decline in the area, would help to deliver affordable housing, or else meet a particular local housing need. Large scale development is defined in the Local Plan as development exceeding 30 dwelling units.

Under Policy LP HOU 1 there is a general presumption against ‘large scale’ housing development in small towns and villages. Exceptions apply where there is a deliberate attempt to counter population decline, to develop affordable housing, or else meet a particular housing need. However, within PDA’s these constraints are removed and the issue becomes the assessment of the site based criteria including the impact on Rhu Conservation Area. There is therefore a general presumption in favour of this development in terms of the ‘Argyll & Bute Local Plan’

C. Location, Nature and Design of Proposed Development

This site extends to approximately 4.5 hectares and is located between the A814 and the Gareloch. It is predominately brownfield land within the settlement boundary and within Rhu Conservation Area. It has been used as a marina for many years and incorporates a number of uses. As the site is within the Conservation Area any development needs to meet the statutory duty to have regard to how it will either preserve or enhance the Conservation Area

Local Plan Policies LP ENV 1, LP ENV 13(a), LP ENV 14, LP ENV 19, Appendix A and The Council’s ‘Sustainable Design Guidance’ gives advice on how to approach sustainable urban infill. The Design Guide offers three possible solutions. The first is contemporary landmark which is sensitive design of a high architectural quality which is essentially of a different architectural style to the buildings surrounding it. The second option is a design which more obviously is based on the architecture of the buildings adjacent. Finally, there is traditional design.

A Design Statement has been submitted. It indicates that the maximum height of buildings would be no greater than two and a half storeys. The mixed uses for the site allows for properties of different heights thus providing a much desired varied roofscape ranging from one and a half to two and a half storey. A limited three storey architectural feature may also be introduced to provide a focal point within the development.

Whilst recognising the vernacular forms generally experienced in the conservation village, the Design Statement indicates that the buildings will be designed with a form and massing derived from traditional Scottish Architecture however presented in a contemporary image that reflects the requirements of a modern living and working environment. The materials selected will be from a traditional palette utilising slate, stone and render.

The submitted drawings indicate simple forms of residential development that would require to be improved in terms of vernacular or contemporary designs forming a cohesive theme for the development. Elevational drawings also show the Aparthotel, Clubhouse and the Facilities Building which is the subject of a current application (11/00789/PP). The drawings indicate a scheme that establishes layout, servicing and infrastructure requirements. However, as the submissions provide indicative options of how the site could generally be developed, this would need to be further explored in terms of establishing key viewpoints around the site, in order to establish landmark features to devise a suitable form of development that could be successfully integrated into its wider setting. In principle the overall design and layout is acceptable as is the use of traditional materials such as slate.

D. Natural Environment

Policy STRAT DC 7 of the Structure Plan states that development which impacts on wildlife sites or other nature conservation interests, including sites, habitats or species at risk will be assessed on its acceptability balanced with social and economic considerations. It also notes that enhancements to nature conservation issues are encouraged. The area has no statutory or non-statutory nature designations and this proposal would remove environmental degradation.

Policy LP ENV 2 refers to biodiversity and Policy ENV 6 refers to habitats and species. Survey work to address the prevailing distribution of species of interest prior to commencement of development would be appropriate.

E. Fresh Water, Marine Environment and Biodiversity.

Policy LP ENV 12 resists development which would have a significant impact on the water environment unless the effects can be fully mitigated. Given that the site includes reclaimed land and with the implementation of appropriate mitigation measures, it is not considered that the proposed development would detrimentally impact on the water environment.

F. Landscape Character

Acceptability of the current proposal will be fully dependent on the successful integration of the development in its landscape context through structured tree and other planting. Whilst some is indicated on the amended plans more would be required. A strong and substantial boundary treatment, particularly adjoining the A814, would be a prerequisite of any subsequent planning application(s) for the wider marina development.

G. Affordable Housing

The PDA specifies that 25% of the proposed residential units should be affordable. The owners have indicated that, in accordance with Option C of the Policy LP HOU 2, their preferred option is to provide affordable housing off-site by means of a Section 75

agreement with the Council to facilitate the delivery by way of a commuted sum. Our preference is always that the affordable element is located on site. The number of affordable units required is potentially going to be relatively small at 5 No. so at the time of a full application we shall be seeking robust arguments from the landowner should they wish to pursue their current preference. The onus is still very much on the developer to prove this case at a time when a market has been identified, finance is in place and a planning application is submitted.

H. Road Network, Parking and Associated Transport Matters.

The site will be accessed via the existing access onto the A814. Given the scale of development the internal road would require to be to adoptable standard and some amendments would be required in terms of parking spaces and sightlines. Following discussions, the amendments have been incorporated into the indicative layout and the Area Roads Manager has no objections in principle.

I. Infrastructure

SEPA and Scottish Water have no objections in principle but offer advisory comments regarding, *inter alia*, flood risk, waste water and surface water drainage, pollution and environmental management and space for waste management within the site layout.

A SuDS scheme is proposed and ground floor levels will be agreed to meet the requirements of SEPA. Notwithstanding this, a Drainage Impact Assessment and Flood Risk Assessment will be required in support of any subsequent planning application for the redevelopment of the wider site. Stage one of the development programme will be the construction of the new Facilities Building with the rest of the redevelopment being led by market demands.

J. Flooding

SEPA have indicated no objections in principle but a Flood Risk Assessment (FRA) will be required. This is reiterated in the response from the Council's Flood Alleviation Officer. A FRA should be submitted which identifies the minimum Finished Floor Level (FFL) required. It should also address how the building and car park area will be safely managed in regard to flood events. It is considered that these issues can be dealt with in subsequent planning application(s) for the wider marina development.

K. Other Key Policy Matters

Policy LP CST 1 – Coastal Development on the Developed Coast (Settlements and Countryside Around Settlements) and LP CST 4 – Development Impact on the Foreshore, would apply to this site. Policy LP CST 1 is supportive of development which requires a coastal location, is of a form consistent with STRAT DC 1-3, provides economic and social benefits to the local community, respects the landscape/townscape character and amenity of the surrounding area and is in accordance with Policy LP ENV 1.

In the Argyll and Bute Structure Plan it identifies developed coast as coastal sectors of existing settlements and countryside around settlements. This is the preferred area for coastal development particularly where it makes best use of existing infrastructure or brownfield land. It is considered that, in principle, the PDA site meets these criteria. As previously indicated the Masterplan site is larger than the designated PDA. It includes an area of infill. The area of infill is smaller than what was proposed under application 04/01218/DET. Application 04/01218/DET was itself a renewal of application 98/01100/DET for infilling works to provide a revised layout of berths via floating pontoons, car parking

area and erection of new building to provide public bar, restaurant, hotel (Class 7), office accommodation (Class 4) and ancillary facilities. It time expired on 4 February 2013.

Irrespective of application 04/01218/DET, the area of infill proposed, when assessed on its merits, is smaller than that approved under the 2004 application and is within settlement boundary. It is approximately 15% to 20% of the wider PDA and therefore considered ancillary. This area of infill is considered complementary to the overall regeneration of the site by allowing a more substantial area for public realm, increasing diversity of use and, potentially, strategic planting. As such it is considered that it is part of the locational and operational need associated with the marina redevelopment, an appropriate extension to and consistent with the PDA and its aims, supportive of the redevelopment proposed and consistent with the Local Plan.

In terms of Policy LP CST 4, the site edge adjoining Gareloch is primarily defined by an artificial embankment of filled material and by boat berths. It is considered that the development, including some additional infill would not damage the limited natural foreshore area.

A key concern of objectors is the relevance of application 04/01218/DET. The Planning Authority previously has considered that infilling could be supported as part of the wider redevelopment and regeneration of the marina. It is clear that the planning history of a site can be a material consideration. It is also clear that a time expired consent should be given less weight than one that is still extant. Where objectors dispute the professional views outlined by planning officers that they will have the opportunity, if so advised, to present alternative arguments to the Committee who will ultimately determine the application. No decision has yet been made and it will be for the decision makers to determine what weight to give to it in the overall assessment of this proposal.

Over and above the proposed residential development, facilities building, bar/ restaurant, Clubhouse and boutique aparthotel, a commercial business unit comprising Class 4 Offices with small workshop and commercial units are also proposed. It is considered that the form and scale of the workspace elements of the proposal are compatible with the requirements of Policy BUS1 in that this is a brownfield site within an existing settlement.

Retail units and a 3000 square feet food store were initially proposed. Policy RET 3 presumes in favour of Use Classes 1, 2 and 3 and allows for up to 1,000 square metres of retail space. The PDA designation allows an element of retail and the retail units associated with the operation of the marina would in principle be acceptable. However, I consider that a food store would not be appropriate at this location because of the potential impact on the existing shops in the village and because such a use would sit uncomfortably with the marina facility. Following discussions, it has now been removed from the masterplan. In its place, the owners have indicated three potential uses for the building: Class 4, Business, Class 6 Storage and Distribution and Class 10, Non-Residential Institutions. Of these Class 4 would be acceptable under the PDA designation while the Use Classes Order allows a change from Class 4 to Class 6 without needing planning permission subject to a maximum floor space of 235 square metres. Class 10 uses include, *inter alia*, a crèche, a building for the display of art, museum, library or public hall. Although not specified in the PDA designation it is considered that they would, in principle, be compatible with the other uses proposed.

L. Proposed Local Development Plan

The emerging Local Development Plan has limited material weight as it has only recently completed its public consultation period and there are representations concerning PDA 3/29. Some support the current boundaries of the PDA as shown in the Adopted Plan, and in the Proposed LDP. Others are objecting to any proposed enlargement of the PDA, whilst the developers have submitted an objection requesting that the PDA be enlarged. As such

the Draft LDP does not prevent its determination having regard to the provisions of the adopted plan.

M. Conclusion

PDA's are defined in the adopted Local Plan as areas of land within which opportunities may emerge during the period of the Local Plan (5 to 10 years) for infill, rounding-off, redevelopment or new development. Such opportunities as were identified were not fully resolved at the time of the adoption of the plan, which requires constraints to be overcome in terms of the 'mini development brief' accompanying these PDA's before development opportunities within the PDA area can be realised and be supported by the Local Plan.

The Council supports developments that contribute to the economic vitality of places such as Rhu. Both the Scottish Government and the Council place the delivery of sustainable economic growth as its number one objective. In the case of Rhu Marina it is also important to look at the wider benefit of a new facility that creates a better sense of place and links to Helensburgh's Esplanade where new businesses want to locate to, provide local jobs and sustain a growing economically active population. Such development supports the objectives of the area's community plan and is vital if we are to retain important services.

As indicated above the development potential of these areas, in normal economic circumstances, is seen over a period of 5 to 10 years. In difficult economic times the development timescale may be elongated but their importance becomes even more significant both locally and in the wider perspective. In either scenario a Masterplan is in this particular instance, by its very nature, neither a prescriptive document detailing every last aspect of the proposed future use of the site allowing no flexibility nor is it a blank canvas on which many different and alternative scenarios are played out to the nth degree. The issue is whether it is fit for purpose.

The Masterplan, whilst indicative, gives all interested parties, whether for or against the scheme, together with statutory consultees, sufficient detail to assess the future redevelopment of the site. Assessed against Development Plan Policy and other material considerations the components of the mixed-use scheme are considered to be compatible with PDA 3/29. As such it is considered fit for purpose. It is recommended that, subject to a Hearing, it be approved and endorsed as a material consideration in the assessment of the current planning application for GSS reference 12/01696/PP.

IMPLICATIONS

Policy: None

Financial: None

Personnel: None

Equal opportunities: None

Author of Report: Howard Young 01436 858888 **Date:** 13th August 2013

Angus Gilmour
Head of Planning and Regulatory Services