

**MINUTES of MEETING of PLANNING, PROTECTIVE SERVICES AND LICENSING
COMMITTEE held in the MAIN HALL, CRAIGNISH VILLAGE HALL, ARDFERN
on MONDAY, 17 JUNE 2013**

Present: Councillor Sandy Taylor (Chair)

Councillor Gordon Blair	Councillor Alistair MacDougall
Councillor Rory Colville	Councillor Donald MacMillan
Councillor Robin Currie	Councillor Alex McNaughton
Councillor Mary-Jean Devon	Councillor James McQueen
Councillor Fred Hall	Councillor Richard Trail
Councillor David Kinniburgh	

Attending: Charles Reppke, Head of Governance and Law
Richard Kerr, Area Team Leader, Major Applications
Peter Bain, Area Team Leader, MAKI
Paul Houghton, Applicant's Agent
Colin Renfrew, Fyne Homes
Colin Davidson, Craignish Community Council
Patricia Barclay, Supporter
Chris Thornhill, Supporter
Hamish MacNicol, Supporter
Norman McNiven, Supporter (for Claire McNiven)
Joan Allan, Supporter
Lucy Thornhill, Supporter
Kenneth Ross, Supporter
Councillor Douglas Philand, Supporter
Tony Gill, Objector
Ronald McIlquham, Objector
Rachel Rogers, Objector
Colin Smith, Objector
Ania Zwozdiak, Objector
Chris McIlquham, Objector
Iain Saunders, Objector
Sandy MacKilligin, Objector
Peter Richardson, Objector
Alan White, Objector

1. APOLOGIES FOR ABSENCE

Apologies for absence were intimated from Councillors George Freeman and Robert G MacIntyre.

2. DECLARATIONS OF INTEREST

None declared.

**3. THE GENERAL TRUSTEES OF THE CHURCH OF SCOTLAND:
ERECTION OF RESIDENTIAL DEVELOPMENT COMPRISING 11
DWELLINGHOUSES (6 AFFORDABLE), INSTALLATION OF
TREATMENT PLANT AND ASSOCIATED VEHICULAR ACCESSES:
LAND SOUTH WEST OF ARDFERN HOUSE, ARDFERN (REF:
12/02766/PP)**

The Chair welcomed everyone to the meeting and introductions were made.

Charles Reppke, Head of Governance and Law, advised of two letters that had been handed to him prior to the start of the hearing, one from Erica Thornhill and the other from Brian Sutherland. He advised that they were unable to attend the hearing today due to work commitments but wished to indicate their support for this application. Mr Reppke then outlined the hearing procedure that would be followed and invited anyone who wished to speak at the meeting to identify themselves.

The Chair then invited the Planning Officer to set out his recommendations.

PLANNING

Peter Bain presented the case on behalf of the Head of Planning and Regulatory Services. He advised that the application sought detailed planning permission for 11 dwellings, formation of 4 vehicular accesses, highway improvements and the installation of a private sewage treatment system. He advised that the applicant was the Church of Scotland General Trustees although there was a partnership arrangement with Fyne Homes who intended to undertake the affordable housing element of the development. He advised that the application related to a site area of almost 1 hectare located adjoining the southern built limits of Ardfern. The application site was bounded to the north by the grounds of Ardfern House and Craignish Parish Church – both of which were B listed buildings. The application site was adjoined by the B8002 public road to the east with an open aspect over Loch Craignish; to the west the site was contained by a steeply rising, wooded escarpment. The site terminated in the south at a wooded common boundary with the existing detached single storey dwelling, Traighmhor which formed the northern limit of the loose cluster of residential development at Barfad. Referring to the earlier site inspection, he advised that Members would be aware that the application site was an undeveloped edge of settlement location which lay between the edge of Ardfern and the loose, dispersed grouping of residential development at Barfad to the south. The gap between the existing Ardfern settlement edge and Barfad was similarly evident from further afield when viewed in the panoramic views of Loch Craignish. He advised that the application site itself was essentially a long, narrow strip of some 260 metres in length which varied in width from 25 metres to 55 metres. In terms of the proposed site layout he advised that the application sought detailed planning permission for 11 dwellings in total which included 6 affordable units which would be contained in 2 blocks located in the northern third of the application site with each block containing 2 flats and 1 house. He advised that the affordable housing

would be served by a single new vehicular and pedestrian access onto the B8002 with a shared parking court located between and slightly in front of the two housing blocks and with private garden areas adjoining each of the properties. He advised that the proposal also included 5 private dwellinghouses to be located within sizeable plots which would occupy the southern half of the application site. He advised that access to the private housing would be via new shared accesses to plots 2&3, 4&5 with plot 1 served by a new access which would also provide agricultural access to the Upper Glebe land to the north west. The existing field access in the south of the application site would be closed off. He advised that the proposal as submitted included some minimal road widening works and provision of pedestrian refuge points with the intention of seeking to avoid introducing an urban footpath into this rural location. Water supply would be by connection to the existing public water main and it was noted that Scottish Water have not raised objection. In relation to foul water, he advised that the proposal included the installation of 2 biodisc sewage treatment plant with a combined outfall to Loch Craignish and that SEPA have not raised objection to the proposed drainage arrangements. He advised that since its original submission the proposal has been augmented by detailed proposals for the management of the adjoining woodland areas which would be affected by the development. These proposals include for the removal of up to 25 trees which are either dangerous or in poor health and longer term management of these areas include replanting with native species. He then went on to explain in detail the proposed design of each of the housing units. He advised that the Head of Planning & Regulatory Services report of handling dated 3 May and accompanying supplementary reports dated 21 May and 12 June set out the material considerations which have been taken into account by Officers in addition to the provisions of the Development Plan in assessing this planning application and in making a recommendation to Members. He highlighted on the Argyll and Bute Local Plan 2009 Policy Map the extent of the Potential Development Area 12/80 which the site lay within and also Ardfern 'settlement' area and the Knapdale/Melfort Area of Panoramic Quality which the site was also located within. He referred to the key Development Plan policy considerations which were relevant to the proposed development and advised that a detailed assessment of the proposal in relation to these policies was set out in the report of handling. He advised that these policies could be loosely broken down into the following issues: Settlement Strategy, Landscape, The Historic Environment, The Natural Environment, Development Design, and Access and Servicing. He advised that Policies STRAT DC 1 and LP HOU 1 set out a general presumption in favour of up to and including 'medium' scale residential development on appropriate locations subject to compliance with all other relevant provisions of the Development Plan. He advised that the Local Plan sets out within PDA 12/80 a requirement for 100% affordable, high density housing with open space provision and that these aspirational provisions of the PDA were also echoed in the Craignish Community Plan 2012. He advised that the inclusion of any private housing within the development of PDA 12/80 would represent a departure to the Development Plan in so far as it would not be consistent with the requirements of policy P/PDA 1 and PDA 12/80 as expressed in Appendix E of the Local Plan. In this respect the proposal would also, by

default, have to be considered as contrary to policies STRAT DC 1 and LP HOU 1 which both require consistency with all other Development Plan policies. He advised that the applicant has in their submission stated that this application included provision of 6 affordable houses which are to be built by Fyne Homes following receipt of a grant from the Council's Rural Housing Development Fund which is ring fenced for use at the Glebe and as such is not transferable for use at another location, even within Ardfern. He advised that Fyne Homes have confirmed that with the current funding package that they are unable to deliver any more than the 6 affordable units proposed and have confirmed that even this is only possible with the assistance of the Church of Scotland who have agreed to sell the land for a sum of £10,000 and directly fund the costs of design and applications by some further £20,000. Over and above this, the Applicant's specified aim for the proposal is to address a historic lack of provision of social housing within Craignish. These aspirations, if not the inclusion of private housing, are supported by both the Local Plan and the Craignish Community Plan. In assessing the current application and being mindful of the current financial climate, he advised that Officers were accepting of the requirement to be flexible and innovative in the delivery of affordable housing which the market would otherwise not be able to support. To this end there was an acceptance that the inclusion of an element of private housing may indeed be necessary to secure delivery of affordable housing at the Glebe. It was however of some concern that the current proposal would result in the loss of 50% of the site area to private housing development – in this respect he advised that it should be made clear to Members that there was no direct correlation between the extent of private housing proposed and any shortfall in funding necessary for Fyne Homes to deliver the development. He advised that the Applicant has confirmed in discussions with Officers that the extent of private housing was instead predicated by an aspiration to achieve capital receipts on the full market value for a portion of the PDA with any such receipts to be retained by Craignish Parish and used for its upkeep in the longer term. He advised that whilst this position falls far short of the aspirations stated in the Local Plan and Craignish Community Plan for 100% affordable housing provision it does remain nonetheless a fully funded development opportunity to immediately provide 6 affordable units within a locality which urgently requires social housing provision. He stated that Members were accordingly advised that in this instance such circumstances are material planning considerations and could, if Members were so minded, provide reasonable grounds for justifying the principle of a mix of affordable and private housing development within PDA 12/80 as a 'minor departure' to the Development Plan having regard to the provisions of policy LP DEP 1. Moving on to look at the assessment of the landscape and visual impact of the proposed development he advised that it was noted that policies STRAT DC 8 and LP ENV 10 set out a general presumption that development in, or adjacent to, an Area of Panoramic Quality will be resisted where its scale, location or design will have a significant impact on the character of the landscape – except where any such adverse effects are outweighed by social and economic benefits of National or regional importance. Policy LP ENV 19 sets out that the Council will require developers to produce and execute a high standard of appropriate design in accordance with the design principles set out in Appendix A of the Local Plan and the Council's Sustainable

Design Guidance in respect of development setting, layout, density and design. He advised that whilst the Local Plan and the Council's Design Guidance sets out that 'ribbon' type development should be avoided it has to be acknowledged that the physical characteristics and topographical containment of the application site combined with the requirement for high density development will to a large degree predicate a linear arrangement of buildings along the B8002. However, rather than simply accepting the Applicant's proposed layout on this basis it would also be appropriate to give consideration to the requirement within the Local Plan for open space provision – particularly as this offers considerable scope to mitigate against the undesirable visual effect of 'ribbon' development with the retention of significant, undeveloped gaps between buildings also providing significant opportunity for meaningful strategic landscape planting. He advised that the development had a road frontage of almost 240 metres in length yet the only substantial element of undeveloped space which would be evident from the B8002 would be a 25 x 25 metre strip located between the proposed agricultural access adjoining plot 1 and the southern gable of affordable housing block 2. The only other significant break in built development will accommodate the communal car parking court for the affordable housing and cannot be afforded the same visual amenity value. Smaller 10 metre gaps between the buildings on plots 1 & 2 and 3 & 4 will offer some limited potential for landscape planting but are unlikely to be retained in full. He advised that it was the consideration of Officers that the layout of the proposed development has failed to satisfactorily address the constraints of the site given the absence of sufficient elements of open space which would be reflective of this rural setting. In this respect it is suggested that the proposal could be significantly improved by deletion of development on plot 1 to provide an extended, landscape area between the affordable and private housing. This would provide a gap between buildings of over 60 metres and encompassing an area of almost 1400sqm. Such a space or similar provision, elsewhere within the development, would emphasise a degree of visual separation between two nodes of development and would provide a meaningful break in an otherwise near uninterrupted run of roadside development. Provision of a substantial area of landscape planting within areas of open space and curtilage of private dwellings would also assist significantly with the integration of development at this location. He then referred in more detail to concerns regarding the affordable housing design. He advised that Officers have discussed their concerns over the design and layout of the proposed development at length with the Applicant and suggested that this element of the proposal be revisited with a view to adding architectural detail and breaking up the overbearing mass of these considerable buildings – this could be achieved amongst other means by a combination of horizontally and vertically stepping the building frontages and roofscapes and with the introduction of traditional design detail such as dormers, porches, window bands and extending the palette of external finishes. The Applicant and Fyne Homes have indicated that such improvements are not unfeasible in relation to the current proposal and submitted draft drawings in early May showing an amended design and layout for the affordable housing development which largely address the concerns expressed by Officers. Members are however advised that the proposed amendments are extensive and, following discussion with the Head of Planning &

Regulatory Services, were considered to represent a material amendment to the original submission and as such could not be considered within the procedural confines of the current application. He advised that the Applicant has to date declined Officers invitation to make a fresh application in respect of their amended affordable housing proposals. He then referred to concerns regarding the design of the Private Housing. In summary he advised that it was considered that the design and layout of both the affordable and private housing development was inappropriate for this prominent and sensitive edge of settlement location and as such was contrary to the provisions of policy LP ENV 19 and the Council's Sustainable Design Guidance. In terms of the minor road widening works and provision of pedestrian refuges he advised that the Council's Roads Officers have however advised that the provision of an adoption standard footpath is required in the interest of road safety – this will require to be provided along the site frontage and along the B8002 to the north of Craignish Parish Church where there is a complex junction arrangement and reduced forward visibility. Similarly, a requirement to widen the B8002 to a minimum width of 3.25 metres along the entire site frontage has also been identified. He advised that the Applicant confirmed during discussions that they would be agreeable to the upgrade of the public road in line with the specifications provided by the Council's Roads Officers. Whilst the land required for some of the necessary works are located out with the application site this was either within the control of the Applicant or the Council as Roads Authority and could therefore be addressed by planning conditions. He advised that the proposal was considered to be consistent with the Development Plan having regard to access and parking requirements. He advised that the application was located within close proximity to the coast and as such concern has been expressed in relation to the potential for flood risk arising from coastal inundation and the presence of Otter, which is a European Protected Species. In respect of the former, it was noted that the application site lies out with the 1 in 200 year flood risk event identified within SEPA's safeguarding maps and as such the site was suitable for residential development having regard to National and Local policy in respect of the assessment of flood risk. He advised that the presence of Otter on the site has however been the subject of more detailed consideration. This included the investigation of the site by an appropriately qualified person and submission of their recommendations in a report received on 3 June. This survey did not record any otter activity within the application site itself but did note the presence of otter on the adjacent shoreline and burn to the north-east. The report concluded that the proposed development was unlikely to have any significant implications for Otter or their habitat but did include suggestions to minimise the impact of the development and any associated construction activities upon Otter. Both Scottish Natural Heritage and the Council's Biodiversity Officer have confirmed that they do not object to the proposed development provided that the recommendations for mitigation in the Otter report are to be secured by planning conditions. He advised that the proposed development also has potential implications for the setting of the historic environment with the northernmost of the proposed buildings located some 50 metres to the west of Craignish Parish Church which is a category B listed building. The Church sits on the opposite side of the B8002 and was partially screened from view on the southern approach by scrub woodland on the

shoreside of the road. The development will be screened from view by woodland in views of the Church from the north. Viewed from the water the Church will be sufficiently separated from the development by the existing woodland setting. It was however noted that this aspect has already been subject to some intrusion from a modern dwelling further to the east. He advised that the development also lay 100 metres to the south of Ardfern House which was also a category B listed building. He advised that Ardfern House was a substantial two storey Georgian property which sat some 80 metres back from the public road within a substantial wooded curtilage and at a substantially higher elevation than the lower Glebe. Despite its elevated location Ardfern House was largely obscured by the mature trees within its curtilage. The proposed development includes for a portion of open space to the rear of the affordable housing which offers sufficient separation and potential to introduce additional landscape planting and prevent the new development intruding upon the immediate setting of Ardfern House. For the avoidance of doubt, he advised that the proposal was considered to be consistent with the relevant provisions of policies STRAT DC 9 and LP ENV 13a in this respect. In summary he advised that the development was not considered to have any unacceptable adverse consequences for the amenity of existing residential property, road safety, and the historic or natural environments and as such is consistent with the relevant provisions of the Development Plan in these respects. He advised that the inclusion of private housing development would be a departure from the Development Plan. Whilst the loss of such a substantial portion of PDA 12/80 to private residential development would be regrettable and contrary to the opinion of a substantial body of the Craignish Community, it was the consideration of Officers that the circumstances of the development in relation to local demand for affordable housing provision, and the availability of funding to alleviate these in the short term, were material planning considerations which could, if the proposal were acceptable in all other respects, provide reasonable grounds for a justified 'minor departure' to policy P/PDA 1 in so far as accepting the principle of private housing development within PDA 12/80. However, he advised that the current proposal, by virtue of a lack of appropriate open space and excessive linear form, predominantly two storey design emphasis, excessive building mass and elements of utilitarian design was considered to be overtly suburban in appearance and had insufficient regard to its sensitive edge of settlement location within the Knapdale/Melfort Area of Panoramic Quality. The Applicant has not advanced any satisfactory argument in relation to the acceptance of a substandard design and layout to the development which would be a prominent and incongruous addition to the Ardfern settlement area and would give rise to a permanent significant adverse effect locally upon the landscape quality of the Area of Panoramic Quality and as such was considered to be contrary to the provisions of policies STRAT DC 1, STRAT DC 8, LP ENV 10 and LP HOU 1. He advised that the application was accordingly commended to Members with a recommendation that planning permission be refused for the reason set out on page 6 of the Head of Planning & Regulatory Services Supplementary Report Number 2, dated 13 June 2013 subject to amendment to include reference to policy LP HOU 1 which had been omitted in error.

APPLICANT

Paul Houghton spoke on behalf of the Applicant advising that he was a Planning Consultant and the Agent for this Application. He was accompanied by a representative of the General Trustees of the Church of Scotland and he advised that Colin Renfrew from Fyne Homes and Paul Bain, Architect were also in attendance and would be available to answer questions if required. Mr Houghton referred to the site being designated for 100% affordable housing in the Local Plan and the Craignish Community Plan and advised that he would like to concentrate on why he thought there were grounds for departure from these Plans. He referred to there being a long history of the community trying to secure affordable housing for Ardfern. He advised that affordable housing was being enabled by the provision of private housing in this case. He referred to the Rural Housing Development Grant from the Council and the General Trustees providing the site for £10,000 and covering the cost of the Application which together totalled £20,000 which was a significant sum for a religious charity to spend and showed the level of commitment by the Trustees to the project. He advised that without the provision of the land by the Trustees and funding of the planning application there would be no affordable housing at all. He advised that the General Trustees were aware of many comments regarding capital receipts and advised that no decision had been made as yet to sell off the private plots and that these would be released in stages depending on the housing market. He referred to the plans submitted being one vision of what could be built and that the design may alter. He advised that the income generated from the sale of the private plots would support the local ministry and parish and he referred to a number of projects and community initiatives this money could assist with. He advised that any money generated in Craignish would stay in Craignish. He referred to the design element and advised that this was not the scheme likely to be built at the end of the day and that the design would be looked at again by the purchasers of the private plots. He advised that the Applicant hoped the Council would support the scheme for this site. He asked the Councillors to support the application to ensure that the affordable housing was built.

CONSULTEE

Colin Davidson advised that he was the Chair of the Craignish Community Council and that he was representing the Community Council today. He reiterated their objection to this Application for 6 affordable and 5 private houses at the Glebe land. He advised that the Glebe was zoned for 100% affordable housing and open space and confirmed that this was also in the draft new Local Plan. He advised that the Craignish Community Plan supported 100% affordable housing for people living and working in Craignish and that anything else was not supported. He advised that plans to build social housing on the Glebe had a long history and that the Community Council have always been supportive of the PDA designation for 100% affordable housing and open space which had been initially removed from the current Local Plan by the Scottish Reporter and then reinstated following lobbying by the Community Council and local residents. He referred to previous indications that one private plot would be sold off to fund the affordable housing and that this would not be

allowed as all building on the Glebe should be affordable housing for rent. He referred to the history of this Application advising that the plans for this proposal were presented to the Community Council in December 2012 and that at a meeting in January 2013 the Community Council objected to the proposal totally. He advised that in the space of one year the proposal has escalated from one or two plots to be sold off privately to what was now before the Committee today. He advised that the General Trustees were bulldozing through this application. He read out the executive summary of the Craignish Community Plan which advised that the settlement boundary should be retained without expansion, that linear and ribbon development should be avoided and that there should be protection of the lagoons from development. He advised that departure from this plan of this magnitude would be unprecedented. He referred to the District Valuer having valued the land at £15,000 and that the General Trustees refused to accept this value. He advised that the value is low because the site is zoned for affordable housing and that the land would only have a higher value when sold for private plots. He advised that the Planners have summarised the reasons for refusal and that the Community Council support these. He advised that all the letters of support for the development say the same thing – no social housing built in years – and that was not in dispute. He advised that this was an unacceptable development and that he felt the community were being bullied into accepting it. He referred to suggestions that Fyne Homes were investigating other sites in the village. He advised that the Soroba Meadows had planning permission for 7 affordable homes and that planning permission had also been secured for 5 affordable homes elsewhere. He advised that there has been no indication from Fyne Homes on whether or not they can apply a local letting initiative for this proposal. He advised that there was a need for housing for locals living and working in Craignish and that Fyne Homes have refused to discuss details of a local letting initiative. He advised that 54% of the supporters did not live in Craignish and that only 4 out with Craignish objected to this proposal. He urged the Members to refuse this proposal as it went against the wishes of the community and was an attempt to raise money by the Trustees.

SUPPORTERS

Patricia Barclay read out a letter by someone not able to attend the hearing today but wished to indicate their support for this application. The letter advised that this person had to move 16 miles from his work as he could not afford to stay and live in Ardfern. Mrs Barclay advised that she wondered how many of the supporters living outside Ardfern were forced to move out because they could not afford to stay. She advised that she was a social housing resident and that she was offended by suggestions that social housing brought crime to an area. She advised that she wondered how many of the objectors were born in the village or were incomers. She advised that she was an incomer and was welcomed into the village. She advised that it grieved her that there was no housing for young adults to move into and that there was a need for a mix of people for this community.

Chris Thornhill advised that he has lived permanently in Ardfern for 42

years and that he was also the Session Clerk for the Church. He advised that he has made no secret of the fact that a lack of housing has directly affected members of his family. He advised that he could not think of any application that was more deserving and that there were a large number of supporters. He advised that it has taken 12 years to get to this stage. He advised that in light of changes in circumstances regarding the economy the plan for 100% affordable housing with no flexibility was no plan at all and was no longer viable. He advised that it was not possible to have small standalone affordable development units without some private funding. He advised that it was wrong to keep Ardfern as it was now and that there was a need to move with the times. He referred to talk about protected species and a request for a TPO which was found to be unnecessary. He referred to the otter survey and advised that to have any validity it should have been carried out on the whole area. He advised that the species that needed protecting were the indigenous people who have been unable to secure housing. He advised that residents were offended regarding references made about low income families and problems they could bring. He urged the Members to approve this application.

Hamish MacNicol advised that he was born and brought up in the area and that he has a good understanding of the Parish with many changes made over time. He advised that Craignish always was and still is a rural community. He advised that since the 1970s people have come to work and settle in the area and in the 1980s the population doubled and again in the 1990s. Many people have built their own houses and they have always been welcomed by local families and at no time has this impacted on the wildlife. He advised that the inclusion of private housing was a necessary compromise to secure affordable housing for people living in unsatisfactory conditions for so long. He asked those present with power in authority to let common sense prevail and allow this much needed complex for the community to allow people to continue to live and work in the area.

Norman McNiven advised that he has lived in Ardfern for 17 years and was welcomed by the locals. He advised that he supported everything Hamish said. He advised that he applauded the Church for offering this ground and that this housing was needed.

Joan Allan read out a letter from the former Minister of the Parish Mr McLaughlin who had left in 2011 and wished to indicate his support for this application.

Lucy Thornhill read out a letter from Derek Logie of the Rural Housing Service in Edinburgh who had registered his support for this development. Miss Thornhill advised that she was a supporter but did not live in the community because there was no housing to allow her to stay in Ardfern but still saw herself as a member of the community. She advised that she grew up in one of the original affordable houses built 50 years ago. She advised that these houses were unimaginative in design but did not do her any harm. She asked how many objectors here were currently on the housing list.

Kenneth Ross advised that he was the current Parish Minister and that he wished to speak in support of the application. He advised that he was a relative newcomer and had the full support of his immediate predecessor and all his other predecessors. He paid tribute to the Kirk Session for releasing a small part of the Glebe for housing. He advised that the General Trustees had been untiring in their support over the years and that £20,000 towards this application was only a small part of their contribution. He advised that he appreciated the work of the C3 committee. He also referred to the commitment of Fyne Homes and Argyll and Bute Council's grant contribution which made this project financially viable. He also thanked the Planning Officers for their report. He referred to the other perspective which was the perspective of those belonging to the community who have until now seen no prospect of affordable housing. He referred to people staying in unsatisfactory, temporary accommodation and the possibility of eviction notices and having to leave where they have grown up. He asked how much weight Members thought these people would give to open spaces and precise architectural details of design. He advised of the need for a proper sense of proportion. He advised that they had a site, a willing seller, a willing buyer and funding. He referred to there being no objections from Roads, Environmental Health, the Biodiversity Officer, Scottish Water or SEPA. He advised that people needed this housing and that everyone has had to compromise to some degree and that they just needed one more step in terms of compromise. Even if the design is slightly less than desired 6 families occupying these would be grateful that the Council had enough vision to approve the application.

Councillor Philand advised that he was not a Member of the Planning Committee which allowed him to give his support to this proposal. He referred to the importance of planning policies which Councillors have to justify. He referred to the potential for the design to be changed. He advised that there was a need for affordable housing for people who needed and wanted housing in this area. He referred to and read out the detail of policy LP ENV 10. He referred to eviction orders being touched on. He referred to the Local Plan and the Craignish Community Plan designating the area for 100% affordable housing. He referred to having to look at this now in the context of the austerity measures now and that there was the potential to change the proposal to make it acceptable.

After the Chair had dealt with a point of order Chris Thornhill, having raised a concern, also spoke in support of the application in his capacity as Session Clerk. He advised that if it had not been for the interest and interaction of the Kirk Session the Glebe land would have been sold 12 years ago by the General Trustees. He referred to attending the Rural Housing Service annual conference where people were supportive of this application. He referred to the Community Council stating that they represented the view of the community. He advised that at the recent Community Council AGM only 7 members of the community, 7 members of the Community Council and 2 Councillors attended which in his opinion was not representative of the whole community.

OBJECTORS

Tony Gill advised that he has been a member of the community for 34 years and objected to this application because it contravened the Local Plan and Craignish Community Plan. He advised that affordable for rent housing was needed in Craignish and that the community agreed to housing on the Glebe if this was the only land available. He advised that since affordable housing was now available on other better sites with planning permission this adequately covered the need. He advised that there was no need to develop this sensitive greenfield site of the Glebe. He advised that allowing this development to go ahead would undermine local democracy. He advised that if the public money was not available to spend on the Glebe it would be available to spend on other sites. He implored Members to refuse any development of the Glebe land until other affordable housing already agreed was developed.

Ronald McIlquham read out a statement prepared by Rachel Rogers who had indicated a wish to speak but had been unable to stay for the whole hearing. Ms Roger questioned whether or not a precedent would be set if this development was approved. She considered the land not suitable as it would be ribbon development. Mr McIlquham advised that there was no objection to development for affordable housing as this was needed but that there were other sites that should be looked at first.

Colin Smith referred to reports that there has been no affordable housing for developed for 50 years and advised that planning permission had recently been granted on two other sites. He referred to the PDA for the Glebe being for 100% affordable housing with open space and advised that this application did not meet that criteria and that it should be refused.

Ania Zwozdiak advised that she was a former member of the Craignish Community Company (C3) and lived in Kilmelford. She referred to the policy for allocating housing and explained that 50% of housing available has to be allocated to those on the homeless list which comprises of people living out with Argyll and Bute, 25% is then allocated to people already living in affordable housing but wishing an exchange, leaving 25% for people living in Argyll and Bute. She referred to planning permission already secured at other sites and advised that if funding was awarded for the Glebe surely it would not take too much effort to relocate this funding to the other sites. She advised that the inclusion of private dwellings went against the original plan which was for 100% affordable housing which should stay. She advised that any development should take account of the topography of an area. She advised that the design lacked imagination and lacked any form of eco design and that it was completely convenience building. She advised that the considerations of the local community were not being taken into account and that the Church of Scotland gained to make a substantial profit from this development and have lost sight of what the community needs. She advised that to include private housing here and to go against 100% affordable housing was unacceptable. She referred to several archaeological sites in the area and that Ardfern stood to benefit from an increase in tourism and was placed high on a list of places to visit. She advised that the community could gain from the tourist trade and that this needed to be taken account of. She referred to the site being quite rocky and that the removal of the rock was going to place a heavy burden on traffic and would place

pedestrians in danger during the coming and going of building work. She also referred to noise pollution as a result of the building work which would impact on local residents and the wildlife.

Chris McIlquham advised that she has lived in Ardfern for 2 years and was welcomed by this generous community. She advised that she was speaking today as she has been given the responsibility for the restoration of the church building and attention has been given to young people and children regarding what they would like to see built for use in the future. She advised that these children and young people have concerns about the local environment which was a clear priority for them. She advised that the children and young people of Craignish represented the future of Craignish and that the views expressed by them about the environment were important to them.

Iain Saunders advised that he did not believe this community was divided. He advised that no one has spoken against affordable housing for people living in the area. He advised that he signed a petition for the Glebe land to be used for affordable housing. He advised that if the Church was passionate about developing affordable housing then it should return the proposal to the Community Council. He advised that he saw the Church making a significant amount of money which he found indigestible.

Sandy MacKilligin spoke on behalf of the Craignish Community Company (C3). He advised that in August 2009 following a meeting in Edinburgh with the General Trustees C3 were invited to put forward a proposal for affordable housing on the Glebe with two non-negotiable clauses – housing for rent and access to the upper Glebe. He referred to a feasibility study being carried out and C3 raising £14,000 to enable the feasibility study to go ahead. He advised that around that time the Company entered into partnership with Fyne Homes. He advised that in July 2010 the Company contacted the General Trustees and the Kirk Session on behalf of Fyne Homes with a proposal for 12 dwellings – 9 for rent and 3 for shared equity. He advised that the Kirk Session rejected this proposal as it was contrary to the requirement that all the housing had to be for rent only in perpetuity. He advised that in April 2011 the completed feasibility study was presented and accepted by the community and all pre planning consultations were carried out. He advised that in July 2011 the District Valuer valued the land at £15,000. He advised that in August 2011 the Company were informed that the Kirk Session would not be proceeding with the proposed development as the General Trustees could not accept the valuation of the land. He advised that in December 2012 the Church submitted this application. He advised that the Craignish Community Company feel that the Trustees must have known from the outset that they would reject the feasibility study. He advised that the Company feel they have been used to persuade the community to accept building on the Glebe.

Peter Richardson advised that many of the points he wished to make had been raised already. He advised that it was difficult to put a value on the character of a place and that this building would change the character of Ardfern and that alternatives have not been properly investigated. He advised that this was a very sensitive site and a very emotive issue.

Alan White advised that he was an incomer and that as the nearest resident to the site he was never consulted about the plans. He advised that the community were only presented with the plans in December and that there was such fury at this meeting. He advised that planners recommended refusal of this application and that he wholeheartedly endorsed this recommendation.

MEMBERS' QUESTIONS

Councillor Hall referred to Mr Houghton's comments that the plans may alter and asked why this was not discussed at the pre application stage. He also sought clarification on whether or not the private housing element was funding the affordable housing element of the scheme. Mr Houghton advised that the scheme was circulated and presented to the local community before the Council. Planners then came to a view on the design and amended plans were submitted. He advised that there was no specific connection between the private and affordable housing. He advised that the Trust funded the application process at a cost of £20,000, which included selling the land to Fyne Homes to allow the affordable housing to be built. He advised that the private houses would be purchased by others and was not connected. He advised that the private housing was an attempt to make best use of the land.

Councillor Trail asked Mr Houghton to respond to the accusation by Mr Davidson that promotion of the proposal to the community was "bullying". Mr Houghton advised that at no point would he accept that he has bullied the community in anyway regarding this proposal.

Councillor Trail asked Mr Houghton if he would say the Applicant has come forward in the spirit of compromise with the community. Mr Houghton advised that they have fully compromised in terms of funding the scheme which has come forward today.

Councillor Currie asked Planning if they were surprised by what had been said by Mr Houghton regarding the current design not being what would be eventually built. Mr Bain advised that this very issue had been discussed. He advised that in terms of the current application there were two parts, one for the affordable housing and one for the private housing and that it was the Applicant's desire to progress these two parts in one application and that it had been necessary that they provide detail for the whole scheme.

Councillor Currie sought and received clarification from the Applicant and Fyne Homes that the housing grant from the Council was site specific.

Councillor Devon referred to the Planning comment that the building would be of significant mass and bland design, overtly urban and utilitarian and asked whether any other such buildings existed in Ardfern. Mr Bain advised that there were a few including two beside the primary school. He advised that when assessing the proposal the immediate surrounding area was taken into consideration rather than the more built up area of Ardfern.

Councillor Devon referred to a comment about ribbon development and that the removal of plot 1 could create a large space and asked if planning were still of that mind that if plot 1 was removed this would be acceptable. Mr Bain advised that this would significantly improve the development.

Councillor Devon asked if planning would be happy for the plot to be removed rather than relocated. Mr Bain advised that relocation of the plot may be possible.

Councillor Devon asked if the Applicant would be happy if plot 1 was removed/relocated. Mr Houghton advised that the Applicant could live with that.

Councillor Devon received clarification from Mr Davidson on his advice that consents were already in place elsewhere for affordable housing.

Councillor Colville sought further comment from planning on the design aspect of the proposal. Mr Bain advised that the design concerns were not unresolvable but they have not been able to be dealt with procedurally. He advised that an amended application which satisfactorily resolved the design issues could possibly be recommended for approval.

Councillor Colville sought clarification on whether or not it would be competent for the Committee to continue consideration of this application to another meeting to allow the Applicant to submit amended plans. Mr Bain advised that it was the view of the Head of Planning and Regulatory services that these amended plans would result in a material change to the application so would need to be the subject of a fresh application. Mr Reppke advised that if the Committee wished to continue consideration of this application to another meeting they could do so.

Councillor McNaughton advised that he was confused about the affordable housing and private housing and that there appeared to be two different developments coming under the one application. He asked was it not normally policy for there to be a mix of affordable and private housing. Mr Bain advised that the design was put forward without discussion with Development Management officers. He referred to Fyne Homes seeking economies of scale. He advised that there were good reasons for not recommending a mix of private and affordable housing. Mr Houghton advised that the Applicant and Fyne Homes have the drive to make the 6 affordable homes happen.

Councillor Kinniburgh sought clarification on the design of the private houses. Mr Bain advised that all that can be done at this stage is to assess what has been submitted to planning. If approved there will be a need to consider fresh applications for each private plot as they are developed.

Councillor MacMillan sought and received clarification from Mr Davidson that the Community Council supported 100% affordable housing and open space on this site.

Councillor MacMillan sought and received clarification from Fyne Homes that the Council have committed just under £300,000 from the Rural Housing Grant Scheme.

Councillor Currie referred to comment in the planning report about the request for submission of plans which were much improved in design and layout for the private housing and asked why the Applicant had not done this. Mr Houghton advised that the plans were submitted but Planning Officers advised that they materially altered the application so could not accept them. He advised that planning have been given two alternative schemes for the affordable housing and one alternative scheme for the private housing.

Councillor Currie asked why a fresh application had not been submitted at the suggestion of the Planning Officers. Mr Houghton advised that the Applicant had hoped that the plans would be accepted as a non-material change which had not been the case. He advised that the Trustees discussed this request and came to the conclusion that there was no guarantee that any scheme would secure support. He advised that a further application would generate further costs. He advised that the Trustees have not come to a view on whether or not to fund this additional cost therefore this scheme has been submitted today in the hope that the Councillors will support it.

Councillor Blair sought and received clarification from planning that this application was received and validated on 28 December 2012.

Councillor Blair asked if this was a good example of partnership working and if this was the normal experience for planning. Mr Bain advised that normally planning would have had pre application discussions with the Applicant to discuss in advance issues prior to the application being submitted which could have looked at design solutions.

Councillor Blair asked Mr Houghton if he was happy with the process that had been undertaken. Mr Houghton advised that he was fine with submitting design changes as requested. He advised that their difficulty with the process was the materiality of these drawings which had been submitted in good faith.

Councillor Taylor advised that he understood from the paper work that the Church of Scotland refused to make a new application and that they wished the Committee to determine this application knowing that it was recommended for refusal and asked for further comment on this. Mr Bain advised that the main issue was that the drawings submitted were sufficiently different to amend the view that the application be refused to being almost there as an approval. Mr Houghton advised that the amended scheme only made changes to the design of the units and did not change the number of units. He advised that the design was changed to reflect the comments made by Planners.

Councillor Colville sought and received clarification that Fyne Homes would be able to work with the amended design.

Councillor Colville sought and received clarification that it would cost £160 to submit the new plans which would be the cost of the advert fee.

Councillor Colville sought and received clarification that the amended plans dealt with the issue regarding open space.

Mr Houghton advised that he accepted that there could be no planning fee but there would be costs to the Trustees in meeting with the Community Council again and the cost of administering the application through another few months.

Councillor Hall asked if it would be possible for the Committee to instruct the Head of Planning and Regulatory Services to accept the amended plans as non-material. Mr Reppke advised that the question of whether amended plans are material or non-material is a technical assessment for Officers and that there was a difference of opinion between the Planning Consultant and the Planning Officer.

Councillor Hall advised that a material change could be interpreted differently by different people and that if there was willingness for affordable housing to be given could the Committee not say the amended plans were not materially different. Mr Reppke advised that the Committee would run the risk of challenge to the Court of Session if they sought to determine that the changes were non-material in the absence of a professional assessment on this.

Mr Kerr advised that there were two plans, one recommended for refusal and one on the table but not formally submitted. He advised that this amended plan was sufficiently different to make possibly a difference to the planning recommendation. He advised that a re-application would go back into the public domain for comment and that any other route could be challenged.

Councillor Kinniburgh sought and received clarification that there could be no guarantee that the amended plans would be approved.

The Chair ruled and the Committee agreed to adjourn the meeting at 1.15 pm for lunch.

The Committee reconvened at 1.45 pm.

SUM UP

Planning

Richard Kerr advised that the application site lay on the landward side of the public road between the edge of the main built up part of the village and the outlying dispersed group of residential properties at Barfad in a sensitive lochside location. It fell within the local plan defined settlement boundary for Ardfern which encompasses PDA 12/80 which has been designated for a combination of 100% affordable housing and community open space. This aspiration provision has been endorsed by the Craignish Community Plan 2012, and the proposed local development

plan which has recently completed its public consultation stage. He advised that the site also lay within a designated Area of Panoramic Quality defined by the local plan, which requires particular care in terms of the layout and design of development, so as to ensure that it does not have an unacceptable impact upon the landscape character and the scenic qualities of the wider area. He advised that the main issue in this case was the extent to which the development accords with the development plan in terms of its designation as a Potential Development Area for affordable housing and open space and a form of development which by virtue of its layout, scale and design would be compatible with its location within a designated Area of Panoramic Quality. He advised that given the inclusion of 5 detached private dwellings, it was clear that the proposal did not satisfy the requirements of PDA 12/80, firstly because the development was not exclusively affordable and secondly because it did not include the required element of open space. He advised that any approval would therefore constitute a departure to the provisions of the development plan. He advised that demand for affordable homes has been a long standing issue in Ardfern, which remains in urgent need of social housing. He advised that this proposal for 6 affordable units was fully funded and in the absence of the ability to deliver a 100% affordable scheme, there may well be a case for including an element of private development for sale in order to facilitate delivery of any element affordability. That said, he advised that private development accords for half of this development site in circumstances where it has not demonstrated conclusively that this ratio of private to affordable houses is necessary to secure the delivery of the affordable element. In terms of layout, scale and design, he advised that the long and narrow form of the site dictated that the development must be linear in form. In the context of a village edge location, and land within an Area of Panoramic Quality, care must therefore be taken to ensure a form of development which respects the character of the existing built form and which secures an appropriate fit within its landscape context. He advised that planning have concluded that the form of the development is inappropriate, in that it is insensitive to its edge of village settlement, by virtue of the scale and design and the urban and utilitarian appearance of the buildings proposed and the unrelieved built up frontage. He advised that it was heard earlier that the Applicants did not wish to actually build any of the buildings for which permission was now being sought. Firstly, Fyne Homes have indicated their preparedness to redesign the units proposed for them, in order to secure improved design. Secondly, the private plots are proposed for sale and the expectation is that prospective purchasers will promote their own designs rather than implement the designs now advanced. He advised that there therefore remains some clear blue sky between what is on the plans before Members and what those developing the site are actually likely to want to build. Nonetheless, he advised that Members are only able to consider the merits of what is before them, so irrespective of any subsequent proposals which may emerge, it is necessary to determine whether the form of development now proposed is appropriate to this edge of village lochside location. He advised that planning remain of the view that the scheme is not sympathetic to its surroundings, that it is bland and unimaginative, does not respect its location within an Area of Panoramic Quality and does not meet the 6 aspirations of the Council's sustainable design guide, which seeks to

promote good quality design and development which respects settlement and landscape character. He advised that in terms of scale, design and layout this was an inappropriate form of development, and his advice to Members would be to refuse it for the reason given in Supplementary Report No. 2, subject to amendment to include reference to policy LP HOU 1 which had been omitted in error. He advised that there was ample opportunity for the design of the development to be revisited to meet the requirements of the Council's development plan and its associated design guidance, given that the principle of the development could be accepted as a 'minor departure' to the development plan, and Members were advised to refuse the application to enable a more appropriate form of development to be advanced in preference to the scheme now before the Committee.

Applicant

Paul Houghton advised that he would like to clarify a number of points. He advised that in terms of pre application consultation they did consult with planning officers before submitting the application which included consultation with policy officers and roads officers. He referred to the scheme before Members today and advised that the original proposal was for 6 private houses and that this has been reduced to 5. He advised that if it would make a difference the Trust would be willing to reduce this to 4 to address the concerns about open space. He referred to there being a few separate, different schemes for the affordable housing and one different scheme for the private housing. He advised that it was the intention that Fyne Homes will submit a different design scheme for the affordable housing which would be separate from the Trustees and that this would only be possible if this proposal was approved for affordable housing today. He advised that the Trust always looked at how best to support development in the village. He advised that the decision to support the current application was narrowly supported by the Trustees originally and that this was followed by the Trustees having to consider a request for funds for an amended design to be submitted. The Trustees then had to consider the request for a tree survey and the otter survey and the Trustees have had to consider whether they could continue to support this proposal. He advised that if the Committee cannot support the proposal before them at this stage then it would be doubtful that the Trustees will support the submission of a further application. He advised that a further application would be submitted by Fyne Homes in due course if this scheme is approved. He asked the Committee to support the scheme before them today as to hold the decision or refuse would not guarantee another application coming forward.

Consultee

Colin Davidson advised that the Community Council supported the provision of affordable housing in Ardfern and that he disagreed with Mr Houghton that the two parts of the application were not linked. He advised that in his opinion they hoped to get permission by bullying the community. He referred to other sites in Craignish having affordable housing consent and that funding was only tied to this proposal as the other sites had not been explored. He referred to Mr Thornhill's

comments about the small attendance at the Community Council AGM and advised that at that meeting this application was not an item on the agenda for discussion. He advised that the meeting to discuss this application was held in January and that the hall was packed and the matter was discussed and objected to. He advised that the Craignish Community Plan was developed based on opinion and detailed survey of all residents of Craignish and that it represented the overall opinion of the Craignish community. He advised that the Committee were not here to debate some hypothetical application which may be submitted in the future. He advised that it was this particular application which was to be determined and which was a long way from being satisfactory. He advised that he believed that Mr Houghton was trying to bully the Committee by suggesting to them that should they refuse this it would not guarantee a further application from the Trustees.

Supporters

Patricia Barclay advised that she attended the Community Council meeting when another housing application was being discussed and that this was turned down but later accepted by Members. She advised that after the meeting she heard the Chair of the Community Council say that when the Glebe comes up it would be turned down too. She questioned whether this was democratic. She advised that this housing was desperately needed for children and adults living in unacceptable accommodation.

Chris Thornhill advised that much had been said about alternative sites. He referred to each in turn and advised that neither were alternatives ready to go. He referred to the shock and horror expressed at the Community Council meeting in December 2012 and advised that in January 2012 the Chair of the Community Council was invited and attended a meeting in Lochgilphead where the full nature of the plans were divulged. He advised that the Community Council and the Craignish Community Company were asked to engage in the process which they did not. He advised that this could so easily have been a plan supported by the Community Council and the Craignish Community Company.

Hamish MacNicol advised that it was not true what the Chair of the Community Council said about the Community Council's view being the majority view of the community. He advised that a lot of people had not been consulted.

Lucy Thornhill urged the Committee to please consider the application and allow it to move forward. She advised that the other sites have been inactive for a long time as no immediate building work has been going on.

Kenneth Ross referred to comments about bullying and advised that this was a very serious charge to be made against anyone. He advised that this was really a misconstruction of the reality of the situation. He advised that there was one proposal capable of delivering affordable housing in Ardfern. He advised that it was a near unanimous view that the community would love to see affordable housing for people who need it and until today there has never been a proposal ready to deliver

affordable housing. He advised that if this was refused the community may go away with the aspiration that someday maybe affordable housing will be built but if it was approved they could go away confident that finally it would happen.

Councillor Philand referred to there being one application and referred to Councillors Hall and Colville indicating that there could be potential solutions that could be appraised. He advised that if the amended plans could be seen then this could be resolved. He referred to the potential economic and social effects of this not being able to be carried forward.

Objectors

Tony Gill advised that local democracy was the problem here. He referred to the community plan and advised that everyone in the community was given the opportunity of filling in forms and saying what they wanted and that it was not true that people were not asked. He advised that everyone was asked. He referred to supporters being emotive and that they tended to be personal. He advised that other sites were inactive as people had run out of money. He advised that there should be no development on the Glebe site and that others were partially serviced but that people could not develop them without money and that they should be given the chance. He advised that the Glebe was being held up as the only chance to get affordable housing and that this was not true. He advised that other sites had planning permission and just needed someone to build on them.

Colin Smith also referred to the other sites with planning permission. He advised that the site at lower Soroba was sold privately so funding was available and that this was in development.

Sandy MacKilligin advised that he strongly objected to references that Craignish Community Company had taken part in discussions with the Church. He advised that they have not been invited to any of the meetings at all. He advised that he found it quite horrifying that the Church would be unlikely to support another application if this one was turned down.

Alan White advised that there was division in the community and that this would remain no matter the outcome. He referred to the ring fenced money coming to the community and advised that it would come to the Ministry and Parish. He referred to the need for affordable housing and that in his case he would like to have seen sheltered housing. He referred to the subject of bullying raised. He referred to this affordable housing being like a barracks which the army would refuse to build.

The Chair asked everyone to confirm if they had received a fair hearing and they all confirmed this to be the case.

DEBATE

Councillor Hall thanked everyone who spoke. He advised that there was unity in the need for affordable housing. He advised that he struggled

with Mr Houghton's input. He advised that it was his view something had gone wrong at the pre-application stage and that there was a failure in the process. He advised that the supporters made an eloquent case but not Mr Houghton and that therefore he supported the Planners.

Councillor Currie advised that this was a very difficult decision to make. He advised that the aim was to have affordable housing in place for the community but with respect the advice given to the Applicant could have been better. He advised that when Mr Houghton said that if the application was refused it did not mean that the Applicant would come back with something else, he did not like that being said to the Committee.

Councillor Devon advised that Argyll and Bute was one of Scotland's finest for scenery which was important to Members, to the community and to visitors and was of national importance. She advised that the Committee needed to make the right decision and that they also needed to address the needs of the community. She advised that it had been totally demonstrated that the need for affordable housing had been established. She advised that it was not contrary to policies LP ENV 10 or LP ENV 19 and that the proposal would integrate well into the existing landscape. She recommended approval of the application.

Councillor Trail advised that it had been an unusual discussion this morning and that often with affordable housing it was the subject of opposition by locals who did not wish affordable housing developed next to them. However it had not been the case for this proposal and that everyone had been very supportive of the need for affordable housing and, unlike Councillor Currie, he advised that he found it very easy to reach a decision. He advised that the Applicant had not fully engaged with Planning early on to get the design right and that there was willingness for compromise. He advised that engagement with the community and the Community Council could have been better and that he supported the recommendation for refusal of this application.

Councillor MacDougall referred to Mull being in a similar situation and that he supported Councillor Devon's view.

Councillor MacMillan advised that he has attended the Community Council meetings for many years and that it was important to the community that they got affordable housing. 100% affordable housing was supported by the Community Council and he saw no reason not to support the recommendation to refuse this application.

Councillor McNaughton referred to similarities with the community in Colintrave and that young people did not have a chance and that there was a need for affordable housing there too. He advised that it was a very difficult decision to make and that the Applicant did not present a great case. He advised that he supported the recommendation to refuse.

Councillor McQueen advised that he supported the planning recommendation.

Councillor Kinniburgh referred to a lack of engagement with the planning department and a lack of understanding by the Applicant.

Councillor Taylor advised that he accepted the need for affordable housing and as the Lead Councillor for Planning personally valued the work undertaken by the community in bringing the Craignish Community Plan forward and that there was a need to give weight to that Plan. He also referred to the lack of engagement by the Applicant.

Councillor Colville advised that there was an opportunity here which may be a long time in coming again. He advised that the Members had the power today to make a significant decision. He referred to the wish to have 100% affordable housing and advised that in his opinion this was unlikely to happen. He referred to a total breakdown in communication on how planning works. He broached the subject of continuing consideration of this application.

Councillor Blair advised that the object of the community was affordable housing and if not 100% then maybe 80% or 60% could be acceptable and that he thought it was. He advised that there was a need for public and private finance to support projects. He referred to youngsters being able to stay in their local community and he referred to rural schools. He advised that he thought the community were far too strong to be bullied by anyone. He advised that 50% affordable housing would be better than 0%.

Motion

Given the agreed need for affordable housing in the area and the possibility of the principle being acceptable as a minor departure, I move that the application be continued to afford the Applicants an opportunity to submit an amended application which can be subject to due public scrutiny if they are so minded.

Moved by Councillor Rory Colville, seconded by Councillor Robin Currie

Councillor Kinniburgh sought and received clarification on what this proposal would mean for the Applicant. Mr Kerr confirmed that if the Applicant withdrew the application or the application was refused then submission of a fresh application would not incur a planning fee. He advised that if the Applicant submitted a fresh application whilst holding this one in abeyance then they would incur a planning fee for the new application.

Amendment

To refuse planning permission for the reasons stated by planning.

Moved by Councillor Richard Trail, seconded by Councillor Donald MacMillan.

The Motion was carried by 9 votes to 2 and the Committee resolved accordingly.

DECISION

The Committee agreed that the application be continued to afford the Applicant's an opportunity to submit an amended application which can be subject to due public scrutiny if they are so minded.

(Reference: Report by Head of Planning and Regulatory Services dated 3 May 2013, Supplementary Planning Report No. 1 dated 21 May 2013 and Supplementary Planning Report No. 2 dated 12 June 2013, submitted)