

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

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**Reference No:** 14/01082/PP  
**Planning Hierarchy:** Local  
**Applicant:** Stewart MacNee (Dunoon) Ltd.  
**Proposal:** Erection of 8 Dwellinghouses, 4 Flats and Formation of Vehicular Access, Parking and Infrastructure  
**Site Address:** Land North of Barn Park, Inveraray

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**DECISION ROUTE**

Local Government Scotland Act 1973

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**(A) THE APPLICATION**

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

- Erection of 8 dwellinghouses and four flats;
- Formation of vehicular access;
- Formation of 22 space car park.

**(ii) Other specified operations**

- Connection to public water supply;
  - Connection to public sewer;
  - Provision of a footpath to a section of the public road.
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**(B) RECOMMENDATION:**

Recommend that planning permission be granted subject to the conditions and reasons attached.

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**(C) CONSULTATIONS:**

ABC Roads (16.05.14) – No objections subject to conditions.

Historic Scotland (15.05.14) – No objections.

Scottish Water (27.05.14) – No objections.

Transport Scotland (14.05.14) – No objections.

West of Scotland Archaeology (13.05.14) – No objections but comments.

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**(D) HISTORY:**

13/02860/MPLAN – Inveraray Project Masterplan (Phase 1) – MAST 1/5 re. Argyll and Bute proposed Local Development Plan (Feb 2013) – Pending consideration – item appears earlier on the agenda for consideration at the 18<sup>th</sup> June 2014 PPSL Committee Meeting.

14/00375/PP – Erection of 8 houses, 4 flats and formation of vehicular access – Withdrawn.

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**(E) PUBLICITY:**

The application has been advertised in the Argyllshire Advertiser – Expired 30<sup>th</sup> May 2014

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**(F) REPRESENTATIONS:**

**Representations received from:**

Two representations of support have been received to date in respect of the current application from:

Iona Campbell, 4 Sinclair Avenue, Inveraray (received 27.05.14);  
Norman Campbell, 1 Argyll Court, Inveraray (27.05.14).

It is to be noted that the following two parties lodged objections to the previously withdrawn application (ref. 14/00375/PP) and in view of their content and the broadly similar nature of the two proposals it remains appropriate that cognisance should be given to these.

Mrs Joyce Cherry, 6 Barn Park, Inveraray (20.03.14);  
Mr & Mrs Kerr, 9 Argyll Court, Inveraray (23.04.14);

The issues raised by all parties are summarised below.

**Summary of issues raised:**

**Supporters:**

The correspondence from Iona Campbell and Norman Campbell express support for the proposed development on the basis that it a significant period of time has elapsed since new housing stock was built in Inveraray but also raises the following commentary:

- Concern is raised in relation to the lack of street lit public footpaths currently available in the locality and it is suggested that the footpath through the rear of Argyll Court to the Avenue should be adopted by the Council along with the street lighting as this is well used by existing residents and is likely to also be used by residents of the new development in preference to the public footpath via Barn Brae.

*Comment: It is noted that the Council's Roads Officers have requested that the existing route along the public road (via Barn Brae to the A83(T)) be subject to off-site highway works as a commensurate improvement. Roads Officers have not requested any upgrade of existing private footpaths serving the locality; such routes lie both outwith the application site and the control of the applicant and as such any requirement to upgrade these routes could not be secured by planning condition.*

### **Objections:**

Two representations raising objection received in relation to the previously withdrawn application (ref. 14/00375/PP) from Mrs Joyce Cherry and Mr & Mrs Kerr are also summarised below:

- Concern is expressed that the road serving the site is very narrow in places.

*Comment: It is noted that both Transport Scotland and the Council's Roads Officers share these concerns and accordingly have identified the limited capacity for Barn Brae/Barn Park to serve additional development (over and above the current proposal) without significant road improvements being delivered – such matters are set out in Appendix B below.*

- Concern is expressed that the formation of the access to the development will result in the loss of parking spaces on Barn Park utilised by existing residents, it is suggested that the entrance would be better served by a road extending up from the Council car park on the Avenue. It is also suggested that the current proposal should include replacement parking for affected residents and the wider locale.

*Comment: In the first instance it is noted that the parking area referred to which would be lost is a gravel strip in the ownership of Argyll Estates, which lies along the northern side of the public road carriageway of Barn Park which is currently used by the residents of Barn Park as an informal area to park parallel to the road and opposite their properties. The proposal would result in the loss of a 21m long strip of this existing informal parking area and would therefore result in the loss of parking for approximately 4 vehicles. It is understood that availability of the gravel strip is a relatively recent free amenity afforded to residents by the culverting of a roadside drainage ditch. It is not however an amenity that residents of Barn Park have any formal entitlement to and as such the ability to park along this strip could be removed by Argyll Estates should they wish to do so. It is also noted that in such a circumstance it would not be reasonable to require the developer to provide replacement/additional parking spaces for existing residents.*

*The consultation comments from Transport Scotland on the masterplan indicate that the Avenue car park access is only suitable to accommodate a limited amount of additional traffic without improvement. This capacity has already been identified as essential to serve a viable Phase 2 commercial development and as such is not a viable option. It is also the consideration of Officers that provision of such a lengthy access route is unlikely to be viable for a development of the scale. The only viable means of access to the Phase 1 site is via Barn Brae and Barn Park.*

- It is suggested that additional street lighting should be provided in/around

Argyll Court as part of the current proposal.

*Comment: It is noted that the Council's Roads Officers have requested that the existing route along the public road (via Barn Brae to the A83(T)) be subject to off-site highway works as a commensurate improvement. Roads Officers have not requested any upgrade of existing private footpaths serving the locality; such routes lie both outwith the application site and the control of the applicant and as such any requirement to upgrade these routes could not be secured by planning condition.*

- Concern is expressed that the narrow and dangerous corner from Barn Brae onto Barn Park is to be utilised for additional traffic to serve the development; it is suggested that speed humps be installed.

*Comment: The Council's Roads Officers share concerns in relation to the safety of this tight bend but are accepting of the current development as this has been promoted as a housing allocation (i.e. land which is available and readily deliverable) within the adopted Local Plan for some time. Traffic calming measures would be difficult to implement at this location as they would exacerbate the difficulty that larger vehicles already have in negotiating this constrained section of the public road. It is further noted that the Council's Roads Officers have advised that they would raise objection to any further proposals to serve further development via this constrained section of road in addition to the application proposal.*

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## **(G) SUPPORTING INFORMATION**

**Has the application been the subject of:**

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

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## **(H) PLANNING OBLIGATIONS**

**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 the Settlements  
STRAT DC 8 – Landscape and Development Control  
STRAT DC 9 – Historic Environment and Development Control

'Argyll and Bute Local Plan' 2009

LP ENV 1 – Impact on the General Environment  
LP ENV 10 – Development Impact on Area of Panoramic Quality  
LP ENV 11 – Impact on Historic Gardens and Designed Landscapes  
LP ENV 14 – Conservation Areas and Special Built Environment Areas  
LP ENV 17 – Impact on Sites of Archaeological Importance  
LP ENV 19 – Development Setting, Layout and Design  
  
LP HOU 1 – General Housing Development  
LP HOU 2 – Provision of Housing to Meet Local Needs including Affordable Housing Provision  
LP HOU 3 – Special Needs Access Provision in Housing Developments  
  
LP SERV 1 – Private Sewage Treatment Plants and Wastewater Systems  
LP SERV 2 – Incorporation of Natural Features/Sustainable Drainage Systems  
LP SERV 4 – Water Supply  
  
LP TRAN 2 – Development and Public Transport Accessibility  
LP TRAN 3 – Special Needs Access Provision  
LP TRAN 4 – New and Existing Public Roads and Private Access Regimes  
LP TRAN 5 – Off-site Highway Improvements  
LP TRAN 6 – Vehicle Parking Provision  
  
Appendix A – Sustainable Siting and Design Principles  
Appendix C – Access and Parking Standards  
Appendix E – Allocations, Potential Development Area Schedules and Areas for Action Schedules

**(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.**

- Argyll and Bute proposed Local Development Plan (Feb 2013)

*Note: The emergent pLDP is the most recent expression of Council policy, and following the conclusion of public consultation, those elements which are uncontested may be afforded significant material weight in the determination of planning applications at this time.*

- (Draft) Inveraray Project Masterplan (ABC pLDP MAST 1/5)
- ABC Sustainable Design Guidance
- Scottish Planning Policy

- Consultee Responses

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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): No**

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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**

The proposal relates to development within a larger site identified as housing allocation H-AL 9/2 within the adopted 'Argyll and Bute Local Plan' for 8 units with 25% affordability. This designation is however in the process of being superseded by the uncontested, emergent provisions of the 'Argyll and Bute proposed Local Development Plan' which sets out the Council's intent to subsume the current Housing Allocation within a larger Mixed Use Allocation (MU 3001) within which support in principle is afforded for up to 150 dwelling units, subject to a masterplan for designation MAST 1/5 having already been endorsed by the Council.

Argyll Estates have put forward a Phase I masterplan for designation MAST 1/5 which seeks to provide sufficient detail to allow release of the current application site in advance of proposals being finalised for the wider designation. The Phase I masterplan and its associated Design Brief appear elsewhere on the agenda for this meeting (ref. 13/02860/MPLAN). For the purposes of this report it has been assumed that the Masterplan submission will be endorsed by Members in its current form.

The proposal sets out a 'medium scale' affordable housing development comprising a mixture of terraced housing, flats and ambulant disabled units to be developed for and managed by the Argyll Community Housing Association (ACHA).

The proposed development is linear in nature and of appropriate design, proportions and finish to comply with the relevant provisions of the Phase I Masterplan and its Design Brief and the Council's Sustainable Design Guidance. The development will appear as a modest extension of the existing built environment and will not have any significant or adverse effect upon the character, appearance of setting of the Inveraray Castle Designed Landscape, or upon the Inveraray Conservation Area.

Whilst the application has been the subject of two letters of support, and indirectly, two letters of objection, which raise road safety concerns, it is the consideration of Council Officers and that of the statutory consultees that the proposed development can adequately be accessed via the existing public road network, subject to commensurate improvement of footpaths along this route.

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**(Q) Is the proposal consistent with the Development Plan: No**

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**(R) Reasons why Planning Permission or Planning Permission in Principle Should be Granted:**

See sections P above and S below.

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

Whilst the proposal represents an over-development of Housing Allocation 9/2 as defined in the adopted 'Argyll and Bute Local Plan' 2009 it is considered appropriate at this advanced point in the plan-making process to afford greater material weight to the uncontested provisions of the emergent 'Argyll and Bute proposed Local Development Plan' (Feb 2013) as the most recent expression of Council policy. In this respect the application site is located within the proposed Mixed Use Allocation MU 3001 which would be supportive in principle of the development of up to 150 dwelling units within the larger site area, subject to a comprehensive masterplan approach being adopted to comply with the provisions of proposed masterplan area MAST 1/5. It is therefore considered appropriate to grant permission as a 'minor departure' to the provisions of the adopted Local Plan.

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

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**Author of Report:** Peter Bain

**Date:** 10<sup>th</sup> June 2014

**Reviewing Officer:** Richard Kerr

**Date:** 12<sup>th</sup> June 2014

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

## CONDITIONS AND REASONS RELATIVE TO APPLICATION REF. NO. 14/01082/PP

1. The development shall be implemented in accordance with the details specified on the application form dated 1<sup>st</sup> May 2014 and the approved drawing reference numbers 1/17 – 17/17 unless the prior written approval of the planning authority is obtained for other materials/finishes/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. The development hereby permitted shall only be implemented by (or on behalf of) a Registered Social Landlord (a body registered under part 3 chapter 1 of the Housing (Scotland) Act 2001, or any equivalent provision in the event of the revocation and re-enactment thereof, with or without modification) and shall not enure for the benefit of any other person, company or organisation.

Reason: To ensure the provision of affordable housing to the standard required by the development plan in the absence of any other agreed means of securing such provision.

3. No development shall commence until a scheme of boundary treatment, surface treatment and landscaping has been submitted to and approved in writing by the Planning Authority. The scheme shall comprise a planting plan and schedule which shall include details of:
  - i) Existing and proposed ground levels in relation to an identified fixed datum;
  - ii) Existing landscaping features and vegetation to be retained;
  - iii) Location design and materials of proposed walls, fences and gates – this shall include the provision of a deciduous native hedgerow to the north, western and southern site boundaries, and removal (if possible) of existing eastern boundary fencing between the application site and Argyll Court;
  - iv) Surface treatment of means of access/footpaths, and parking/turning areas;
  - v) Proposed soft and hard landscaping works including the location, species and size of every tree/shrub to be planted – this shall include details of planting/landscape works within the parking court and limited tree planting within the hedgerow northern, western and southern site boundaries, and provision of replacement planting to mitigate for loss of the mature tree which lies on the site access route;
  - vi) A programme for the timing, method of implementation, completion and subsequent on-going maintenance.

All of the hard and soft 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 with the integration of the proposal with its surroundings in the interest of amenity.

4. Notwithstanding the effect of Condition 1, the development shall be completed externally using the following materials:

External walls to be finished in a white, wet dash render;

Roof covering to be slate substitute tiles coloured dark blue/grey (Redland Cambrian Slate or equivalent), or natural slate;

Or, such alternatives as may otherwise be agreed in writing with the Planning Authority.

Reason: In order to integrate the development into its surroundings.

5. Notwithstanding the effect of Condition 1, no development shall commence until written details of the type and colour of materials to be used in the construction of external fascia/eaves, rainwater goods and any window/door bands have been submitted to and approved in writing by the Planning Authority. The development shall thereafter be completed using the approved materials or such alternatives as may be agreed in writing with the Planning Authority.

Reason: In order to integrate the development into its surroundings.

6. Notwithstanding the effect of Condition 1, no development shall commence until specifications, including material and colour finishes of the window and door units to be installed in the development have been submitted to and approved in writing by the Planning Authority. Thereafter the development shall be completed in accordance with the approved details or such alternatives as may be agreed in writing with the Planning Authority.

Reason: In order to integrate the development into its surroundings.

7. Notwithstanding the provisions of Condition 1, the development shall incorporate a surface water drainage system which is consistent with the principles of Sustainable urban Drainage Systems (SuDS) compliant with the guidance set out in CIRIA's SuDS Manual C697. The requisite surface water drainage shall be operational prior to the development being brought into use and shall be maintained as such thereafter.

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

8. No development shall commence until such time as a programme of works for the delivery of an adoption standard footpath of a minimum width of 1.5 metres between the A83(T) and the public road known as the Avenue (via Barn Brae) has been submitted to and agreed in writing by the Planning Authority, in consultation with the Roads Authority.

Thereafter, the duly approved programme of works shall be implemented in full and in accordance with the agreed timetable.

Reason: In the interest of road safety, to ensure the provision of commensurate improvement to substandard elements of the public road network which would be

subject to increased vehicular/pedestrian movements arising from the development.

9. Notwithstanding the provisions of Condition 1, the proposed access shall be formed with visibility splays of 2.4 metres to point X by 42.0 metres to point Y from the centre line of the proposed access. The access shall be surfaced with a bound material in accordance with the stated Standard Detail Drawing. Prior to work starting on site the access hereby approved shall be formed to at least base course standard and the visibility splays shall be cleared of all obstructions such that nothing shall disrupt visibility from a point 1.05 metres above the access at point X to a point 0.6 metres above the public road carriageway at point Y. The final wearing surface on the access shall be completed prior to the development first being brought into use and the visibility splays shall be maintained clear of all obstructions thereafter.

Reason: In the interests of road safety.

10. The parking and turning area shall be laid out and surfaced in accordance with the details shown on the approved plans prior to the development first being occupied and shall thereafter be maintained clear of obstruction for the parking and manoeuvring of vehicles.

Reason: In the interest of road safety.

## NOTE TO APPLICANT

- **The length of the permission:** 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).]
- In order to comply with Section 27A(1) of the Town and 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.
- In order to comply with Section 27B(1) of the Town and 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 completed.
- A Road Opening Permit under the Roads (Scotland) Act 1984 must be obtained from the Council's Roads Engineers prior to the formation/alteration of a junction with the public road.
- The access shall be constructed and drained to ensure that no surface water is discharged onto the public road.
- Road Construction Consent under the Roads (Scotland) Act 1984 must be obtained from the Council's Roads Engineers and a Road Bond provided prior to the formation of the access within the development site.
- The applicant should have regard to Scottish Water's consultation comments dated 27<sup>th</sup> May 2014.

## **APPENDIX A – RELATIVE TO APPLICATION NUMBER: 14/01082/PP**

### **PLANNING LAND USE AND POLICY ASSESSMENT**

#### **A. Settlement Strategy**

The application site is located within the 'settlement area' for Inveraray wherein the provisions of policies STRAT DC 1 of the 'Argyll and Bute Structure Plan' 2002 and LP HOU 1 of the adopted Local Plan set out a general presumption in favour of up to and including 'medium' scale residential development; 'medium' scale being defined as housing development between 6 and 30 units. Furthermore the proposed development also lies within the boundary of Housing Allocation H-AL 9/2 which seeks to promote the development of 8 units with 25% affordability; the current application site relates to approximately 25% of the housing allocation area.

Taken at face value, delivery of a similar density of development across the whole of housing allocation H-AL 9/2, the current application would represent an overdevelopment of the allocation by 600%. The Council's Development Policy officers have however confirmed that this location was deliberately provided with a very low density, as it was unclear during the development of the adopted Local Plan what scale of development might actually be capable of being delivered at this location having regard to known constraints relating to the Historic Designed Landscape within which it sits, and the capacity of the Barn Brae junction with the A83 and connecting public road to accommodate additional development without the need for improvements. The relatively low number of 8 units therefore reflected the upper limit of certainty of the deliverability of the housing allocation at that time.

Given the above, the current application must be regarded as a prospective departure to the provisions of Housing Allocation H-AL 9/2 of the adopted Local Plan.

Having regard to the draft provisions of the Argyll and Bute proposed Local Development Plan (Feb 2013) (pLDP), the site remains within the Inveraray 'settlement area' wherein the provisions of draft Policy LDP DM 1 and SG LDP HOU 1 would be supportive in principle of up to and including 'large' scale development; 'large' scale development being defined as exceeding 30 dwelling units.

Furthermore, the pLDP proposes to delete housing allocation H-AL 9/2 and replace this with a much larger Mixed Use Allocation (MU 3001) where the Council's support for a mixed use development comprising 150 dwelling units, Class 4 (business), tourism and community facilities within a site area of 8.7ha. This allocation is overlaid with a proposed Masterplan designation (MAST 1/5) which would require a Council endorsed masterplan to be in place in advance of the allocation being deliverable. The current application is accompanied by a Masterplan (13/02860/MPLAN) which seeks to set forward an overview for the MAST 1/5 designation and sufficient detail to merit release of land at Barn Park for delivery as phase 1 of the masterplan development. In this respect it is contended that this site on the periphery of the designation is a simple extension of the existing built form, and as such, is less sensitive in respect of its contribution to the wider landscape setting, the Designed Landscape, and the historic built environment of Inveraray. The masterplan submission is also accompanied by a detailed Design Brief for the Phase 1 development at Barn Park.

Whilst the proposal is considered to be a 'minor departure' to the provisions of H-AL 9/2 of the adopted Local Plan this can be justified in light of its compliance with the

amended and uncontested relevant provisions of the emergent 'Argyll and Bute proposed Local Development Plan', including the requirements of designations MAST 1/5 and allocation MU 3001.

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

The application site relates to some 0.3ha located immediately to the north-west of former Council housing developments at Argyll Court and opposite (north-east) Barn Park. The application site is the south-eastern corner of a substantial area of open parkland which separates the historic core of Inveraray and the relatively modern residential development at Barn Park.

The current application seeks detailed Planning Permission for the erection of 12 affordable dwellings which will be owned and managed by ACHA. The housing mix is accordingly driven by local housing need and comprises:

- 4no. three bedroom, terraced, two storey dwellinghouses;
- 4no. one bedroom, terraced, single storey, ambulant disabled cottages; and
- 4no. two bedroom flats, contained within 1no. two storey block.

The Phase 1 Masterplan for MAST 1/5 sets out that delivery of development at Barn Park can be achieved in advance of proposals for the remainder of the masterplan area being finalised without prejudicing the vision for the wider area. The site at Barn Park is acknowledged to be a less sensitive location than the remainder of the masterplan area, being an extension of a built form consisting of existing former local authority housing stock. Within the wider context of the designed landscape, development of this particular location is considered to have an insignificant effect upon the key characteristics of the designation, and will be visible in existing views simply as an extension of the existing built form. Similarly, a limited residential development at this location does not give rise to any requirement for the extensive provision of new infrastructure or reconfiguration of the existing access regime.

The Design Brief which accompanies the Phase 1 Masterplan identifies that development at Barn Park should be laid out to create a street with the existing buildings of Argyll Court forming the opposite side. This also requires to be undertaken in a manner which ensures that open views to north east from Barn Park toward the Bell Tower are provided along the line of the new street. The Design Brief sets out a general requirement for the following design elements within new built development:

- *Simple, well-proportioned buildings;*
- *A vertical emphasis in building form and elevation;*
- *Roofs pitched at 40-45 degrees, full gables, flush dormers (were used);*
- *Slate roofs, walls rendered or painted white;*
- *Limited use of colour, predominant use of black detailing.*

The Design Brief further advises that:

*Whilst building design should recognise the traditional context evident within Inveraray's planned town, the development should not seek to imitate or copy this character. Simple buildings typically with pitched roofs at 40-45 degrees, fully gabled ends and well proportioned frontage, wall and window/door patterns*

*will be appropriate. A contemporary design approach which is compatible with the local urban heritage will be favoured.*

*Terraces and street frontages should create a simple form with repeated window and door patterns. Wherever possible, building frontages should be located adjacent to footpaths, or set back a short distance (0.5-1.5m).*

*Buildings should be predominantly two storey. Single storey and one and a half storey buildings will also be appropriate subject to the overall grouping of buildings achieving a strong frontage and suitable mix of building heights. The historic part of Inveraray is characterised by a mix of building heights. Excessive regularity in building heights should be avoided but an entirely random mix of heights would also be inappropriate.*

*External materials should be typically white rendered walls, slate roofs (or high quality roof tiles of suitable profile and colour), timber windows painted white and timber doors. Windows should typically be of vertical proportion with repeated window and door patterns, although contemporary design approaches may justify the use of alternative solutions subject to design quality. Upper windows should typically be located close to eaves level. Any proposal for use of uPVC windows must be fully justified in design terms and agreed with Argyll and Bute Council.*

*The road and footpath/cycleway layout design should be guided by 'Designing Streets' and the Council's Sustainable Design Guide. Road engineering should be specified with a light touch and shared surfaces will be favoured wherever possible, since this is a common feature within Inveraray. The layout should link with footpath routes connecting to the surrounding core paths and pedestrian network.*

*Limited landscaping of the site is anticipated, with the emphasis on tree planting associated with the parking court. Species should be indigenous to the area. Tree positions should be selected to reinforce the urban character of the development. The two existing mature trees adjacent to the southern site boundary should be protected during construction works. If these trees cannot be retained, they should be replaced with heavy standard specimen trees elsewhere on the site.*

*Front gardens should be kept to a minimum. A narrow strip of private space 0.5-1.5m can be provided to allow personalisation of space with planting in pots etc, where buildings do not directly meet the footpath.*

*Enclosure of rear gardens should be carefully considered. Stone or rendered walls would be appropriate and some hedging may be used in conjunction with post and wire fencing, subject to suitable landscape management plan being agreed with the Council. Communal greens or courts would be appropriate if located and enclosed sensitively. Bin storage should be considered to minimise impact on streetscape.*

*Pends or closes would be appropriate in achieving rear access to properties.*

The development is set out in a linear fashion with the two storey block of flats at the Barn Park (southern) end of the site, the two storey terrace of three bed houses being located at the northern end with the terrace of single storey ambulant disabled units sandwiched in between. The development frontage is to be set back 1m from

the edge of the footpath and adjacent new road which will serve the development. Parking is to be located along the eastern boundary of the site and will incorporate an element of new tree planting/landscape works to integrate this with Argyll Court, although a post and wire boundary fence will remain between the old and new developments; the submitted plans also show each of the properties having a private garden area to the rear (west) which is to be enclosed by a post and wire fence.

Officers are of the view that boundary treatment requires careful consideration at this location with a view to assisting the frontage of the development to integrate with Argyll Court (including the removal of the existing post and wire fence between the two if possible) and to ensure that the rear and side curtilages are well defined against the open space to the west and north in the short to medium term, but are appropriate for integration with the development of the surrounding masterplan area in the longer term. It is recommended that planning permission should be subject to a condition requiring the submission of landscape proposals, surface treatment and boundary treatment for further approval. At this time it is suggested that such boundary treatment should include for the provision of a hedgerow to the rear (western) northern and southern site boundaries to define the limits of the development relative to the surrounding open space and streetscape of Barn Park respectively. Limited tree planting might also be appropriate along these boundaries to provide a softer edge and mitigate against the visual impact of domestic outbuildings/variation in internal boundary fencing that is likely to arise following occupation of the development. Whilst tree planting between the new development and Argyll Court is desirable to soften the impact of a car parking court, it is noted that the positioning of trees will require careful consideration to ensure that they do not impede key views through the development toward the Bell Tower.

The building design is of a relatively traditional form based upon a gable-ended, rectangular floor plan with a steep symmetrical roof pitch and a gable-end. The design of the buildings has been amended from the original submission to steepen the roof pitch from 35 degrees to 41 degrees to enhance the vertical proportions of the gables. Whilst the gables remain slightly wider than would ordinarily be preferred, the applicant has confirmed that there is insufficient room within the application site boundary to achieve the required affordable housing mix within an elongated building form. The applicant has also provided confirmation that the external walls shall be finished in a wet dash render (colour finish and specification will require to be agreed by planning condition) and has requested that the roof covering be of a Redland Cambrian Slate – this is a good quality slate substitute tile with a slim profile and texture to give a similar appearance to natural slate. It is considered that whilst natural slate would be preferable, this is an acceptable material for this less sensitive location particularly given the use of a standard concrete tile finish on the adjacent Argyll Court housing development. The proposed window openings have a both the vertical proportion and regularity of pattern required by the Design Brief; however, the applicant has proposed the use of uPVC. It is considered that the use of a good quality uPVC window could be justified for use in this less sensitive location; uPVC has been widely utilised as replacement windows within the adjacent existing developments at Argyll Court and Barn Park and incorporates a number of different colour finishes and glazing patterns – the use of a unified, high quality, white uPVC window within the proposed affordable housing development would provide an appropriate transition to what would be the requirement for use of higher quality, traditional timber windows within that part of the masterplan area lying closer to the historic core of the town. Details of the window units can be secured by planning condition for further approval, as can the design, material and colour finishes of external doors.

The Design Brief specifies that it is desirable to ensure that two mature trees on the southern boundary of the current application site are safeguarded during development. It is however noted that the easternmost of these shall require to be felled as it is located on the line of the new access into the development site and there is not sufficient scope within the application site boundary to satisfactorily relocate the access to enable retention of the tree. Having regard to the provisions of the Design Brief, it would be appropriate to ensure that any necessary loss of mature trees are mitigated for by replanting with a heavy standard replacement on the site boundary.

In summary, the proposal is considered to incorporate and satisfactorily address the essential elements of the Design Brief in terms of building layout, form and general design proportions; whilst the current application fails to incorporate natural slate and timber windows this is considered to be justified in this particular instance given the less sensitive nature of this particular site within the masterplan area, and the new development's role as a transitional reference point between Argyll Court, Barn Park and future development within the wider masterplan area.

Having regard to the above, the proposal is considered to be consistent with the relevant provisions of policies LP ENV 19 and LP HOU 3.

### **C. Historic Environment**

The application site lies within the Inveraray Castle Designed Landscape; the associated masterplan for MAST 1/5 and Design Brief identifies that development of this particular location will be read as a minor extension of the existing built form of Barn Park/Argyll Court and will not result in the loss of any significant element of open space within the context of key views of Inveraray and its surrounding Design Landscape. A wooded roundel, which is a key feature within the designed landscape, lies 110m to the west of the application. The retention of the intervening open space will ensure that the setting of this feature is adequately preserved and does not prejudice consideration of its longer term function and relationship to future development which might occur within the wider masterplan area. Historic Scotland have confirmed that they do not have any objection to the current proposal and welcome the fact that the amended application has satisfactorily addressed concerns which they had previously expressed in commenting upon the earlier application (14/00375/PP).

The site is well removed from the boundary of the Inveraray Conservation Area but is readily visible from within the Avenue car park to the north. From this location the development will present a traditional gable and partially visible street frontage which will read as an extension of the Argyll Court development. It is the consideration of officers that the proposal will not have a detrimental effect upon the setting of conservation, or key views into/out of this historic built environment designation.

Having regard to the above, the proposal will not have any significant detrimental effect upon the Inveraray Castle Designed Landscape and as such is considered to be consistent with the relevant provisions of STRAT DC 9, LP ENV 11 and LP ENV 14.

The site also lies within an archaeological trigger area. WoSAS have advised that the site should be the subject of a prior archaeological evaluation (and have expressed that this should be the case for all development within the wider masterplan area). The applicant has confirmed that an archaeological evaluation has been undertaken

however a written report has still to be submitted to allow further comment from WoSAS. It is however understood that the archaeological investigation has found nothing of note. It is expected that results of this study will be available in advance of the 18<sup>th</sup> June PPSL meeting to allow Members to be in a position to formally determine the application with confirmation that the proposal is consistent with the relevant elements of STRAT DC 9 and LP ENV 17.

#### **D. Landscape Character**

The application site is located within the West Loch Fyne Area of Panoramic Quality. As expressed above, the proposed development will appear as a minor extension of the existing built form of Argyll Court/Barn Park within panoramic key views of Inveraray within the wider landscape setting. It is considered that the proposed development will not have any significant detrimental effect upon the built form of Inveraray as a key component of the wider landscape and as such is consistent with the provisions of STRAT DC 8 and LP ENV 10.

#### **E. Affordable Housing**

The proposed development is for a 100% affordable housing development to be managed built for and managed by ACHA. The proposal is compliant with the provisions of policy LP HOU 2, it is however considered prudent to underpin such requirement by planning condition.

#### **F. Road Network, Parking and Associated Transport Matters.**

The application site is accessed from the A83(T) by an existing unclassified public road network. In consultation on the wider masterplan proposals, Transport Scotland has advised that any further development (over and above that proposed by the current application) off the Barn Brae junction with the A83(T) would require provision of a right turn lane on the A83(T). Similarly, the Council's Roads Officers have advised that the tight bend at the bottom of Barn Park (to the east of the application site) would also preclude further development off this route until such time as the carriageway can be widened, although this is currently thought to be unachievable as the land is in private ownership.

Neither Transport Scotland nor the Council's Roads Officers have raised objection to the current application. The Council's Roads Officers have also confirmed the requirement for commensurate improvement of footpaths connecting to the site from Barn Brae, construction standards for the access and parking requirements.

The proposed development will be served by an adoption standard road with parking and turning for 22 cars (including disabled parking provision) within the application site. The details accompanying the application also include provision for the necessary improvement of the public footpath network. Delivery of all of these elements can be ensured by planning conditions.

The adoption standard access will be formed to the northern boundary of the site allowing potential for its potential future extension for vehicular and/or pedestrian linkages if so required, to realise the aspirations set out in the wider masterplan for MAST 1/5.



Having regard to the above, the proposal is considered to be consistent with the relevant provisions of LP HOU 3, LP TRAN 2, LP TRAN 3, LP TRAN 4, LP TRAN 5 and LP TRAN 6 of the adopted Local Plan.

**G. Infrastructure**

The development will be served by connection to the public water main and public sewerage system; Scottish Water have not raised objection to the proposal. The details within the application specify the use of SuDS in relation to surface water drainage.

The proposal is considered to be consistent with the relevant provisions of policies LP SERV 1, LP SERV 2 and LP SERV 4.