

# Public Document Pack

## **Argyll and Bute Council** **Comhairle Earra Ghaidheal agus Bhoid**

Customer Services  
Executive Director: Douglas Hendry



Municipal Buildings,  
Albany Street,  
Oban, Argyll, PA34 4AW  
Tel: 01631 567945

13 January 2014

### **SUPPLEMENTARY PACK**

**OBAN LORN & THE ISLES AREA COMMITTEE - CORRAN HALLS, OBAN on WEDNESDAY, 15 JANUARY 2014 at 10:30 AM.**

Please find enclosed replacement papers for item 5 (Local Development Plan), as listed below. This includes "ISS12 – Development Land Oban" which was marked on the agenda as "to follow".

Douglas Hendry  
Executive Director - Customer Services

### **BUSINESS**

#### **5. LOCAL DEVELOPMENT PLAN**

Report by Planning Officer

Includes:

- ISS02 – Development Land Tiree A
- ISS12 – Development Land Oban
- ISS17 – Development Land Kames Kilmelford
- ISS327 – AFA 5-10 Cuan Sound
- ISS328 – AFA 5-11 Easdale Sound
- ISS329 – MIN AL 5-1 Benderloch
- ISS330 – MIN AL 5-2 Taynuilt
- ISS331 – MIN AL 5-3 Bonawe (Pages 1 - 26)

### **OBAN, LORN & THE ISLES SPECIAL AREA COMMITTEE**

Councillor Mary-Jean Devon	Councillor Louise Glen-Lee
Councillor Fred Hall	Councillor Iain MacDonald
Councillor Alistair MacDougall (Chair)	Councillor Duncan MacIntyre
Councillor Roderick McCuish	Councillor Elaine Robertson (Vice-Chair)

Contact: Danielle Finlay, Area Governance Assistant - 01631 567945

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<b>ISS302</b>	<b>Development Land : Tiree</b>	
<b>Development plan reference:</b>	S326 - Tiree, All Settlement Zones H4013 - Scarinish, Pier Road	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Royal Society for the Protection of Birds (00040) Scottish Natural Heritage (01587)		
<b>Provision of the development plan to which the issue relates:</b>		
<b>Planning authority's summary of the representation(s):</b>		
<p><b>S326 - Royal Society for the Protection of Birds (00040)</b> This objection relates to various Settlement Zones within Tiree whose boundaries overlap sites designated as Special Protection Area (SPA), a Local Nature Conservation Site (LNCS) and the RSPB Reef Reserve. Specifically, the objection concerns the 'settlement areas' proposed on the open areas of the RSPB Reef Reserve (i.e. a) to the north of the "area for action" at the old airport camp, b) to the north of the existing houses and shop at Crossapol, which is also a "local nature conservation site" and c) just off the Reef Reserve but within the SPA to the south of the shop and houses at Crossapol). The objector contends that these areas should be designated Very Sensitive Countryside due to their biodiversity interests. Also, it should be noted that the area adjacent to the coast here is on coastal dunes which are at risk from sea level rise and coastal erosion and contain rubble from old MOD buildings. In addition, the objector is concerned that the settlement area at Balnoe (west of "Cui Dheis" on the map) overlaps with the Corncrake SPA (and local nature conservation site) as do areas at Balephuill and west of the road at Balemartine. There is also an overlap between settlement areas and the SAC at Cornaigmore. These boundaries should be revised to avoid these areas i.e. they should be designated Very Sensitive Countryside. An HRA will be required for those sites potentially affecting Natura sites. These areas also comprise important machair habitats which hold important numbers of breeding birds and nationally scarce bee species - colonies of <i>Colletes floralis</i> and great yellow-bumblebees occur.</p> <p><b>S339 - Scottish Natural Heritage (01587)</b> This objection concerns The Settlement Zone identified for Cornaigmore, Tiree which is partly within Tiree Machair Special Area of Conservation (SAC). This therefore requires assessment as part of the Habitats Regulations Appraisal (HRA) of the plan.</p> <p><b>S340; S341 and S342 - Scottish Natural Heritage (01587)</b> The Settlement Zones identified for Cui Dheis, Balemartine and Balephuill, Tiree are partly within Tiree Corncrake Special Protection Area (SPA). These therefore require assessment as part of the Habitats Regulations Appraisal (HRA) of the plan.</p> <p><b>S343 - Scottish Natural Heritage (01587)</b> The Settlement Zone identified for Crossapol, Tiree is partly within Tiree Wetlands and Coast Special Protection Area (SPA). This therefore requires assessment as part of the Habitats Regulations Appraisal (HRA) of the plan.</p> <p><b>H4013 - Royal Society for the Protection of Birds (00040)</b></p>		

This site is adjacent to the tank farm development and the character of such high density housing is not in-keeping with the settlement pattern on the island. The area proposed for development has RDC contracts for corncrake and mitigation would therefore be required. We would suggest that this area is designated Very Sensitive Countryside (or at most Countryside Zone).

**Modifications sought by those submitting representations:**

**S326 - Royal Society for the Protection of Birds (00040)**

The objector considers that designated sites should not be delineated as settlement zones / ROA and that applying bird sensitivity /habitat mapping to areas should be undertaken to better delineate these areas on islands which are vital in ensuring the conservation of important biodiversity. It appears no HRA has been undertaken for the plan and this should be rectified, taking into account the potential affects of the ROA and settlement zone areas.

**S339 - Scottish Natural Heritage (01587)**

Satisfactory conclusion of the HRA of this plan (we recommend in this instance that the Settlement Zone boundary is amended to exclude the SAC).

**S340; S341 and S342 - Scottish Natural Heritage (01587)**

Satisfactory conclusion of the HRA of this plan.

**S343 - Scottish Natural Heritage (01587)**

Satisfactory conclusion of the HRA of this plan (we recommend in this instance that the Settlement Zone boundary is amended to exclude the SPA here, since this is beach).

**H4013 - Royal Society for the Protection of Birds (00040)**

The objector suggests that this area is designated Very Sensitive Countryside (or at most Countryside Zone).

**Summary of responses (including reasons) by planning authority:**

**S326; S339; S340; S341; S342 and S343**

**Royal Society for the Protection of Birds (00040)**

**Scottish Natural Heritage (01587)**

The Settlement Zone boundaries on Tiree have not been altered in the LDP. They remain as per the adopted Argyll and Bute Local Plan (**Production XXXX**). In addition, Settlement Zone is a policy zone and not a development site. As such any development proposals would be subject to all other policies in the LDP and associated Supplementary Guidance (SG). These policies / SG provide adequate safeguards to designated sites and other environmental concerns. Following discussions with RSPB with regard to the objections raised the Council proposes to amend SG LDP HOU1 and SG LDP BUS2 so that they require development proposals to be accompanied by an ecological assessment within areas known for bird / habitat sensitivities. The incorporation of this text would reassure RSPB enabling them to withdraw this element of their objection to the LDP (See RSPB letter dated 27<sup>th</sup> Sept. 2013 - **Production XXX**). The Council is currently working on a Habitats Regulations Appraisal for the LDP, in consultation with SNH to resolve SNH concerns.

**H4013 - Royal Society for the Protection of Birds (00040)**

This site is designated as a Potential Development Area (PDA) in the current adopted Argyll and Bute Local Plan (**production XXXX**). There is a particular demonstrable demand for new housing on Tiree as identified in the Council's Housing Needs and Demand Assessment (see **core Doc. Ref. xxx**). As the adjacent Housing Allocation designated in the adopted Argyll and Bute Local Plan (**production XXXX**) has now been fully developed it is considered pertinent to 'upgrade' this PDA to an Allocation to ensure an effective housing supply on the island.

**Conclusion**

In conclusion, the Council considers that the existing Settlement Zone boundaries and Housing Allocation H4013 should remain unaltered, as per the adopted Argyll and Bute Local Plan (H4013 formerly a PDA in this plan) and carried forward in the Proposed LDP, as the Council considers that there are appropriate environmental safeguards contained within the LDP policies and SG to protect environmentally designated sites from development that would have an adverse impact. The Council is currently working on a Habitats Regulations Appraisal for the LDP, in consultation with SNH to resolve SNH concerns.

**Reporter's conclusions:**

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**Reporter's recommendations:**

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<b>ISS312</b>	Development Land : Oban	
<b>Development plan reference:</b>	H4009 - Oban, Ganavan PDA 5/4 - Oban - Glencruitten PDA 5/5 - Oban - Glencruitten PDA 5/7 - Oban - Glencruitten PDA 5/6 - Oban - Longsdale Road PDA 5/3 - Oban - Longsdale H-AL 5/6 - Oban - Glengallon 3 CFR-AL 5/5 - Oban Hospital S306 - Nant Drive, Oban	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>           Mr Ruari Armstrong (01689)            Mr And Mrs Malcolm McPhail (01692)            Ms Eilidh Betts (01696)            Mrs Edythe Bingham (01706)            Mr And Mrs David M And Margaret E McKiddie (01708)            Mrs V A Fowler (01709)            Mr William J Calder (01713)            Mr Lamont Kenney (01716)            Mr Allan MacKechnie (01717)            Mr D Harper (01718)            Mrs M Wade (01734)            Mr Trevor J Wade (01735)            Mr And Mrs K And E Moncrieff (01739)            Mr And Mrs F Tindall (01765)            Mr And Mrs J Heward (01769)            Ms Jan Roberts (01770)            Mr Adam McCracken (01772)            Ms Lorraine McCracken (01773)            Mr Gordon McNab (01789)            Mr Robert Martin Kain (01807)            Mr John Hyde (01843)            Ms Alison McNab (00268)            Mr Derek Coope (01967)            Mrs J Coope (00222)            Mrs Valerie MacLeod (02029)            Ms Catherine Sunderland (02083)            Ms E Walton (00227)            Ms Melanie James (02006)            Ms Lorna Stevenson (02080)            Dr Anne Lorne Gillies (01721)            Mr Mark James (02005)            Ms Sophie James (02007)            Mr Peter S MacDougall (01786)            Mrs Morag Morley (01792)            Mr Graham Chadwick (01890)            Mr And Mrs Andrew And Fiona Campbell (01958)            Mr Richard Bingham (01707)         </p>		

<b>Provision of the development plan to which the issue relates:</b>	
<b>Planning authority's summary of the representation(s):</b>	
<p><b>H4009</b></p> <p><b><u>Density</u></b></p> <p><b>Mrs J Coope (00222), Ms Alison McNab (00268), Ms Lorraine McCracken (01773), Mrs Morag Morley (01792), Mrs V A Fowler (01709), Mr Adam McCracken (01772), Mr Gordon McNab (01789) Mr Graham Chadwick (01890), Mr Derek Coope (01967), Mr Mark James (02005), Ms Sophie James (02007)</b></p> <p>These objectors considered that the change from 40 units on this site as detailed in the adopted Local Plan to 100 units in the proposed LDP is inappropriate as they are of the view that the appropriate density should be 4 dwellings per acre.</p> <p><b>Ms Alison McNab (00268), Mrs Morag Morley (01792), Ms E Walton (00227) Mr Robert Martin Kain (01807) Mr William J Calder (01713), Ms Lorna Stevenson (02080), Ms Melanie James (02006), Ms Catherine Sunderland (02083)</b></p> <p>These objectors considered that the change from 40 units on this site as detailed in the adopted Local Plan to 100 units in the proposed LDP is inappropriate as they are of the view that the proposed density would be too high and constitute overdevelopment.</p> <p><b><u>Infrastructure - Road capacity/safety including need for footpath</u></b></p> <p><b>Mrs J Coope (00222), Ms Alison McNab (00268), Ms E Walton (00227), H4009 - Ms Lorraine McCracken (01773) Mrs Morag Morley (01792) Mrs V A Fowler (01709), Mr Adam McCracken (01772), Mr Peter S MacDougall (01786),- Mr Gordon McNab (01789), H4009 - Mr Graham Chadwick (01890), Mr Richard Bingham (01707), Mr William J Calder (01713) Mr John Hyde (01843), Mr And Mrs J Heward (01769), Ms Jan Roberts (01770) Ms Lorna Stevenson (02080) Mr Derek Coope (01967), Ms Melanie James (02006), Mr Mark James (02005), Ms Sophie James (02007), Ms Catherine Sunderland (02083)</b></p> <p>These objectors considered that that the road is unsafe, already at capacity, not fit for purpose and upgrading is required especially relating to geometry and width of the road particularly around some of the bends prior to development taking place.</p> <p><b>Mrs J Coope (00222), Mr Gordon McNab (01789, Mrs Edythe Bingham (01706), H4009 - Mr Graham Chadwick (01890), Mr Richard Bingham (01707), Mr John Hyde (01843), Ms Jan Roberts (01770), Ms Lorna Stevenson (02080), Mr Derek Coope (01967), Ms Melanie James (02006), Mr Mark James (02005), Ms Sophie James (02007), Ms Catherine Sunderland (02083)</b></p> <p>These objectors consider that a footpath is required to be constructed prior to development taking place.</p> <p><b>Ms Catherine Sunderland (02083)</b> This objector recommends that a footpath is constructed as this was a condition of planning permission for the original 40 houses (Planning application refs. 05/00069/OUT and 09/01451/AMSC – <b>Production XXX</b>).</p> <p><b>Ms Alison McNab (00268), Mr Graham Chadwick (01890), Mr William J Calder (01713), Ms Catherine Sunderland (02083)</b></p> <p>These objectors considered that as large vehicles and public transport find it difficult to access the area that the road is unsafe, already at capacity.</p> <p><b>Ms Catherine Sunderland (02083)</b></p> <p>This objector is concerned that the road also has the parking for the Dunollie Castle ruin thus making it more difficult to negotiate.</p> <p><b>Ms Alison McNab (00268),</b></p> <p>This objector is concerned about inadequate site lines.</p> <p><b><u>Infrastructure (non-road)</u></b></p> <p><b>Ms Alison McNab (00268), Mrs Morag Morley (01792), Mr Peter S MacDougall (01786), Mr Gordon McNab (01789), Mr Graham Chadwick (01890)</b></p>	



These objectors consider the water and sewage infrastructure to be at capacity or inadequate for increased demands.

**Impact upon settlement / landscape character**

**Ms E Walton (00227) Mrs Morag Morley (01792), Mr Robert Martin Kain (01807) Mr Graham Chadwick (01890), Mr Richard Bingham (01707), Mr William J Calder (01713), Ms Catherine Sunderland (02083) Mr And Mrs Andrew And Fiona Campbell (01958)**

These objectors states that such a development would overwhelm the present settlement or have an impact on the local distinctiveness of the landscape. They are also concerned about the development of flats which in their view would change the character of the area.

**Mr And Mrs Andrew And Fiona Campbell (01958)** These objectors states that flats were expressly forbidden by the landowner when he sold the land for development.

**Ms E Walton (00227)** The objector claims that this would cause degradation of the countryside and that they make Oban a less attractive place to live.

**Reduced quality of life and negative impact on tourism**

**Ms E Walton (00227) Ms Alison McNab (00268), Mrs Morag Morley (01792), Mr Gordon McNab (01789), Mrs Edythe Bingham (01706), Mr Robert Martin Kain (01807) Mr Graham Chadwick (01890), Mr Richard Bingham (01707), Mr William J Calder (01713), Ms Jan Roberts (01770), Ms Melanie James (02006) Mr And Mrs Andrew And Fiona Campbell (01958)**

These objectors claim that the proposal would have a negative impact on tourism and would reduce the attractiveness of the area. They are also concerned that development of this site would lead to their existing homes being devalued. Other concerns include detrimental impact on cycling and walking leisure activities within the area.

**Wildlife**

**Ms E Walton (00227) Mrs Edythe Bingham (01706), Mrs J Coope (00222), Ms Alison McNab (00268), Mr Graham Chadwick (01890), Mr John Hyde (01843), Ms Jan Roberts (01770) Mr And Mrs Andrew And Fiona Campbell (01958)**

These objectors claim that there would be a negative impact on wildlife, often claiming that many rare species, particularly birds and red squirrels and general biodiversity would be affected by this development.

**Light and noise pollution**

**Ms Alison McNab (00268), Mr Gordon McNab (01789)**

These objectors consider that a development on the proposed scale would generate light and noise pollution.

**Facilities**

**Ms E Walton (00227), Mrs Edythe Bingham (01706)**

These objectors state that for the area to be developed as proposed additional facilities will have to be installed as it is too far from shops, school or other amenities and hence not an appropriate site .

**Mrs Edythe Bingham (01706)**

The objector states that street lighting would have to be installed.

**Grazing rights**

**Ms Alison McNab (00268),**

This objector states that this site has historical grazing rights.

**Young people unable to find employment**

**Mrs Morag Morley (01792),**

This objector states that there are no employment opportunities for young people who will reside in these new properties and the fore mentioned young people will cause trouble.

**PDA 5/3, PDA5/4, PDA 5/7, PDA 5/6**

**Landscape Character**

**Mr And Mrs F Tindall (01765), Mr And Mrs Malcolm McPhail (01692), Mr D Harper (01718), Mr Lamont Kenney (01716), Mr And Mrs David M And Margaret E McKiddie (01708) , Mr Ruari Armstrong (01689), Mr Allan MacKechnie (01717), Ms Eilidh Betts (01696); Elaine Cameron (01682 )**

These objectors all state that the proposed development of these sites is not sympathetic to the area.

**Quality of life**

**Mr And Mrs F Tindall (01765), Mr And Mrs Malcolm McPhail (01692) ,Mr D Harper (01718) , Mr Lamont Kenney (01716) ),Mr And Mrs David M And Margaret E McKiddie (01708) , Mr Ruari Armstrong (01689) , Mr Allan MacKechnie (01717), Ms Eilidh Betts (01696); Elaine Cameron (01682 )**

These objectors all state that it is important to preserve our green areas and that this land has always been designated as a green area, and families have made lifestyle decisions to settle here based assurances from the Council that the land would not be built on.

Glencruitten is an important leisure area for the residents of Oban. Families can appreciate the fresh air and beauty of the countryside, walk their dogs, ride their horses, keep fit by running walking or cycling, and play golf. Glencruitten Golf Club is a very important asset to the Town both for locals and visitors. They go on to state that the development of these sites will adversely affect the desirability of Oban as an attractive place to live, and it is essential to the future development of the town that we can attract people to come and settle here.

**House prices**

**Mr And Mrs F Tindall (01765), Mr And Mrs Malcolm McPhail (01692) ,Mr D Harper (01718) , Mr Lamont Kenney (01716) ),Mr And Mrs David M And Margaret E McKiddie (01708) , Mr Ruari Armstrong (01689) , Mr Allan MacKechnie (01717), Ms Eilidh Betts (01696); Elaine Cameron (01682 )**

These objectors state that the building up to 100 new houses will adversely affect existing Property prices.

**Tourism**

**Mr And Mrs F Tindall (01765), Mr And Mrs Malcolm McPhail (01692) ,Mr D Harper (01718) , Mr Lamont Kenney (01716) ),Mr And Mrs David M And Margaret E McKiddie (01708) , Mr Ruari Armstrong (01689) , Mr Allan MacKechnie (01717), Ms Eilidh Betts (01696); Elaine Cameron (01682 )**

These objectors state that the development of these sites will also adversely affect Tourism. Glencruitten in a beautiful area which is extensively used by visitors to play Golf, horse ride, cycle or simply to walk and appreciate.

**Infrastructure**

**Mr And Mrs F Tindall (01765), Mr And Mrs Malcolm McPhail (01692) ,Mr D Harper (01718) , Mr Lamont Kenney (01716) ),Mr And Mrs David M And Margaret E McKiddie (01708) , Mr Ruari Armstrong (01689) , Mr Allan MacKechnie (01717), Ms Eilidh Betts (01696); Elaine Cameron (01682 )**

These objectors state that the roads from Glencruitten and/or Polvinister into Oban will not support the number of cars created by the building of 60 to 100 new houses.

**Mr And Mrs David M And Margaret E McKiddie (01708), Mr Ruari Armstrong (01689), Ms Eilidh Betts (01696)**

These objectors state that because of their restricted width, poor alignment, and lack of pavements, the roads are totally inadequate to cope with the large increase in vehicular and pedestrian traffic generated by the building of a large number of new houses and that school children in particular could be placed at risk.

**Land condition**

**Mr And Mrs F Tindall (01765), Mr And Mrs Malcolm McPhail (01692) ,Mr D Harper (01718) , Mr Lamont Kenney (01716) ),Mr And Mrs David M And Margaret E McKiddie (01708) , Mr Ruari Armstrong (01689) , Mr Allan MacKechnie (01717), Ms Eilidh Betts (01696); Elaine Cameron (01682 )**

These objectors state that surveys have shown that much of the land designated for building has a water table on top of clay, so much of it may not be suitable for housing.

**PDA 5/6 - Mrs Valerie MacLeod (02029)**

The objector is concerned that development of this site would have an adverse impact upon Wildlife, especially the red squirrels. She is also concerned that the development of this site

would introduce street lights into an area where at present there are none and about taking away the natural beautiful land around Oban. She has concerns regarding the where are all the people would be coming from to live in these houses and where will they work?

**H-AL 5/6**

**Mrs M Wade (01734); Mr Trevor J Wade (01735)**

These objectors request that the woodland south of Balvicar Road be saved for visual amenity and biodiversity reasons.

**Mr Trevor J Wade (01735)**

This objectors believes that this site acts as a natural sponge that slows water discharge into Soroba Burn which discharges into Black Lynn.and so the development of this site lead to the Black Lynn being even more prone to flooding in town.

**CFR-AL 5/5**

**Mr Trevor J Wade (01735)**

This objector believes that this site acts as a natural sponge that slows water discharge into Soroba Burn which discharges into Black Lynn.and so the development of this site lead to the Black Lynn being even more prone to flooding in town. In addition, the objectors requests that the stand of trees is south of Balvicar Road be saved for visual amenity and biodiversity reasons

**S306**

**Mr And Mrs K And E Moncrieff (01739);**

This representee supports the designation of this area (**Production XXX**) as Countryside Zone in the LDP as they believe that this land is part of the rural environment and contains several informal paths used by walkers over the years. They are of the view that development of this land would be a major change to the landscape of the Glencruitten area and should not be permitted for this reason and as there is no access to this area from Nant Drive, water and sewage issues are an ongoing problem in this area.

**Dr Anne Lorne Gillies (01721)**

This objector requests the inclusion of this area containing 33.8 acres in the Settlement Zone for Oban. It is their view that this area is adjacent to the existing settlement area and although on the other side of the railway line it is near the proposed route of the Development Road. The site clearly would not have a detrimental impact on the surrounding landscape and access could be obtained through ground owned by Drimvargie Properties.

**Modifications sought by those submitting representations:**

**H4009**

**Remove the allocation.**

**Mr Robert Martin Kain (01807) Mr William J Calder (01713) Mr And Mrs Andrew And Fiona Campbell (01958)**

These objectors seek to remove the allocation.

**Mr And Mrs Andrew And Fiona Campbell (01958)** want the area to be used as a recreational retreat.

**Alison McNab (00268)**

Requests that the area be zoned as sensitive to prevent any developments in the future

**Reduce the number of units in the allocation.**

**Ms E Walton (00227) Ms Alison McNab (00268) Mr Peter S MacDougall (01786) Mr Gordon McNab (01789), Mrs Edythe Bingham (01706), Mrs Morag Morley (01792), Mr Graham Chadwick (01890) Mr Richard Bingham (01707), Mr And Mrs J Heward (01769), Ms Jan Roberts (01770), Ms Catherine Sunderland (02083)**

These objectors seek to reduce the number of unit in the allocation to a maximum of 40 units.

**Road improvements**

**Ms E Walton** (00227), **Ms Lorraine McCracken** (01773), **Mr Adam McCracken** (01772), **Mrs Edythe Bingham** (01706), **Mr And Mrs J Heward** (01769), **Ms Jan Roberts** (01770), **Ms Catherine Sunderland** (02083)

These objectors require road improvements to be implemented.

**Units to retain the settlements character**

**Mrs Edythe Bingham** (01706), **Mr Richard Bingham** (01707)

These objectors require any development to retain the character of the area.

**Footpath**

**Mrs Edythe Bingham** (01706), **Mr Richard Bingham** (01707) **Mr John Hyde** (01843), **Mr And Mrs J Heward** (01769), **Ms Jan Roberts** (01770), **Ms Catherine Sunderland** (02083)

These objectors require a foot path providing pedestrian access to Oban to be included in the plan as this was a condition of the original planning permission.

**Infrastructure and facilities**

**Mr Robert Martin Kain** (01807)

Provide upgrades to infrastructure.

**Mrs Edythe Bingham** (01706),

This objector seeks the plan to include a proposal to install street lighting in the settlement.

**Mrs Morag Morley (01792),**

That the plan allocates a wide variety of community facilities for the area.

**PDA 5/6 - Mrs Valerie MacLeod** (02029)

Leave our natural land undeveloped.

**CFR-AL 5/5**

**Mr Trevor J Wade** (01735)

This objector requests that flood attenuation works be carried out downstream from this site prior to development taking place.

**S306**

**Mr And Mrs K And E Moncrieff** (01739);

This representee requests the retention of the LDP as currently proposed.

**Dr Anne Lorne Gillies** (01721)

This objector requests the inclusion of this area in the Settlement Zone for Oban.

**Summary of responses (including reasons) by planning authority:**

**H4009**

This site is an existing Potential Development Area (PDA 5/170) in the adopted Local Plan. Planning permission for 40 houses (Planning application refs. 05/00069/OUT and 09/01451/AMSC – **Production XXX**) has been granted on this site. As part of the development plan review process at Main Issues Report stage it was concluded that there should be a general increase in housing density on development sites. This increase was carried forward for this site and its status upgraded to housing allocation as the site could be considered effective as planning permission had been approved. However, the Council acknowledge that the capacity of the existing road network is such that an increase from 40 to 100 units is likely to cause road safety issues. This has been confirmed by the Council's Roads Engineers. Given that it has been assessed as being acceptable to develop 40 units on this site through the above planning applications, the Council would have no objection to the reduction in the proposed number of units from 100 to 40, should the Reporter be so minded.

**H-AL 5/6; CFR- AL 5/5; PDA 5/3, PDA5/4, PDA 5/7, PDA 5/6**

The Council considers that the projected decline in total population is a real threat to the viability of the area (including Kilchrenan) with a potential to adversely impact on the

economy/wealth creation, workforce availability and efficient service delivery. The overall objective of the Council's Single Outcome Agreement/Community Plan (SOA) (Core Doc Ref. xxx) that has been approved by the Scottish Government for the 10 years to 2023 is "Argyll and Bute's economic success is built on a growing population." (See page 12 of the SOA). This outcome is in turn entirely supportive of the 6 national policy priorities set out in the national guidance on community planning and will also see Argyll and Bute contribute to the national outcomes for Scotland. The LDP can assist this overall outcome in a number of ways including providing for a generous supply of land for new housing sites in places where people want to live. The Council contend that Potential Development Areas H-AL 5/6; CFR-AL 5/5; PDA 5/3, PDA5/4, PDA 5/7, PDA 5/6 are suitable sites for the delivery of such development in the settlement of Oban. None of these sites are subject to flood risk and biodiversity issues are safeguarded through proposed LDP policies and Supplementary Guidance. Furthermore, these sites are existing Allocations and Potential Development Areas in the adopted Local Plan. The proposed LDP seeks to carry these forward in order to increase the development options in the main settlement of Oban to ensure that development choice exists for the continued supply of new housing and community facilities for the wider socio economic interests of Oban and the surrounding area. Additional development sites PDA 5/3, PDA5/4, PDA 5/7 and PDA 5/6, as a collective, are considered critical to the realisation of the construction of the Oban Development Road (DRA 5/3 in the LDP) which is considered of significant importance for the long term development aspirations of this part of Argyll.

**S306**

The Council is of the view that the existing Allocations and Potential Development Areas in the adopted Local Plan that the proposed LDP seeks to carry forward are adequate in order to increase the development options in the main settlement of Oban to ensure that development choice exists for the continued supply of new housing and community facilities for the wider socio economic interests of Oban and the surrounding area. Given this, the Council is of the view that this site should be retained as Countryside Zone as currently proposed in the LDP.

**Conclusion**

In conclusion, taking into account the representations duly made, the Council is of the view that the settlement plan for Oban should remain as proposed in the LDP.

**Reporter's conclusions:**

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**Reporter's recommendations:**

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<b>ISS317</b>	Development Land : Kames, Kilmelford	
<b>Development plan reference:</b>	S308 - Kames, Kilmelford S331 - Kames, Kilmelford - ROA West of Kames S330 - Kames, Kilmelford - Settlement Zone S333 - Kames, Kilmelford - PDA 5/156 S332 - Kames, Kilmelford - ROA East of Kames	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Kames Fish Farming (01902) Mr Charles Rentoul (01542) Ms Jane Rentoul (00524) Mr Fergus Gillanders (00436) Mr Alan Loughray (00914)		
<b>Provision of the development plan to which the issue relates:</b>		
<b>Planning authority's summary of the representation(s):</b>		
<p><b><u>S308 - Established Business and Industry Area, Kames</u></b>  <b>Kames Fish Farming (01902)</b>  The objector requests that the area immediately south of Kames Fish Farming Limited be changed either to Settlement Zone, Rural Opportunity Area or Established Business &amp; Industry area as it already includes a tied house for fish farming staff and in the future it may be required for further housing for potential staff accommodation, since we are developing the hatchery with recirculation.</p> <p><b><u>S330 – Settlement Zone boundaries, Kames</u></b>  <b>Mr Charles Rentoul (01542); Ms Jane Rentoul (00524); Mr Fergus Gillanders (00436); Mr Alan Loughray (00914); Lorna Hill (00836)</b>  These objectors request removal of two small areas of Settlement Zone at either end of the existing housing development as any development in these locations would be prominent, detrimental to the landscape character of this Area of Panoramic Quality and both are in areas of valued open space.</p> <p><b><u>S331 – Rural Opportunity Area (ROA) west of Kames</u></b>  <b>Kames Fish Farming (01902); Mr Charles Rentoul (01542); Ms Jane Rentoul (00524)</b>  These objectors have requested the removal of this ROA and its redesignation as Countryside Zone as more than enough development in the countryside has already consented or has taken place.</p> <p><b><u>S332 – ROA East of Kames</u></b>  <b>Mr Alan Loughray (00914); Lorna Hill (00836)</b>  The objector requests that this area of ground be redesignated as Very Sensitive Countryside due to it being between the dwellings and the bad neighbour in reverse.</p>		

**S333 – Former PDA 5/156 (In Local Plan proposed to be removed in LDP)**

**Mr Charles Rentoul** (01542); **Ms Jane Rentoul** (00524); **Mr Fergus Gillanders** (00436); **Mr Alan Loughray** (00914); **Lorna Hill** (00836)

These people support the proposed removal of PDA 5/156 as proposed in the LDP but **Mr Charles Rentoul** (01542); **Ms Jane Rentoul** (00524); **Mr Fergus Gillanders** (00436); **Lorna Hill** (00836) request that the designation proposed, Countryside Zone, be amended to Open Space Protection Area as it is an area of valued open space.

**Modifications sought by those submitting representations:****S308 - Established Business and Industry Area, Kames**

**Kames Fish Farming** (01902)

Increase the Established Business and Industry Area around Kames Fish Farming Limited.

**S330 – Settlement Zone boundaries, Kames**

**Mr Charles Rentoul** (01542); **Ms Jane Rentoul** (00524); **Mr Fergus Gillanders** (00436); **Mr Alan Loughray** (00914)

These objectors request removal of two small areas of Settlement Zone.

**S331 – Rural Opportunity Area (ROA) west of Kames**

**Kames Fish Farming** (01902); **Mr Charles Rentoul** (01542); **Ms Jane Rentoul** (00524)

These objectors have requested the removal of this ROA and its redesignation as Countryside Zone.

**S332 – ROA East of Kames**

**Mr Alan Loughray** (00914)

The objector requests that this area of ground be redesignated as Very Sensitive Countryside.

**Lorna Hill** (00836) The objector requests the removal of this Rural Opportunity Area both sides of the A816.

**S333 – Former PDA 5/156 (In Local Plan proposed to be removed in LDP)**

**Mr Charles Rentoul** (01542); **Ms Jane Rentoul** (00524); **Mr Fergus Gillanders** (00436);

**Lorna Hill** (00836) These objectors request that the designation proposed, Countryside Zone, be amended to Open Space Protection Area.

**Summary of responses (including reasons) by planning authority:****S308 - Established Business and Industry Area, Kames**

**Kames Fish Farming** (01902)

The existing Established Business and Industry Area designated by the adopted Argyll and Bute Local Plan (**Core Doc XXX**), and proposed to be carried forward in the LDP, protects the existing business and industry development in this location. Insufficient justification has been presented to the Council for a need to designate a new Allocation or Potential Development Area for Business and Industry Development around Kames Fish Farming Limited at the present time.

**S330 – Settlement Zone boundaries, Kames**

**Mr Charles Rentoul** (01542); **Ms Jane Rentoul** (00524); **Mr Fergus Gillanders** (00436); **Mr Alan Loughray** (00914)

The Council is of the view that the boundaries of Settlement Zone at Kames correctly delineate the 'settled area'. It should be noted that Settlement Zone designation does not indicate that these two areas should be considered as development sites.

**S331 – Rural Opportunity Area (ROA) west of Kames**



**Kames Fish Farming** (01902); **Mr Charles Rentoul** (01542); **Ms Jane Rentoul** (00524)

The boundaries of the Rural Opportunity Areas Development (ROAs) Control Zone were originally identified in the Argyll and Bute Local Plan (Core Document Ref XXX). The intention of this zone was to identifying areas outwith the settlements within which there is a general capacity to successfully absorb small scale housing development. This includes open countryside locations where appropriate forms of small- scale housing development will be in tune with landscape character and development pattern. The ROA Zone was the subject of objections and dealt with at the public local inquiry into the local plan. The Reporters recommended the removal of the Rural Opportunity Areas in National Scenic Areas and Areas of Panoramic Quality, due in part to the lack of a landscape assessment by a qualified landscape architect. (Reporters Findings Chap 3.3, Core Document Ref XXX). The Council did not agree with the Reporters Findings in this instance and proposed a way forward to assess and retain some capacity for open countryside development in these sensitive areas (Statement of Decisions on Reporters' Findings : Committee Report, Core Document XXX). The Adopted Local Plan states "... Development proposals located in the open countryside within Rural Opportunity Areas positioned within National Scenic Areas and Areas of Panoramic Quality will be considered premature until a Landscape Capacity Study covering the relevant Rural Opportunity Area has been completed and approved by the Council. Thereafter, development proposals will be expected to be consistent with the findings contained within the Landscape Capacity Study." Gillespies were commissioned to undertake the Landscape Capacity Studies in the Rural Opportunity Zones that lay within National Scenic Areas and Areas of Panoramic Quality. The proposed Local Development Plan has taken into account the findings of the Gillespies reports by including the majority of the areas identified with 'potential to absorb development' as Rural Opportunity Area Development Management Zone and those identified as 'not recommended for development' as Countryside Development Management Zone (PLDP Proposals Maps, Core Document Ref XXX). The ROA referred to by the objectors is located within an Area of Panoramic Quality and so has been subject to the above process. As a result of the Argyll and Bute Landscape Capacity Study – Lorn and the Inner Isles (Core Doc. XXX) the ROA in question (LN81 in report) has been significantly reduced in size in the proposed LDP. The Council is of the view that this document accurately reflects the development capacity of this area and so recommends that the proposed LDP remains unaltered.

**S332 – Ground between Kames Bay and Kames Fish Farm Pier**

**Mr Alan Loughray** (00914)

The Council is of the view that this area of ground is not isolated from existing development, elevated enough or remote enough to be considered suitable for redesignated as Very Sensitive Countryside.

**Lorna Hill** (00836) This Rural Opportunity Area does not extend both sides of the A816 in either the adopted Local Plan or the proposed LDP. This ROA has been subject to the same process of revision detailed in **S331 – Rural Opportunity Area (ROA) west of Kames, above**. The result of which is that, the Argyll and Bute Landscape Capacity Study – Lorn and the Inner Isles (**Core Doc. XXX**) the ROA in question (LN80 in report) has been significantly reduced in size in the proposed LDP. The Council is of the view that this document accurately reflects the development capacity of this area and so recommends that the proposed LDP remains unaltered.

**S333 – Former PDA 5/156 (In Local Plan proposed to be removed in LDP)**

**Mr Charles Rentoul** (01542); **Ms Jane Rentoul** (00524); **Mr Fergus Gillanders** (00436); **Mr Alan Loughray** (00914)

The Council welcomes the support shown for the removal of PDA 5/156 from the Plan. However, the Council is of the view that this site does not constitute ground used for sport, leisure or recreation or have significant amenity value to the wider community that requires 'Open Space Protection Area' status.

In conclusion, taking into account all representations duly made, the Council is of the view that the settlement plan for Kames should remain as detailed in the proposed LDP.

**Reporter's conclusions:**

**Reporter's recommendations:**

ISS327	AFA 5/10 – Cuan Sound	
Development plan reference:	AFA 5/10 – Cuan Sound	Reporter:
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Scottish Natural Heritage (01587)		
<b>Provision of the development plan to which the issue relates:</b>		
<b>Planning authority's summary of the representation(s):</b>		
<p><b>AFA 5/10 - Scottish Natural Heritage (01587)</b>  This objector states that this proposal is within Firth of Lorn Special Area of Conservation (SAC) and so requires assessment as part of the Habitats Regulations Appraisal (HRA) of this plan.</p>		
<b>Modifications sought by those submitting representations:</b>		
<p><b>AFA 5/10 - Scottish Natural Heritage (01587)</b>  Satisfactory conclusion of the HRA of this plan.</p>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p><b>AFA 5/10 - Scottish Natural Heritage (01587)</b>  This Area for Action has not been altered in the LDP. It remains as per the adopted Argyll and Bute Local Plan (Production XXXX). In addition, any development proposals would be subject to all other policies in the LDP and associated Supplementary Guidance (SG). These policies / SG provide adequate safeguards to designated sites and other environmental concerns. The Council is currently working on a Habitats Regulations Appraisal for the LDP, in consultation with SNH to resolve SNH concerns.</p>		
<b>Reporter's conclusions:</b>		
<b>Reporter's recommendations:</b>		

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ISS3278	AFA 5/11 – Easdale Sound	
Development plan reference:	AFA 5/11 – Easdale Sound	Reporter:
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Scottish Natural Heritage (01587)		
<b>Provision of the development plan to which the issue relates:</b>		
<b>Planning authority's summary of the representation(s):</b>		
<p><b>AFA 5/11- Scottish Natural Heritage (01587)</b>  This objector states that this proposal is within Firth of Lorn Special Area of Conservation (SAC) and so requires assessment as part of the Habitats Regulations Appraisal (HRA) of this plan.</p>		
<b>Modifications sought by those submitting representations:</b>		
<p><b>AFA 5/11 - Scottish Natural Heritage (01587)</b>  Satisfactory conclusion of the HRA of this plan.</p>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p><b>AFA 5/11 - Scottish Natural Heritage (01587)</b>  This Area for Action has not been altered in the LDP. It remains as per the adopted Argyll and Bute Local Plan (Production XXXX). In addition, any development proposals would be subject to all other policies in the LDP and associated Supplementary Guidance (SG). These policies / SG provide adequate safeguards to designated sites and other environmental concerns. The Council is currently working on a Habitats Regulations Appraisal for the LDP, in consultation with SNH to resolve SNH concerns.</p>		
<b>Reporter's conclusions:</b>		
<b>Reporter's recommendations:</b>		

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<b>ISS329</b>	<b>MIN-AL 5/1 – Benderloch</b>	
<b>Development plan reference:</b>	MIN-AL 5/1 – Benderloch	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Scottish Natural Heritage (01587)		
<b>Provision of the development plan to which the issue relates:</b>		
<b>Planning authority's summary of the representation(s):</b>		
<p><b>MIN-AL 5/1 - Scottish Natural Heritage (01587)</b>  This objector states that there is a likelihood that badger setts are within the quarry expansion area.</p>		
<b>Modifications sought by those submitting representations:</b>		
<p><b>MIN-AL 5/1 - Scottish Natural Heritage (01587)</b>  This objector requests that the Plan should include 'Development Factors' and 'Developer Requirements' for firm allocations. For this allocation this factor should be listed, with a requirement that a badger survey and protection plan if necessary should form part of the species survey and mitigation plan to accompany any planning application for extension of the quarry.</p>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p><b>MIN-AL 5/1 - Scottish Natural Heritage (01587)</b>  This Minerals Allocation has not been altered in the LDP. It remains as per the adopted Argyll and Bute Local Plan (<b>Production XXXX</b>). Planning permission has also been approved for the extraction of minerals on this site (Planning permission ref 03/00238/MIN – <b>Production XXX</b>). In addition, any development proposals would be subject to all other policies in the LDP and associated Supplementary Guidance (SG). These policies / SG provide adequate safeguards to designated sites and other environmental concerns. The Council has also amended the Mini Brief accompanying this site that is located within Supplementary Guidance to include a requirement that a badger survey and protection plan if necessary should form part of the species survey and mitigation plan to accompany any planning application for extension of the quarry (<b>Core Doc XXX</b>).</p>		
<b>Reporter's conclusions:</b>		
<b>Reporter's recommendations:</b>		





<b>ISS330</b>	<b>MIN-AL 5/2 – Taynuilt, Barrachander</b>	
<b>Development plan reference:</b>	MIN-AL 5/2 – Taynuilt, Barrachander	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Scottish Natural Heritage (01587)		
<b>Provision of the development plan to which the issue relates:</b>		
<b>Planning authority's summary of the representation(s):</b>		
<p><b>MIN-AL 5/2 - Scottish Natural Heritage (01587)</b>  This objector states that there is a belt of ancient woodland (Type 1a – Ancient: Semi-Natural Origin) runs NW-SE through this area which has been fragmented in this locality by quarry workings.</p>		
<b>Modifications sought by those submitting representations:</b>		
<p><b>MIN-AL 5/2 - Scottish Natural Heritage (01587)</b>  This objector requests that the Plan should include 'Development Factors' and 'Developer Requirements' for firm allocations and for this allocation this factor should be listed, with a requirement that any application for extension of this quarry should be accompanied by a species survey and if necessary protection plan, and by a woodland management plan to minimise/compensate habitat fragmentation.</p>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p><b>MIN-AL 5/2 - Scottish Natural Heritage (01587)</b>  This Minerals Allocation has not been altered in the LDP. It remains as per the adopted Argyll and Bute Local Plan (<b>Production XXXX</b>). Planning permission has also been approved for the extraction of minerals on this site (Planning permission ref 08/02169/MIN – <b>Production XXX</b>). In addition, any development proposals would be subject to all other policies in the LDP and associated Supplementary Guidance (SG). These policies / SG provide adequate safeguards to designated sites and other environmental concerns. The Council has also amended the Mini Brief accompanying this site that is located within Supplementary Guidance to include a requirement that a species survey, and if necessary protection plan, and a woodland management plan to minimise/compensate habitat fragmentation accompanies any planning application for extension of the quarry (<b>Core Doc XXX</b>).</p>		
<b>Reporter's conclusions:</b>		
<b>Reporter's recommendations:</b>		



<b>ISS331</b>	<b>MIN-AL 5/3 – Bonawe</b>	
<b>Development plan reference:</b>	MIN-AL 5/3 – Bonawe	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Scottish Natural Heritage (01587)		
<b>Provision of the development plan to which the issue relates:</b>		
<b>Planning authority's summary of the representation(s):</b>		
<p><b>MIN-AL 5/3 - Scottish Natural Heritage (01587)</b>  This objector states that this site is partly within the Bonawe to Cadderlie SSSI; there also appears to be an area of ancient woodland (Type 1a – Ancient: Semi-Natural Origin) at the SE corner of the allocation within a potential expansion area and it is adjacent to Loch Etive Woods Special Area of Conservation (SAC) (qualifying interests include otter) and so should be assessed as part of the Habitats Regulations Appraisal (HRA) of this plan.</p>		
<b>Modifications sought by those submitting representations:</b>		
<p><b>MIN-AL 5/3 - Scottish Natural Heritage (01587)</b>  This objector requests that the Plan should include 'Development Factors' and 'Developer Requirements' for firm allocations. For this allocation this factor should be listed, with a requirement that any application for extension of this quarry should not have any adverse effects on the integrity of the SAC (including otter) or SSSI; be accompanied by a species survey and protection plan; and be accompanied by a woodland management plan to minimise/compensate loss of woodland. This objector requests the satisfactory conclusion of HRA of this plan.</p>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p><b>MIN-AL 5/3 - Scottish Natural Heritage (01587)</b>  This Minerals Allocation has not been altered in the LDP. It remains as per the adopted Argyll and Bute Local Plan (<b>Production XXXX</b>). Planning permission has also been approved for the extraction of minerals on this site (Planning permissions ref 99/01121/MIN / 02/01634/VARCON – <b>Production XXX</b>). In addition, any development proposals would be subject to all other policies in the LDP and associated Supplementary Guidance (SG). These policies / SG provide adequate safeguards to designated sites and other environmental concerns. The Council has also amended the Mini Brief accompanying this site that is located within Supplementary Guidance to include a requirement that any application for extension of this quarry should not have any adverse effects on the integrity of the SAC (including otter) or SSSI; be accompanied by a species survey and protection plan; and be accompanied by a woodland management plan to minimise/compensate loss of woodland (<b>Core Doc XXX</b>). The Council is currently working on a Habitats Regulations Appraisal for the LDP, in consultation with SNH to resolve SNH concerns.</p>		

**Reporter's conclusions:**

**Reporter's recommendations:**