

**Delegated or Committee Planning Application Report and Report of handling as required by Schedule 2 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008 relative to applications for Planning Permission or Planning Permission in Principle**

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

**Planning Hierarchy:** Local

**Applicant:** Mr and Mrs Hall

**Proposal:** Erection of Dwellinghouse

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

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**DECISION ROUTE**

**(i) Local Government Scotland Act 1973**

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**(A) THE APPLICATION**

**(i) Development Requiring Express Planning Permission**

§ Erection of dwellinghouse

**(ii) Other specified operations**

- Connection to public water main and private sewerage system
  - Connection to existing road
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**(B) RECOMMENDATION:**

It is recommended that Planning Permission be granted subject to the conditions, reasons and informative notes contained at the end of this report.

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**(C) HISTORY:**

Outline planning permission 15196 granted September 1972 for residential development at this location with subsequent reserved matters approval for 12 dwellings in June 1976 which is understood to remain extant following commencement of development.

Planning permission 165/82 was granted September 1982 and represented amendment of the scheme of development approved in 1976.

Planning permission 05/01434/DET for the erection of seven dwellinghouses and installation of private sewerage system was approved on 8 December 2005.

Planning application 07/01966/DET for erection of 12 dwellinghouses, formation of vehicular access and installation of private sewage system was withdrawn on 3 September 2008.

Planning Permission 08/01508/DET granted on 15 April 2009 for the erection of seven dwellinghouses, formation of vehicular access and installation of private sewerage system. Whilst the road has been formed and the private sewerage system installed, not all of the suspensive conditions were discharged. On this basis, it is considered that a lawful start has not been made on this permission and, therefore, it lapsed in April 2014.

An application for Planning Permission (14/00557/PP) submitted in February 2014 for the formation of the access road, the installation of the private sewerage system and the installation of the surface water drainage (all to serve a seven plot housing development) and the incorporation of a masterplan. Reports on this application and the masterplan are also before Members for consideration at this Committee.

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**(D) CONSULTATIONS:**

**Scottish Water** (letter dated 10 August 2013) No objections.

**Area Environmental Health Manager** (Memo dated 27 August 2013) No objections.

**Area Roads Manager** (response dated 29 August 2013) No objections subject to conditions.

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**(E) PUBLICITY:**

Advertised under Regulation 20 (closing date 6<sup>th</sup> September 2013).

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**(F) REPRESENTATIONS:**

No representations have been received.

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**(G) SUPPORTING INFORMATION**

Has the application been the subject of:

- (i) **Environmental Statement: No**
- (ii) **An appropriate assessment under the Conservation (Natural Habitats) Regulations 1994: No**
- (iii) **A design or design/access statement: No**
- (iv) **A report on the impact of the proposed development eg. Retail impact, transport impact, noise impact, flood risk, drainage impact etc: No**

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**(H) PLANNING OBLIGATIONS**

- (i) **Is a Section 75 agreement required: No**

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**(I) Has a Direction been issued by Scottish Ministers in terms of Regulation 30, 31 or 32: No**

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**(J) Section 25 of the Act; Development Plan and any other material considerations over and above those listed above which have been taken into account in the assessment of the application**

**(i) List of all Development Plan Policy considerations taken into account in assessment of the application.**

**Argyll and Bute Structure Plan 2002**

STRAT DC 1 '*Development within Settlement*' supports the principle of up to '*medium scale*' development with the settlement of Strachur on appropriate infill, rounding-off and redevelopment sites.

**Argyll and Bute Local Plan 2009**

Policy LP ENV 10 seeks to resist development within... Areas of Panoramic Quality which would have a significant adverse impact on the character of the landscape. The highest standards of location, siting, landscaping, boundary treatment, materials and detailing will be required within such designated areas.

Policy LP ENV 19 '*Development Setting, Layout & Design*' sets out the requirements in respect of development setting, layout and design.

Policy LP HOU 1 '*General Housing Development*' provides a presumption in favour of housing developments within the defined settlement zones.

Policy LP TRAN 4 – '*New and Existing, Public Roads and Private Access Regimes*' sets out the requirements for development in respect of new and existing public roads and private access regimes.

**(ii) List of all other material planning considerations taken into account in the assessment of the application, having due regard to Annex A of Circular 4/2009.**

Planning History  
Argyll and Bute Council Proposed Local Development Plan

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**(K) Is the proposal a Schedule 2 Development not requiring an Environmental Impact Assessment: No**

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**(L) Has the application been the subject of statutory pre-application consultation (PAC): N**

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**(M) Has a sustainability check list been submitted: No**

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**(N) Does the Council have an interest in the site: No**

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**(O) Requirement for a hearing (PAN41 or other): No**

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**(P) Assessment and summary of determining issues and material considerations**

**A. Settlement Strategy**

In the Argyll & Bute Local Plan 2009, the site falls within housing land allocation H-AL 2/15. The proposed dwellinghouse is located within one of the plots identified in application 14/00557/PP and within the associated masterplan.

**The proposal is, therefore, considered to be consistent in principle with Policies STRAT DC 1 of the Structure Plan and LP HOU 1 of the Local Plan.**

**B. Location, Nature and Design of Proposed Development**

The application site lies immediately to the south east of the access road that has been constructed and extends to 0.18 hectares. In the main it is rough grass and scrub trees. It rises by over 4m from front to rear.

The proposal is for a single L-shaped dwelling with two levels of accommodation, comprising a lounge, kitchen/dining room, family room, study, bathroom and four bedrooms. The external wall finish would be a mix of textured masonry blockwork on the lower part of the dwelling and acrylic render on the upper part. The predominantly hipped roof would be fibre cement slate.

The seven dwellinghouses that were approved in 2009 were two storeys in height with an upper half of vertical larch cladding and a lower half of smooth render. To accommodate the gradient of the site, some of these houses would have been accessed by a gangway to the upper floor. The fenestration had a variety of sizes, methods of opening and patterns. At the time, it was stated that the *“simple dwelling forms and proposed materials are characteristic of the surrounding area”*.

Indeed, there is a very eclectic mix of dwellinghouses within Strachur as a whole. There is a wide variety of dwellinghouse designs both along the A886 Shore Road fronting the proposed site and in Baycroft to the northeast. The proposed dwellinghouse in this instance reflects many of the facets of residences in this part of Strachur. On this basis, the proposal reflects the advice contained within Sustainable Design Guidance Number 1: Small Scale Housing Development which advocates that *“new houses should be designed to suit their landscaped setting and other adjacent building groups”* (Page 38).

A condition is recommended regarding the positioning of landscaping to screen the proposed underbuilding, which should assist in assimilating the proposal into the site.

**On the basis of the foregoing, it is considered that the proposal is consistent with Policies LP ENV 10 and LP ENV 19 along with Appendix A of the Argyll & Bute Local Plan 2009; together with the Council's Sustainable Design Guidance.**

**C. Road Network, Parking and Associated Transport Matters.**

The access to the plot has largely been constructed and is the subject of the current application 14/00557/PP. This access has not been constructed strictly to adoptable standard (principally due to gradient issues); however, in the interests of compliance with policy LP TRAN 4, a relaxation of standards can be justified for the adoption of this particular stretch of road. This issue is addressed in greater detail in the report concerning application 14/00557/PP.

A condition is recommended that requires completion of the access prior to the occupation of the dwellinghouse at least to a condition appropriate to serve this single dwellinghouse.

**The proposal can be considered acceptable in terms of Policy LP TRAN 4 of the Argyll & Bute Local Plan 2009.**

**D. Infrastructure**

It is proposed to connect into the public water main and Scottish Water has confirmed there are no capacity or network issues.

It is further proposed to connect into a private, non-adopted, foul drainage system discharging to coastal waters which was approved under the original permission 08/01508/DET and is the subject of the current application 14/00557/PP.

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**(Q) Is the proposal consistent with the Development Plan: Yes**

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**(R) Reasons why Planning Permission in Principle should be granted**

The proposal is consistent with policies STRAT DC 1 of the Argyll and Bute Structure Plan 2002 and LP ENV 10, LP ENV 19, LP HOU 1 and LP TRAN 4 of the Argyll and Bute Local Plan 2009 and with all other material considerations. The carrying out of the development permitted, subject to the conditions imposed, would accord with those policies and, in the opinion of the Planning Authority, there are no circumstances which otherwise would justify the refusal of permission.

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**(S) Reasoned justification for a departure from the provisions of the Development Plan**

Not applicable.

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**(T) Need for notification to Scottish Ministers or Historic Scotland: No**

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**Author of Report: Steven Gove**

**Date: 11 June 2014**

**Reviewing Officer: David Eaglesham**

**Date: 11 June 2014**

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

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

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

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

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

Reason: In the interests of road safety.

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

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

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

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

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

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

## **NOTE TO APPLICANT**

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