

Local Review Statement

Reference No: 13/02637/PPP

Applicant: Miss Sumie Macalpine-Downie

Proposal: Site for the erection of dwelling house

Site Address: Land West of Tigh Na Crois, Portnacroish, Appin

Introduction

This Local Review Statement has been prepared in response to the Council's recent refusal under delegated powers of a Planning Permission in Principle (PPP) application for the erection of a dwellinghouse for Miss Sumie Macalpine-Downie. The application has been refused for three reasons, and this statement addresses each of these in turn below, following some brief opening comments.

It is requested that the Local Review Body (LRB) visit the site, as the outlook from the church, and the relationship of the application site to the remainder of the settlement, are key issues. These are best understood by viewing the application site and its context.

It should be stressed at the outset that the intended dwelling is for Miss Macalpine-Downie to live in herself. She has no intention of applying for any further dwellings on the land, and the remaining land she owns will remain in agricultural use.

She does not own any other land locally, and so this field represents her only opportunity to build a house in the settlement. She is not aware of any other sites within the settlement boundary that are available, and these would anyway significantly increase the cost to her of building a house, as she would both need to pay a market value for the plot, and then fund the build. There is currently a paucity of self-build mortgages available for people to build in Argyll and Bute, and while the applicant is able to secure funding to build a modest house, she is unlikely to be able to borrow to also fund purchase of an open market plot.

It should also be noted that Miss Macalpine-Downie's family have owned this land for many years, and she still has many relatives living in the locality, and who are keen to see her move to the area. She has also been supported in her endeavours by six local residents, who have written in support of her application, and it is hoped that the LRB will give weight to these, and the views expressed within them.

The only other preliminary matters we wish to raise are the size of the proposed plot, and to introduce the possibility of the applicant providing a small car park that would be available to local residents, and to those people using the church. It is appreciated that the second of these has not been mentioned, to date, in submitted written documents, but it has been discussed with the case officer, who advised that it would not make a difference to his decision, but would be worth raising in seeking a local review, hence why it is being mentioned now.

The case officer has calculated that the plot is 0.94 hectares in size, and with a frontage of some 110 metres, and suggests that both in terms of its size, and the possibility that further dwellings may be applied for within this area, is a point of concern. The applicant understands that, and so in an attempt to compromise, has considered again that area that is realistically required for a dwelling and commensurately sized garden area. A further plan has, therefore, been produced showing the location of a much smaller dwelling sited next to Tigh-na-Crois. This not only means that the new dwelling will relate to existing built development within the settlement, but also avoids disrupting the view out from the listed church. It is still not proposed to create a new access from the A828 (T), but instead the dwelling would have a single parking space within a small car park to be created next to the existing access road, with a footpath between this and the dwelling.

It is Miss Macalpine-Downie's understanding, from speaking to a number of local residents, and her knowledge of the area, that parking is a particular problem for local residents, and those using the church for services and other events, because the only available parking is on the minor (private) road that bounds her land. To help address this, therefore, Miss Macalpine-Downie would be prepared to construct a small car park on her land, to accommodate six cars, although it could be made larger. This would be a significant community benefit, which she would deliver alongside building a house for herself.

It is appreciated that both of these offers have come late in the day, and the LRB may be concerned at how they can include them within the bounds of the application before them. However, it is considered that suitably worded planning conditions can be attached to a planning permission to deal with both. A condition dealing with the plot could simply refer to the plan that is being submitted with this local review, and a separate condition included requiring plans and details for the car park to be submitted, approved, and the car park provided, prior to the occupation of the dwelling. Alternatively, the offer of a car park can be included within a Section 75 legal agreement.

Response to Reasons for Refusal

Turning to the reasons for refusal, our response to each is as follows.

Reason 1 – This suggests that the site does not comply with prevailing planning policy in that it is not infill, redevelopment, or rounding off, and nor has it been justified as meeting a particular operational or locational need.

It is accepted that there isn't a particular operational or locational need, nor is it a form of redevelopment, but it is disputed that it can't be defined as infill or rounding off.

In our opinion, it is infill in the sense that it lies in a gap between Tigh-na-Crois and Myrtle Cottage. Furthermore, development of this site will not create a ribbon of development, in that this already exists, but is, instead, infilling a gap in what is otherwise an established built-up frontage.

Equally, we would say that the development of this gap will not extend the established settlement boundary. It is accepted that both the Argyll and Bute Local Plan (ABLP) and Argyll and Bute Local Development Plan (ABLDP) Proposals Maps draw this tightly around existing development, and exclude the application site from it, but, on the ground, the field clearly appears as part of, central even, to a linear settlement form extending from Glen Stockdale Burn, to the east, to West Dallens, to the north west. It appears as much part of the settlement as the field to the rear of Myrtle Cottage wherein Detailed Planning Permission was granted for a dwelling in 2012 (ref: 12/01181/PP), and an earlier PPP application was approved in 2011 (ref: 11/01339/PPP) with the case officer concluding, in the Report of Handling for that earlier application, that a dwelling on this site would *“be compatible with the settlement pattern of the immediately surrounding area”*. If that site is deemed compatible with the established pattern of development, with a substantial detached house set back from the existing road frontage, then surely so must a dwelling on the current application site. A copy of the approved plan for this dwelling is included with this local review. It should be noted that the applicant does not need, nor can she afford, a dwelling anywhere near as large as this consented one.

Finally, it is accepted that developing the application site will coalesce existing development, but it will do so by connecting two parts of the same settlement. It will not cause two different settlements to appear joined, which is what, we say, planning policy is seeking to prevent.

Reason 2 – It is appreciated that the application site is not within the settlement boundary as drawn on the two Proposals Maps, and indeed why the Local Plan Reporter might have concluded that the settlement had a dispersed and staggered quality. However, given that the applicant is not proposing to develop the whole of the frontage, but only a small part of it, and with the remainder staying in agricultural use and open, it is considered that little impact will be apparent. Even then this will be more than compensated for by the provision of a small car park, which meets a known local need.

Reason 3 – It is accepted that a dwelling placed centrally in the field would be apparent from the church, although even then with the drop in levels, and provided any new dwelling is single storey (which is all that the applicant wants), the visual impact will be limited. However, by taking the dwelling (and car park) to the sides of the field, close to Tigh-na-Crois and the minor road, it is firmly considered that any impact on the outlook from the church will be limited. The view from the church is already funnelled by mature trees within the grounds, and filtered by trees and hedgerows along the A828 (T), and any development in those two areas identified on the new plan provided will be very much on the periphery of the view out, and thus of limited visual impact.

For the above reasons, therefore, it is respectfully requested that the LRB grant the planning application before them.