



Argyll and Bute Council
Comhairle Earra-Ghàidheal Agus Bhòid

Customer Services
Executive Director: Douglas Hendry

Kilmory, Lochgilphead, PA31 8RT
Tel: 01546 602127 Fax: 01546 604435
DX 599700 LOCHGILPHEAD

5 December 2017

NOTICE OF MEETING

A meeting of the **ARGYLL AND BUTE LOCAL REVIEW BODY** will be held in the **COMMITTEE ROOM 1, KILMORY, LOCHGILPHEAD** on **TUESDAY, 12 DECEMBER 2017** at **10:00 AM**, which you are requested to attend.

Douglas Hendry
Executive Director of Customer Services

BUSINESS

1. **APOLOGIES FOR ABSENCE**
2. **DECLARATIONS OF INTEREST (IF ANY)**
3. **CONSIDER NOTICE OF REVIEW REQUEST: ERECTION OF DWELLINGHOUSE AND RELOCATION OF SEARCH AND RESCUE SHED AT LAND SOUTH OF 1 LOCHANDHU, TAYNUILT, ARGYLL (REF: 17/0010/LRB)**
 - (a) Notice of Review and Supporting Documentation (Pages 3 - 40)
 - (b) Comments from Interested Parties (Pages 41 - 66)
 - (c) Comments from Applicant (Pages 67 - 68)

ARGYLL AND BUTE LOCAL REVIEW BODY

Councillor Rory Colville (Chair)
Councillor Jean Moffat

Councillor George Freeman

Contact: Fiona McCallum Tel: 01546 604392

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Ref:
AB1

ARGYLL AND BUTE COUNCIL

WWW.ARGYLL-BUTE.GOV.UK/**

OFFICIAL USE

7 November
2017
F McCallum
Date Received

NOTICE OF REVIEW

Notice of Request for Review under Section 43(a)8
of the Town and Country Planning (Scotland) Act 1997 and the Town and
Country Planning (Schemes of Delegation and Local Review Procedure)
(Scotland) Regulations 2013

Important – Please read the notes on how to complete this form and use
Block Capitals. Further information is available on the Council's Website.
You should, if you wish, seek advice from a Professional Advisor on how to
complete this form.

(1) APPLICANT FOR REVIEW	
Name	Mr Tony Huntingdon
Address	c/o Bell Ingram
	Boswell House
	Argyll Square, Oban
Postcode	PA34 4DB
Tel. No.	
Email	

(2) AGENT (if any)	
Name	Houghton Planning Ltd
Address	102 High Street
	Dunblane
Postcode	FK15 0ER
Tel. No.	01786 825575
Email	paul@houghtonplanning.co.uk

(3) Do you wish correspondence to be sent to you or your agent

(4) (a) Reference Number of Planning Application

(b) Date of Submission

(c) Date of Decision Notice (if applicable)

(5) Address of Appeal Property

Land To South Of 1 Lochandhu Taynuilt Argyll
And Bute

(6) Description of Proposal

Erection of dwellinghouse and relocation of search and rescue shed

(7)

Please set out the detailed reasons for requesting the review:-

See attached Local Review Statement

If insufficient space please continue on a separate page. Is this attached? (Please tick to confirm)

(8) If the Local Review Body determines that it requires further information on “specified matters” please indicate which of the following procedure you would prefer to provide such information :-

- (a) Dealt with by written submission
- (b) Dealt with by Local Hearing
- (c) Dealt with by written submission and site inspection
- (d) Dealt with by local hearing and site inspection

NB It is a matter solely for the Local Review Body to determine if further information is required and, if so, how it should be obtained.

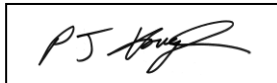
(9) Please list in the schedule all documentation submitted as part of the application for review ensuring that each document corresponds to the numbering in the sections below:-

Schedule of documents submitted with Notice of Review **(Note: 3 paper copies of each of the documents referred to in the schedule below must be attached):**

No.	Detail
1	Planning Application as submitted (Application Form, Drawings and Design and Access Statement)
2	Appeal Statement
3	SG LDP TRAN 4 – New and Existing, Public Roads and Private Access Regimes
4	
5	
6	
7	
8	
9	
10	

If insufficient space please continue on a separate page. Is this attached? (Please tick to confirm)

Submitted by
(Please Sign)



Dated

06/11/2017

Important Notes for Guidance

1. All matters which the applicant intends to raise in the review must be set out in or accompany this Notice of Review
2. All documents, materials and evidence which the applicant intends to rely on in the Review must accompany the Notice of Review UNLESS further information is required under Regulation 15 or by authority of the Hearing Session Rules.
3. Guidance on the procedures can be found on the Council's website – www.argyll-bute.gov.uk/
4. If in doubt how to proceed please contact 01546 604392/604269 or email localreviewprocess@argyll-bute.gov.uk
5. Once completed this form can be either emailed to localreviewprocess@argyll-bute.gov.uk or returned by post to *Committee Services (Local Review Board), Kilmory, Lochgilphead, Argyll, PA31 8RT*
6. You will receive an acknowledgement of this form, usually by electronic mail (if applicable), within 14 days of the receipt of your form and supporting documentation.

If you have any queries relating to the completion of this form please contact Committee Services on 01546 604392/604269 or email localreviewprocess@argyll-bute.gov.uk

For official use only

Date form issued

Issued by (please sign)

Local Review Statement

Introduction

This Local Review Statement has been prepared on behalf of Mr Tony Huntingdon. It relates to a detailed planning application for a single dwelling, and relocated search and rescue shed, at land to the south of 1 Lochandhu, Taynult, Argyll (ref:17/01745/PP).

NB: The relocated search and rescue shed is no longer required, as this operation has recently relocated (see further commentary below).

This is the third planning application that has been submitted for a new dwelling on this land, over a 5-year period, mainly due to processing delays. The first (ref. 12/02027/PP) for the erection of a dwellinghouse and detached garage was withdrawn on 18th January 2013, due to concerns over the siting of that dwelling, its design and roads. The second for a redesigned scheme (ref: 14/00539/PP) was refused on 3rd February 2017. That application went through three case officers, before being determined, and was only submitted because the then Area Planning Manager, at pre-application stage, felt that, if the proposal could be shown to deal with any impact on the scheduled ancient monument and road issues, he felt able to support a dwelling in principle on this site. Historic Scotland subsequently did not object to this application, leaving just the roads issue to be resolved, or so the applicant and his agent thought, until the case officer changed for a third time; that officer had a completely different view on policy and design, and a new Area Planning Manager decided to accept his recommendation and refuse the application.

The option of reviewing that last decision was considered. However, upon reflection, it was decided best to redesign the proposal in light of the refusal reasons, and comments made by the third case officer in the Report of Handling, and re-submit.

The refusal reasons, in relation to application ref: 14/00539/PP, are long and detailed, but raise the following as issues. These are considered further below.

1. Whether the proposal is acceptable infill, rounding off or redevelopment, or is an unacceptable form of backland development
2. Whether the design quality, scale, siting and design of the proposed dwelling are appropriate for the area, which is a Conservation Area and close to a Scheduled Monument.
3. Whether the proposed dwelling would impact unacceptably upon the residential amenity of the adjacent cottages at 1-4 Lochandhu.
4. Whether the site can be appropriately accessed and provided with parking.

Because of the above issues, it is critically important that councillors visit the site, and look at the local roads, before determining this local review. A hearing is also requested to allow discussion of the key policy issues.

Site

The site is located outwith the settlement of Taynuilt, within the Countryside Zone, as shown on the Argyll and Bute Local Development Plan Proposals Map.

That situation is somewhat anomalous, however, in that in visiting this area, you certainly feel as if you are still in the village, and the proximity of the Bonawe Ironworks, 1-4 Lochandhu Cottages, and other dwellings beyond, suggests both an historic and current link between this area and the rest of the village. Why the decision was taken to exclude this area from the village is unclear, but the opportunity to comment on the forthcoming review of the Local Development Plan will be taken to seek to correct this, and bring the site within the village boundary. In the meantime, however, it is accepted that the site is in the Countryside Zone for the purposes of considering this application.

The site is reached via Lochandhu Road, which is a private unadopted part surfaced/part unmade road from its junction with the B845 Brochroy Road close to the village core. Approximately 75% of the length of the road to the site is surfaced.

The site comprises land to the rear of 1-4 and 5-7 Lochandhu, all of which are traditional properties. Access to the site is between 4 and 5 Lochandhu. The site is overgrown and infested with Japanese Knotweed. It is self-contained visually, with no obvious points from where it can be seen. It is partly contained within a former stone boundary wall. Other boundaries are formed by fences to other properties and by heavy vegetation.

As all those that have had to deal with Japanese Knotweed know, its eradication is time-consuming and extremely expensive. In this case, part of the rationale for this development is to be able to fund that remediation, and ensure that what is currently a limited problem to the site does not become one for the wider area.

This entire area is within an overarching Category A listing for Bonawe Ironworks, which comprises certain key buildings within the former works, including 1-4 Lochandhu, and which are described as worker' dwellings of one and half storey, rubble, part lime washed and slate roofs. Much of the area is also included with the Scheduled Monument of Bonawe Iron Furnace, although the site itself is largely excluded. A small area close to the former reservoir for the works, now overgrown, is included, which overlaps with where the search and rescue shed is currently sited.

Proposed Development

Planning permission is sought for a single dwelling, which would be one and a half storey, of simple vernacular design to reflect 1-4 Lochandhu, and built of local materials, including a slate roof, stone for walls, timber windows and doors, and metal rainwater goods.

The dwelling continues to have a rectangular footprint, and remains sited, long elevation facing, and to the rear of, 1-2 Lochandhu.

The previous proposed (ref:14/00539/PP) lean-to extension, and covered external decking area, have been removed, as being non-traditional features.

The dwelling continues to have two floors, with living room, kitchen/dining and other ancillary rooms on the ground floor, with three bedrooms and a bathroom above.

North facing windows now only exist on the ground floor, with roof lights serving the first floor. These can be obscured glazed, with restricted opening, or can have cill heights raised, if that remains an issue. Windows on the other elevations look out over open ground.

The dwelling will utilise the existing access that serves the search and rescue shed; a right of access to 1, 2 and 5 Lochandhu will also be maintained.

The boundary wall, where it remains, will be repaired, and a similar boundary can be provided around the remainder of the site, or it can be left open.

Issues

Whether the proposal is acceptable infill, rounding off or redevelopment, or is an unacceptable form of backland development

It is considered that, in principle, a dwelling on this site is acceptable, and is a type of rounding off development, in relation to this established group of dwellings in the countryside. It is, therefore, a form of residential development that is supported by Policy LDP DM1 in the Local Development Plan, subject to the details being appropriate, and it complementing, and not harming, interests of acknowledged importance, principally heritage in this case.

It should also be stressed that this is previously developed land, and is infested by Japanese Knotweed. Neither of these issues seem to have been given any weight in the previous decision to refuse. Both are mentioned in the Report of Handling, but neither seem to have been weighed in the balance as material considerations.

Removal of Japanese Knotweed is a particularly difficult and expensive process, and redeveloping a site is widely accepted as a way of cross-subsidising this. You could go as far as to suggest that in any finely balanced, even skewed determination towards refusal, that dealing with this issue might warrant a grant of planning permission as a minor (even quite significant) departure from the development plan.

The dwelling is located at the back of existing properties, but is not backland development. That form of development is more an issue where the point of access is close to two existing flanking properties, not the case here, and where amenity issues can result from having one property positioned to the immediate rear of another; again, that is not the case here.

It is accepted that the previous design might have caused an amenity concern, by way of overlooking, but the design has been altered to remove that possibility.

The established character of this area is of scattered development served by a web of public and private roads. It is not linear in form, although some of the building forms are linear in themselves such as 1-4 Lochandhu. Siting a dwelling as proposed is, therefore, a perfectly normal response to this character typology.

Whether the design quality, scale, siting and design of the proposed dwelling are appropriate for the area, which is a Conservation Area and close to a Scheduled Monument.

It is accepted that the previous application dwelling design was not sympathetic to the character of the area, the Conservation Area and its wider heritage. That has been corrected with the current design, which takes as its cue the form and scale of 1-4 Lochandhu. It will be built of materials that are reflective of the heritage of the area, and windows are now uniformly placed on the elevations.

It remains a modest and simple form dwelling that reflects the Council's design guidance, and is considered to complement the character of the Conservation Area. It would be too much to say that it enhances the character of the area, but it certainly preserves, which is sufficient for a proposal to pass the statutory test in a conservation area.

The dwelling does not impinge upon any historic sites, being beyond the Scheduled Monument boundaries, and cannot be seen in any immediate views into, or out of, the Conservation Area.

Historic Environment Scotland were asked to comment on the proposals, but declined to comment, only advising that consideration should be given to the proximity of the development to the Scheduled Monument. It should be noted that, in relation to the previous application, Historic Scotland (as was) did not object.

Whether the proposed dwelling would impact unacceptably upon the residential amenity of the adjacent cottages at 1-4 Lochandhu.

As already mentioned, residential amenity impacts have now been removed and, if more needs to be done, the form, opening of, and glass used, in the north facing windows can be controlled by planning condition.

Whether the site can be appropriately accessed and provided with parking.

The Council's Operational Services (Roads) have commented on the application, and raise four issues with it.

One of those is that the development should provide three parking spaces, which it can. This can be conditioned.

The remainder are, as follows.

1. The private road is unsuitable for any further development.
2. Sightlines are not achievable.
3. Proposed driveway is too narrow.

The applicant cannot change the fact that, at one point, the 'made' access does reduce to 3metres, although the actual distance wall to fence is at least 1.2 metres wider. The councillors will be able to judge that at a site visit. That pinch point is nonetheless for less than 5 metres in length, and otherwise visibility for vehicles entering and leaving the access is fine. The pinch point is also 8metres back from the junction, so won't impact upon the functioning of the junction.

The required visibility splay of 42metres by 2.4metres can be provided, and a drawing has been submitted showing that. The submitted drawing also provides for a double track width at the access location, which effectively incorporates the requested service bay. The applicant has complete control over the entire area of the visibility splay.

It must also be remembered that this access exists, and had quite large vehicles, often with trailers, coming in and out to the search and rescue shed, until that use moved. That arrangement worked well for years, and visibility at the junction, and the pinch point, were simply lived with. The applicant is unaware of this ever having been an issue previously. Indeed, there was, at one point in recent times, a need to get a fire engine into the site, and that vehicle entered the site, turned and left in forward gear without any trouble at all.

The issue regarding the suitability of the road to the site relates to the fact that there are already 20 dwellings located on the surfaced section, with a further 10 on the dirt track section. It is stated, by Operational Services (Roads)), that, to permit any additional dwellings, the road needs to be brought up to 'adoptable standard'. That has clearly been used as a form of shorthand because that is not what the supplementary guidance actually says (see next).

The starting point for the consideration of this issue is the recently approved SG LDP TRAN 4 – New and Existing, Public Roads and Private Access Regimes, which needs to be applied flexibly because, if the Council start to apply such rigid restrictions across Argyll, then in many instances rural housebuilding will need to stop entirely.

Because there are more than 20 dwellings already served by this private road, part 2 A of the guidance is relevant, which states that *"further development that utilises an existing private access or private road will only be accepted if:-*

(i) the access is capable of commensurate improvements considered by the Roads Authority to be appropriate to the scale and nature of the proposed new development and that takes into account the current access issues (informed by an assessment of usage); AND the applicant can;

(ii) Secure ownership of the private road or access to allow for commensurate improvements to be made to the satisfaction of the Planning Authority; OR,

(iii) Demonstrate that an appropriate agreement has been concluded with the existing owner to allow for commensurate improvements to be made to the satisfaction of the Planning Authority."

Part B then goes on to say that the appropriate standard shall be *"as specified in the Council's Roads Development Guide. This takes account of Designing Streets to create a strong sense of place related*

to the development's location i.e. in a settlement, in a rural or remote rural situation, or in a Conservation Area. All roads submitted for adoption as a public road should form a continuous system with the existing public roads."

So, you need to identify how the road is used, and then the appropriate standard will reflect that, and the local context, in this case a conservation area, and taking on board the Council's Roads Development Guide. That standard does not need to be an adoptable standard. The only reference to adoptable standards is if the road is submitted to the authority for adoption, which clearly doesn't have to happen; that is for the owners to decide.

The notes to the policy go on to state that there is, as yet, no such thing as a Council Roads Development Guide because it is being reviewed in light of the emergence of the SCOTS National Roads Development Guide (NRDG).

The NRDG does not say that much on what should happen in this situation, but states that *"where a development is proposed on a road which does not meet these criteria then the developer will be required to widen the road along the frontage of the development or the access road to the development to the appropriate width and provide new and/or passing places where required to mitigate the development traffic"*. At various points, in the guidance, road widths for a rural road are hinted at, with widths somewhere in the 3.3metres to 3.65metres range, which relates, again, to how the road is used, and how much bus/HGV traffic it might have. A rule of thumb, for a rural road, seems to be 3.5metres, with passing places in intervisible locations, or 150metres apart. The road should also be suitably surfaced and drained.

In this case, the road is used by a mixture of local residents, and their visitors, walkers, cyclists, riders and occasional agricultural and larger service vehicles, including the Council's refuse vehicle. HGV use is infrequent. Vehicle speeds are generally low, under 30mph. The road has reasonable visibility along its length, is naturally traffic calmed in places, such as the narrow point where it passes Bonawe Iron Furnace, and has passing places (mainly dwelling accesses, but others besides) along its length. The road is also within a conservation area, and close to various other heritage assets, which represents the context.

There is also one change to its current use, which is recent, in that the search and rescue operation has now been moved from the site to one elsewhere, which will have reduced movements on the road due to training and call-outs. It probably means that with those trips taken away, there will be no net increase in traffic from allowing this new dwelling.

For those reasons, it is suggested that the current road to the site is perfectly acceptable, provided its surface condition is improved. For most of the length of this road, this probably means no more than repairing and filling potholes. The current blacktop surface was laid through funds provided by the residents, and they have a vested interest in continuing to keep the road in a reasonable state, if only to reduce wear and tear to their own vehicles. The substructure is very good, as this was previously installed at the end of a major Scottish Water service installation. The applicant is prepared to accept a planning condition requiring those limited repairs to be undertaken by him.

Conclusion

For the above reasons, the proposal is consistent with the relevant policies contained in the Argyll and Bute Local Development Plan. The scale and design of the dwelling suits the site, and it will not impact upon its heritage interest. No amenity impacts will result.

There are also improvements to the site (Japanese Knotweed removal), and repairs to the local road network, that also support planning permission being granted.

It is respectfully requested, therefore, that conditional planning permission be granted.

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Central Validation Team at Argyll and Bute Council 1A Manse Brae Lochgilphead PA31 8RD Tel: 01546 605518 Email: planning.hq@argyll-bute.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100056273-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Type of Application

What is this application for? Please select one of the following: *

- Application for planning permission (including changes of use and surface mineral working).
- Application for planning permission in principle.
- Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- Application for Approval of Matters specified in conditions.

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

Single dwelling and relocation of search and rescue shed

Is this a temporary permission? *

Yes No

If a change of use is to be included in the proposal has it already taken place?

Yes No

(Answer 'No' if there is no change of use.) *

Has the work already been started and/or completed? *

No Yes – Started Yes - Completed

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	<input type="text" value="WYG"/>		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	<input type="text" value="Paul"/>	Building Name:	<input type="text" value="The Cube"/>
Last Name: *	<input type="text" value="Houghton"/>	Building Number:	<input type="text" value="45"/>
Telephone Number: *	<input type="text" value="07780117708"/>	Address 1 (Street): *	<input type="text" value="Leith Street"/>
Extension Number:	<input type="text"/>	Address 2:	<input type="text"/>
Mobile Number:	<input type="text"/>	Town/City: *	<input type="text" value="Edinburgh"/>
Fax Number:	<input type="text"/>	Country: *	<input type="text" value="United Kingdom"/>
		Postcode: *	<input type="text" value="EH1 3AT"/>
Email Address: *	<input type="text" value="paul@houghtonplanning.co.uk"/>		

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text" value="c/o Bell Ingram"/>
First Name: *	<input type="text" value="Tony"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text" value="Huntingdon"/>	Address 1 (Street): *	<input type="text" value="Boswell House"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text" value="Argyll Square"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Oban"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="PA34 4BD"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

Site Address Details

Planning Authority:

Argyll and Bute Council

Full postal address of the site (including postcode where available):

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Site at Lochandhu, Taynuilt, Argyll

Northing

Easting

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Site Area

Please state the site area:

0.10

Please state the measurement type used:

Hectares (ha) Square Metres (sq.m)

Existing Use

Please describe the current or most recent use: * (Max 500 characters)

Vacant land and search and rescue shed

Access and Parking

Are you proposing a new altered vehicle access to or from a public road? *

Yes No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

<p>Are you proposing any change to public paths, public rights of way or affecting any public right of access? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.</p>
<p>How many vehicle parking spaces (garaging and open parking) currently exist on the application Site? 0</p> <p>How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? * 2</p> <p>Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).</p>
<h3 style="margin: 0;">Water Supply and Drainage Arrangements</h3> <p>Will your proposal require new or altered water supply or drainage arrangements? * <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *</p> <p><input checked="" type="checkbox"/> Yes – connecting to public drainage network</p> <p><input type="checkbox"/> No – proposing to make private drainage arrangements</p> <p><input type="checkbox"/> Not Applicable – only arrangements for water supply required</p>
<p>Do your proposals make provision for sustainable drainage of surface water?? * <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>(e.g. SUDS arrangements) *</p> <p>Note:-</p> <p>Please include details of SUDS arrangements on your plans</p> <p>Selecting 'No' to the above question means that you could be in breach of Environmental legislation.</p>
<p>Are you proposing to connect to the public water supply network? *</p> <p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No, using a private water supply</p> <p><input type="checkbox"/> No connection required</p> <p>If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).</p>
<h3 style="margin: 0;">Assessment of Flood Risk</h3> <p>Is the site within an area of known risk of flooding? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't Know</p> <p>If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.</p> <p>Do you think your proposal may increase the flood risk elsewhere? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't Know</p>
<h3 style="margin: 0;">Trees</h3> <p>Are there any trees on or adjacent to the application site? * <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.</p>
<h3 style="margin: 0;">Waste Storage and Collection</h3> <p>Do the plans incorporate areas to store and aid the collection of waste (including recycling)? * <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>

If Yes or No, please provide further details: * (Max 500 characters)

External storage

Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? *

Yes No

How many units do you propose in total? *

1

Please provide full details of the number and types of units on the plans. Additional information may be provided in a supporting statement.

All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? *

Yes No

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013) *

Yes No Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

Yes No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? *

Yes No

Is any of the land part of an agricultural holding? *

Yes No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: Paul Houghton

On behalf of: Mr Tony Huntingdon

Date: 21/06/2017

Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

Yes No Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? *

Yes No Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? *

Yes No Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *

Yes No Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? *

Yes No Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *

Yes No Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

- Site Layout Plan or Block plan.
- Elevations.
- Floor plans.
- Cross sections.
- Roof plan.
- Master Plan/Framework Plan.
- Landscape plan.
- Photographs and/or photomontages.
- Other.

If Other, please specify: * (Max 500 characters)

Provide copies of the following documents if applicable:

- | | | |
|--|---|---|
| A copy of an Environmental Statement. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| A Design Statement or Design and Access Statement. * | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> N/A |
| A Flood Risk Assessment. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| Drainage/SUDS layout. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| A Transport Assessment or Travel Plan | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| Contaminated Land Assessment. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| Habitat Survey. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| A Processing Agreement. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |

Other Statements (please specify). (Max 500 characters)

Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Mr Paul Houghton

Declaration Date: 28/06/2017

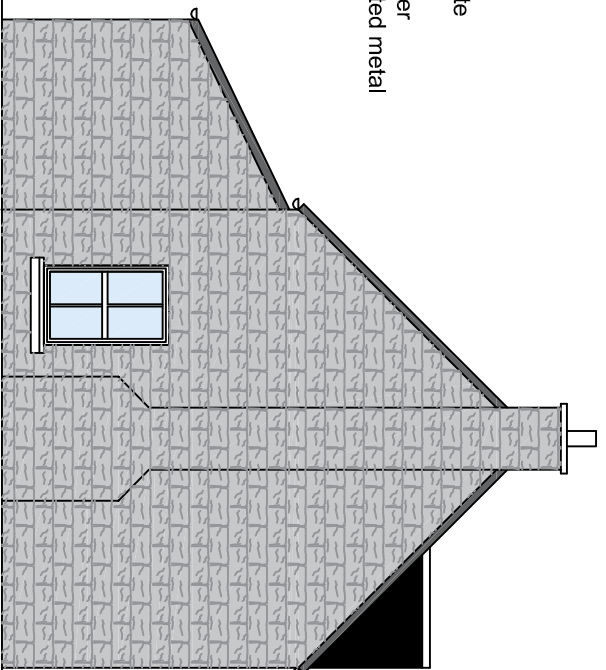
Payment Details

Departmental Charge Code: .

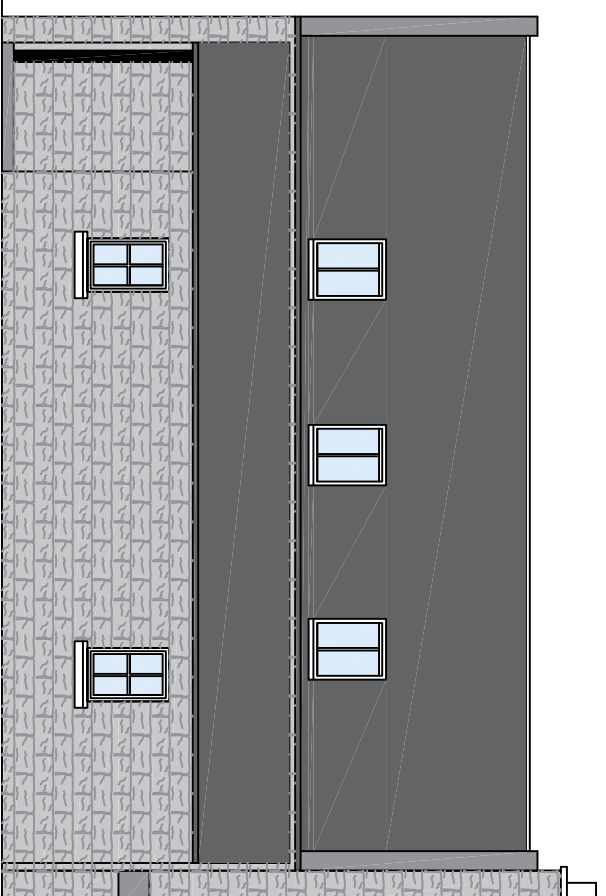
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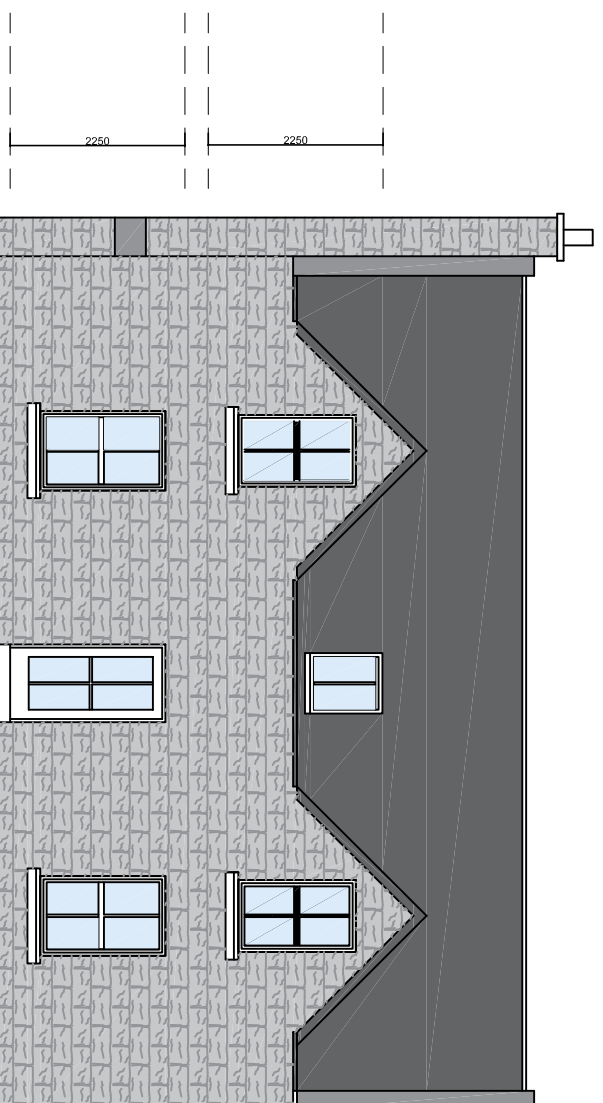
External finishes:
 Main roof : slate
 single storey roof: slate
 walls: natural stone
 windows: painted timber
 rainwater goods: painted metal



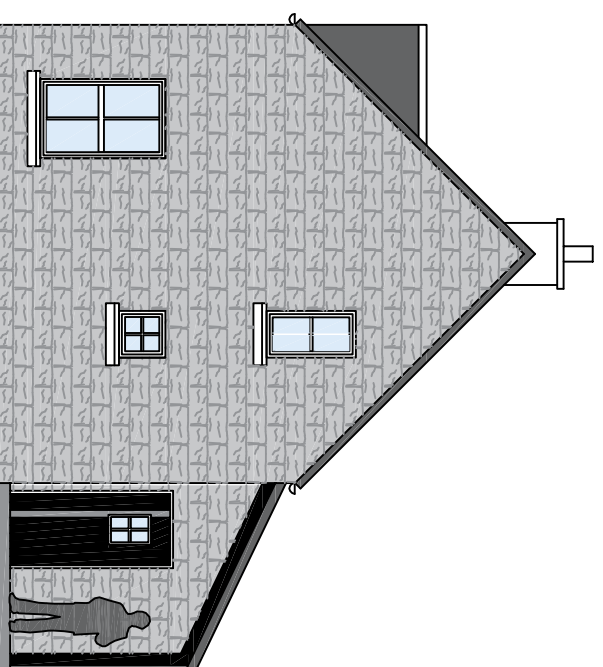
Elevation A



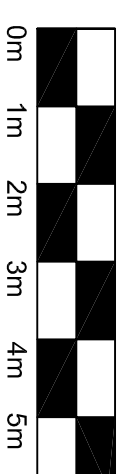
Elevation B



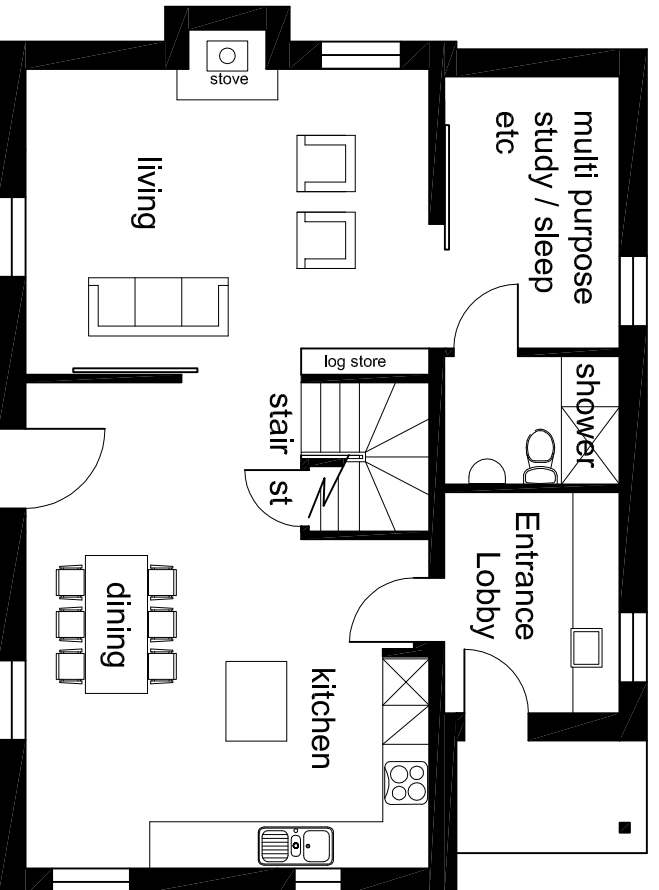
Elevation D



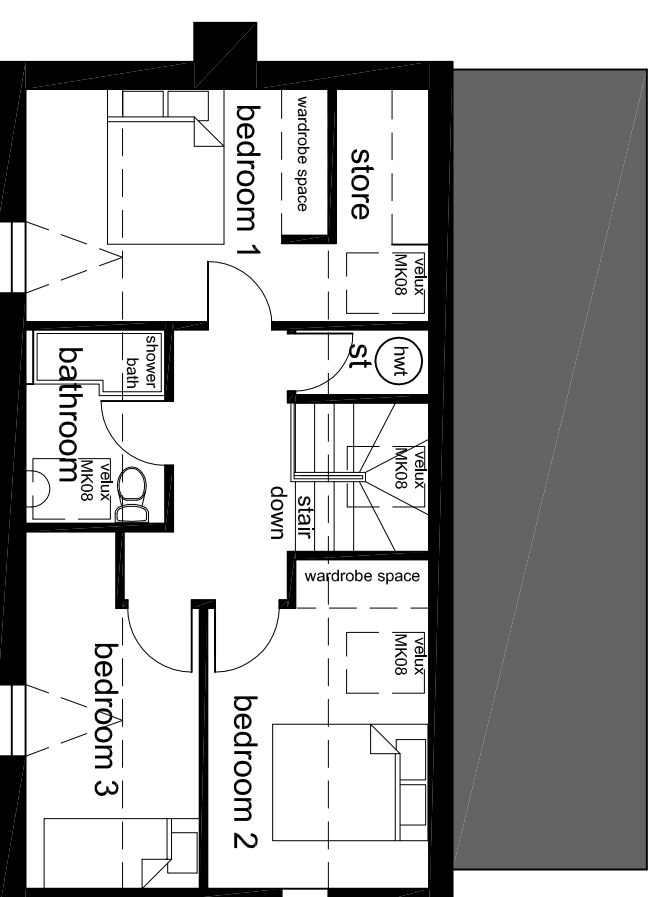
Elevation C



Do not scale from this drawing
 All dimensions to be checked on site
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Ground Floor Plan

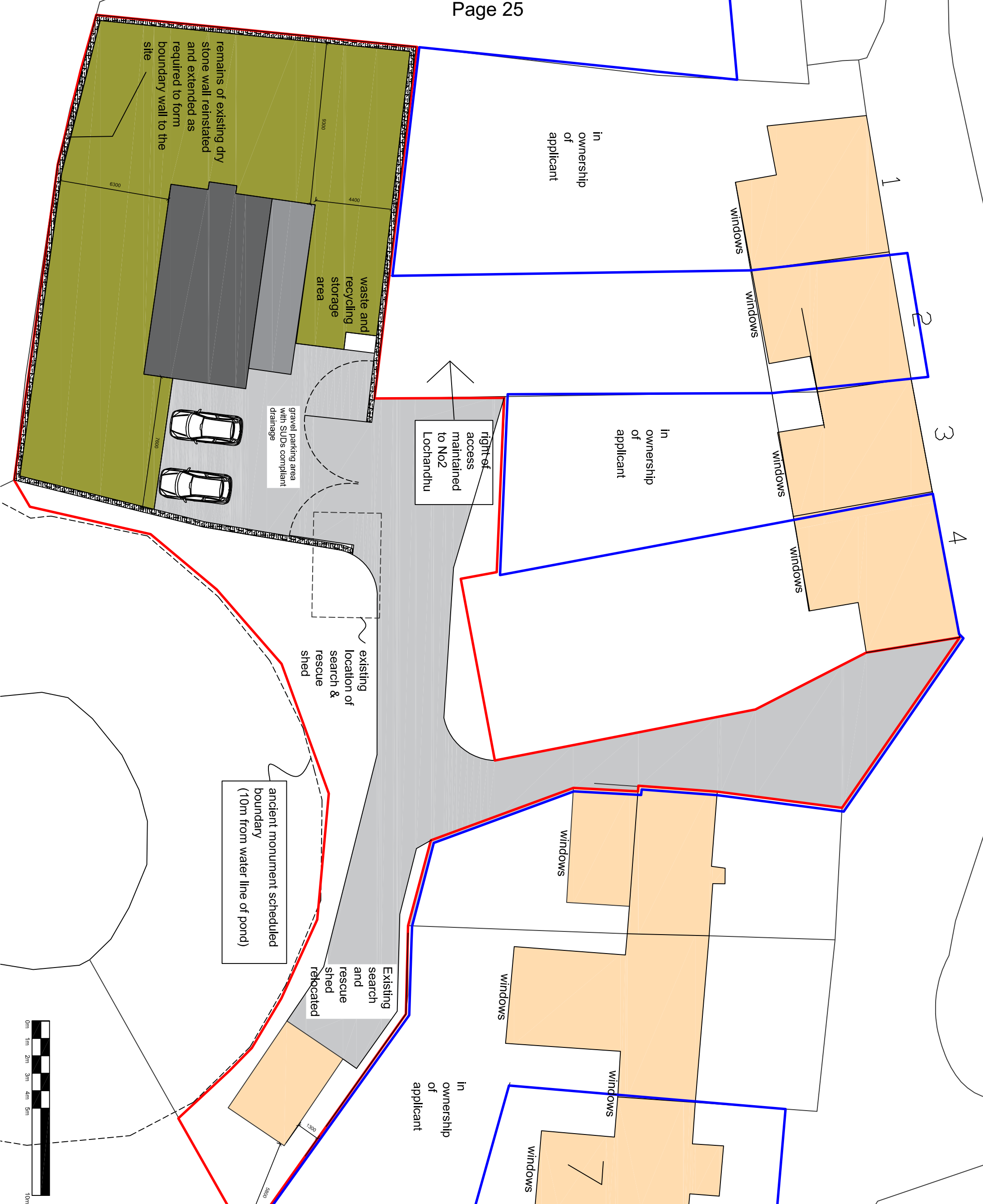


1st Floor Plan

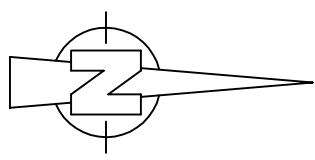


Client Mr T Huntingdon		Telephone 01463 717 799	
Project Proposed House at Lochandhu Taynult		Date May 2017	
Title Proposed Elevations & Floor Plans		Checked ---	
Branch Inverness	Drawn JMF	Scale 1:100	Rev B
Job No. H 5473	Date May 2017	Scale 1:100	Rev B
Dirg No. SK002	Date		Rev B

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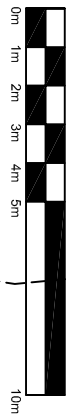
Do not scale from this drawing
 All dimensions to be checked on site
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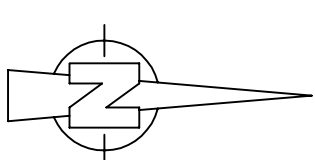
Revision	Date



Client Mr T Hunnington	
Project Proposed House at Lochandhu Taysrult	
Title Proposed Site Plan	
Branch Inverness	Telephone 01463 717 799
Drawn JMF	Date May 2017
Job No. H 5473	Drg Size A3
Drg No. SK001	Scale 1:200
	Checked ---
	Rev B



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to Taynult
village centre



Client		M/T Huntington	
Project		Proposed House at Lochanahhu Taynult	
Title			
Location Plan		Telephone	
Branch		Inverness	
Drawn		Date	
JMF		Aug 2012	
Job No.		Dwg Size	
H 5473		A3	
Scale		Checked	
1:2500		---	
Dwg No.		Rev	
L/PL/001		B	

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Design Statement

Introduction

This Design Statement has been prepared on behalf of Mr Tony Huntingdon. It relates to a detailed planning application for a single dwelling, and relocated search and rescue shed, at land to the south of 1 Lochandhu, Taynuilt, Argyll.

This is the third planning application that has been submitted for a new dwelling on this land. The first (ref. 12/02027/PP) for the erection of a dwellinghouse and detached garage was withdrawn on 18th January 2013. The second for the same development (ref: 14/00539/PP) was refused on 3rd February 2017.

The option of reviewing that last decision was considered. However, upon reflection, it was decided best to redesign the proposal in light of the refusal reasons, and comments made by the case officer in the Report of Handling, and re-submit.

The refusal reasons in relation to application ref: 14/00539/PP are long and detailed, but, in essence, raise the following as issues. These are considered further below.

1. Whether the proposal is acceptable infill, rounding off or redevelopment, or is an unacceptable form of backland development
2. Whether the design quality, scale, siting and design of the proposed dwelling are appropriate for the area, which is a Conservation Area and close to a Scheduled Monument.
3. Whether the proposed dwelling would impact unacceptably upon the residential amenity of the adjacent cottages at 1-4 Lochandhu.
4. Whether the site can be appropriately accessed and provided with parking.

Site

The site is located outwith the settlement of Taynuilt, within the Countryside Zone, as shown on the Argyll and Bute Local Development Plan Proposals Map.

That situation is somewhat anomalous, however, in that in visiting this area, you certainly feel as if you are still in the village, and the proximity of the Bonawe Ironworks, 1-4 Lochandhu Cottages, and other dwellings, suggests both an historic and current link between this area and the rest of the village. Why the decision was taken to exclude this area from the village is unclear, but the opportunity to comment on the forthcoming review of the Local Development Plan will be taken to seek to correct this, and bring the site within the village boundary. In the meantime, however, it is accepted that the site is in the Countryside Zone for the purposes of considering this application.

The site is reached via Lochandhu Road, which is a private part surfaced/part unmade road from its junction with the B845 Brochroy Road close to the village core

The site comprises land to the rear of 1-4 and 5-7 Lochandhu, all of which are traditional properties. Access to the site is between 4 and 5 Lochandhu. The site is overgrown and infested with Japanese



Knotweed. It is self-contained visually, with no obvious points from where it can be seen. It is partly contained within a former stone boundary wall. Other boundaries are formed by fences to other properties and by heavy vegetation.

As all those that have had to deal with Japanese Knotweed know, its eradication is time-consuming and extremely expensive. In this case, part of the rationale for this development is to be able to fund that remediation, and ensure that what is currently a limited problem to the site does not become one for the wider area.

This entire area is within an overarching Category A listing for Bonawe Ironworks, which comprises certain key buildings within the former works, including 1-4 Lochandhu, and which are described as worker' dwellings of one and half storey, rubble, part lime washed and slate roofs. Much of the area is also included with the Scheduled Monument of Bonawe Iron Furnace, although the site itself is largely excluded. A small area close to the former reservoir for the works, now overgrown, is included, which overlaps with where the search and rescue shed is currently sited.

Proposed Development

Planning permission is sought for a single dwelling, which would be one and a half storey, of simple vernacular design to reflect 1-4 Lochandhu, and built of local materials, including a slate roof, stone for walls, timber windows and doors, and metal rainwater goods.

The dwelling continues to have a rectangular footprint and remains sited, long elevation facing, and to the rear of, 1-2 Lochandhu.

The previous lean-to extension, and covered external decking area, have, however, been removed, as being non-traditional features.

The dwelling continues to have two floors, with living room, kitchen/dining and other ancillary rooms on the ground floor, with three bedrooms and a bathroom above.

North facing windows now only exist on the ground floor, with roof lights serving the first floor. These can be obscured glazed, with restricted opening, or can have cill heights raised, if that remains an issue. Windows on the other elevations look out over open ground.

There is no separate garage proposed, although the search and rescue shed will still be relocated to improve access into, and circulation around, the site.

The dwelling will utilise the existing access that serves the search and rescue shed; a right of access to 2 Lochandhu will also be maintained.

The boundary wall, where it remains, will be repaired, and a similar boundary can be provided around the remainder of the site, or it can be left open.



Issues

Whether the proposal is acceptable infill, rounding off or redevelopment, or is an unacceptable form of backland development

It is considered that, in principle, a dwelling on this site is acceptable, and is a type of rounding off development, in relation to this established group of dwellings in the countryside. It is, therefore, a form of residential development that is supported by Policy LDP DM1 in the Local Development Plan, subject to the details being appropriate, and it complementing, and not harming, interests of acknowledged importance, principally heritage in this case.

It should also be stressed that this is previously developed land, and is infested by Japanese Knotweed. Neither of these issues seem to have been given any weight in the previous decision to refuse. Both are mentioned in the Report of Handling, but neither seem to have been weighed in the balance as material considerations.

Removal of Japanese Knotweed is a particularly difficult and expensive process, and redeveloping a site is widely accepted as a way of cross-subsidising this. You could go as far as to suggest that in any finely balanced, even skewed determination towards refusal, that dealing with this issue might warrant a grant of planning permission as a minor (even quite significant) departure from the development plan.

The dwelling is located at the back of existing properties, but is not backland development. That form of development is more an issue where the point of access is close to two existing flanking properties, not the case here, and where amenity issues can result from having one property positioned to the immediate rear of another; again, that is not the case here.

It is accepted that the previous design might have caused an amenity concern, by way of overlooking, but the design has been altered to remove that possibility.

The established character of this area is of scattered development served by a web of public and private roads. It is not linear in form, although some of the building forms are linear in themselves such as 1-4 Lochandhu. Siting a dwelling as proposed is, therefore, a perfectly normal response to this character typology.

Whether the design quality, scale, siting and design of the proposed dwelling are appropriate for the area, which is a Conservation Area and close to a Scheduled Monument.

It is accepted that the previously designed dwelling was not sympathetic to the character of the area, the Conservation Area and its wider heritage. That has been corrected with the current design, which takes as its cue the form and scale of 1-4 Lochandhu. It will be built of materials that are reflective of the heritage of the area, and windows are now uniformly placed on the elevations.

It remains a modest and simple form dwelling that reflects the Council's design guidance, and is considered to complement the character of the Conservation Area. It would be too much to say that



it enhances the character of the area, but it certainly preserves, which is sufficient for a proposal to pass the statutory test in a conservation area.

The dwelling does not impinge upon any historic sites, being beyond the Scheduled Monument boundaries, and cannot be seen in any immediate views into, or out of, the Conservation Area.

Whether the proposed dwelling would impact unacceptably upon the residential amenity of the adjacent cottages at 1-4 Lochandhu.

As already mentioned, residential amenity impacts have now been removed and, if more needs to be done, the form, opening of, and glass used, in the north facing windows can be controlled by planning condition.

Whether the site can be appropriately accessed and provided with parking.

Parking can be provided within curtilage.

That leaves the issue of the road to the site, and access into it, as the only remaining issues raised with the last application.

Access sightlines to a standard of 42 metres in each direction from a 2.4 metre setback can be achieved, by minor changes to the road beyond the access. The applicant can secure this, and can accept a planning condition to that effect.

The applicant cannot change the fact that, at one point, the access does reduce to 2.5 metres at a pinch point, but that is for less than 5 metres in length, and otherwise visibility for vehicles entering and leaving the access is fine. It must be remembered that this access is used already, and has quite large vehicles, often with trailers, coming in and out to the search and rescue shed. That arrangement has worked well for years, and visibility at the junction, and the pinch point, have simply been lived with. The applicant is unaware of this ever having been as an issue previously.

The issue that Council Roads have regarding the suitability of the road to the site, in that there are already 20 dwellings located on the surfaced section, with a further 10 on the dirt track section, is somewhat of a fact of life in Argyll & Bute. If the Council start to apply such rigid restrictions across the area, then in many instances rural housebuilding will need to stop entirely.

This guideline should instead be the starting point; a marker from which further consideration is then given to the overall safety of the route in. In that regard, it is accepted that the road changes from made to unmade, and in places can do with some maintenance, which the applicant is content to contribute to, as a local landowner. It might also be possible for the speed limit to be reduced on the road, to 20mph, and for limited traffic calming measures to be installed, and the applicant is willing to investigate those, and accept a planning condition that requires a scheme to be agreed with the Council. This road will never be perfect, but it can be made better for all those living along and using it.



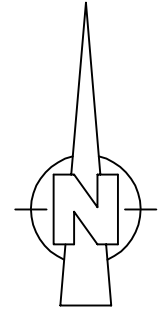
Conclusion

For the above reasons, the proposal is consistent with the relevant policies contained in the Argyll and Bute Local Development Plan. The scale and design of the dwelling suits the site, and it will not impact upon its heritage interest. No amenity impacts will result.

There are also improvements to the site (Japanese Knotweed removal), and perhaps the local road network, that also support planning permission being granted.

It is respectfully requested, therefore, that conditional planning permission be granted.

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realigned road edge

realigned road edge

BT pole

visibility splay 2.4x42m

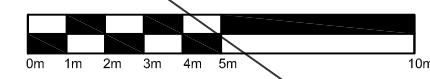
water valve
 visibility splay 2.4x42m

1

7



Revision Date



Client Mr T Huntington			
Project Proposed House at Lochandhu Taynuilt			
Title Proposed Access to Site			
Branch Inverness		Telephone 01463 717 799	
Drawn JMF	Date Oct 2015	Drg Size A3	Checked ---
Job No. H 5473		Scale 1: 200	
Drg No. L(PL)100			Rev

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SG LDP TRAN 4 – New and Existing, Public Roads and Private Access Regimes

This policy provides additional detail to policy LDP 11 Improving our Connectivity and Infrastructure of the Adopted Argyll and Bute Local Development Plan. Street design for new developments must consider place before movement and take into account the principles regarding development setting, layout and design set out in policy LDP 9 of the Local Development Plan.

Acceptance of development utilising new and existing public roads, private roads and private access regimes is subject to road safety and street design issues being addressed and the following:-.

(A) Developments shall be served by a public road¹ (over which the public have right of access and maintainable at public expense;

Except in the following circumstances:-

(1) a new private access³ may be considered appropriate if:

- (i) The new private access forms an individual private driveway serving a single user development, which does not, in the view of the planning authority, generate unacceptable levels of pedestrian or vehicular traffic in terms of the access regime provided; or**
- (ii) The private access serves a housing development not exceeding 5 dwelling houses; or**
- (iii) The private access serves no more than 20 units in a housing court development;**

OR

(2) further development that utilises an existing private access or private road² will only be accepted if:-

- (i) the access is capable of commensurate improvements considered by the Roads Authority to be appropriate to the scale and nature of the proposed new development and that takes into account the current access issues (informed by an assessment of usage); AND the applicant can;**
- (ii) Secure ownership of the private road or access to allow for commensurate improvements to be made to the satisfaction of the Planning Authority; OR,**
- (iii) Demonstrate that an appropriate agreement has been concluded with the existing owner to allow for commensurate improvements to be made to the satisfaction of the Planning Authority.**

(B) The construction standards to be applied are as follows:-

1. Public Roads:

- (i) shall be constructed to a standard as specified in the Council's Roads Development Guide⁴. This takes account of Designing Streets to create a strong sense of place related to the development's location i.e. in a settlement, in a rural or remote rural situation, or in a Conservation Area. All roads submitted for adoption as a public road should form a continuous system with the existing public roads.**

(ii) in areas with a predominant system of single track roads with passing places, housing

Argyll and Bute Local Development Plan – Supplementary Guidance Transport (including core paths)

development of between 6 and 10 dwelling units may be accepted served by the *Variable Standard of Adoption* introduced in the Council’s Road Development Guide, in recognition of differing needs within more rural areas.

- (iii) which connect to or impact significantly on a Trunk Road⁵ will require consultation with Transport Scotland.

1.Private Access

(i) shall be constructed to incorporate minimum standards to function safely and effectively as set out in the Council’s Road Development Guide, in particular in relation to adequate visibility splays, access gradients, geometry, passing places, boundary definition, turning capacities, integrated provision for waste management and recycling.

(ii) It must be demonstrated to the Planning Authority that consideration has been given by the applicant in the design process to the potential need to make future improvements to the access up to and including an adoptable standard.

(iii) which connect to or impact significantly on a Trunk Road will require consultation with Transport Scotland.

Notes

¹Public Road - roads on the Local Roads Authority’s list of public roads. This includes any new road (including any associated footway or verge) constructed in accordance with a Road Construction Consent, with public access and maintainable by the Local Roads Authority. All roads submitted for adoption as a public road should form a continuous system with the existing public roads.

²Private Roads – The public have the right of passage over a private road. Responsibility for the maintenance of a private road rests with the owner(s). However, the Roads Authority may, by notice to the frontagers, of an existing private road, require them to make the road up to, and maintain it at, such reasonable standard as may be specified in the notice. The Roads (Scotland) Act 1984 requires Road Construction Consent for new private roads, which means they now require to be built to an adoptable standard.

³Private access - private accesses are controlled (maintained) by the owner(s) and there is no public right of passage. These do not require a Road Construction Consent as there is no right of public access. The Roads Authority cannot make a notice to require a private access to be made up or maintained.

⁴The Council’s Roads Development Guide is being reviewed in light of the emergence of the SCOTS National Roads Development Guide (NRDG). Local variations to the NRDG are currently being prepared, which will include a variable standard for adoption for developments of 6-10 dwelling units (inclusive) in areas with a predominant system of single track roads with passing places, where the Roads Authority consider the variable standard is appropriate. Both the NRDG and the emerging Argyll and Bute Local Roads Development Guide seek to support the Scottish Government policy [Designing Streets](#).

⁵Trunk Road – a strategic road which is managed and maintained by Transport Scotland, on behalf of the Scottish Ministers.

Explanation of policy objectives

This policy aims to provide additional detail to policy LDP 11 Improving our Connectivity and Infrastructure of the Argyll and Bute Adopted Local Development Plan. It provides a planned approach to street design to deliver an improved quality of place-making for new developments. SG

Argyll and Bute Local Development Plan – Supplementary Guidance Transport (including core paths)

LDP TRAN 4 refers to standards appropriate for Road Construction Consent. These can be found in the Council's Roads Development Guide.

The primary objective is the safety of all road users including pedestrian, cycle and motorised vehicles, achieved within a well-designed street environment.

Development and Public Roads

The Local Roads Authority holds a list of **public roads** that require to be constructed to a set standard, are maintained by the Roads Authority and have a public right of access. These are also known as Adopted Roads. The Local Roads Authority may be requested to adopt, i.e. add to its list of public roads, any new road (including any associated footway or verge) constructed in accordance with a Road Construction Consent. All roads submitted for adoption as a public road should form a continuous system with the existing public roads. The aim is to have roads developed to an appropriate standard that are publically accessible and have a maintenance regime regulated by the Roads Authority. Therefore, within most developments it is appropriate for road construction standards to be applied and the roads to be adopted.

That said, in some limited circumstances, particularly in the more rural areas of Argyll and Bute, it is considered appropriate to introduce a *variable standard for adoption* to reflect the scale, nature and differing design requirements of development in these circumstances. This would apply to roads serving developments of 6-10 dwelling units (inclusive) in areas with a predominant system of single track roads with passing places, where the Roads Authority consider the variable standard is appropriate. This approach may also bring benefits to applicants, by helping to reduce initial development costs and to the environment, by allowing a more rural design solution. This could include removal of the requirement for pavements, lighting and a variation in the construction specification.

Development and Private Access/Private Roads

It may also be appropriate to limit public access and/or vary construction standards by allowing the construction of a private access in the circumstances set out in the policy SG LDP TRAN 4, sections A1 and A2.

When assessing the circumstances when it may be appropriate to accept a development being served by a private access or an existing private road consideration needs to be given to the integration of place-making and technical matters to produce a safe, well designed street environment. A number of principles guide these considerations including:

- a) Private accesses should not result in significant barriers to and discontinuity of public access across settlements or between settlements, countryside and coast.
- b) Private accesses and private roads should be fit for purpose and become less appropriate in urban areas and in circumstances when serving development that generates substantial levels of pedestrian and /or vehicular traffic, particularly by visiting members of the public.
- c) Private accesses and private roads are more appropriate for smaller scale developments in rural areas.
- d) Private accesses and private roads should facilitate effective and safe access by emergency service vehicles (3.7m width from wall to wall) and where appropriate, by public service vehicles and include a turning area.
- e) Private accesses and private roads where they join the public road network should provide for an adequate visibility splay to be maintained in perpetuity and be constructed in such a manner to not cause undue safety issues.
- f) Private accesses provision should be designed in such a manner to allow for continuous improvement in the interests of sustainable development.

Argyll and Bute Local Development Plan – Supplementary Guidance Transport (including core paths)

In applying the above principles to the variety of locations and circumstances found in Argyll and Bute, distinction should be made between housing, commercial and other non-housing development.

Commensurate Improvements

In situations where development aims to utilise an existing private access or private roads regime an informed assessment requires to be made. This needs to examine the access issues related to the proposed additional development and the current situation on the private access or private road, including any capacity for improvement. The assessment requires to be an integral part of the design stage. These factors will be used to determine the level of commensurate improvement required. Designing in future improvement capacity will promote a planned approach to street design, delivering an improved quality of place-making for new developments in the more rural areas rather than an incremental approach with its inherent issues.

The commensurate improvements that are required will be determined by the Roads Authority on a sliding scale related to the individual circumstances but taking a range of factors into account including :- existing access conditions, scale and nature of the proposed development and scale and nature of existing development. The Council Roads Development Guides will be applied.

The above factors have been taken into account in **SG LDP TRAN 4**.

This SG conforms to:

- **SPP**
- **PAN 75 (Transport and Planning).**
- **LDP Key Objectives F, G and H.**
- **LDP 11 Improving our Connectivity and Infrastructure**
- **LDP 9 Development Setting, Layout and Design**

Background information

- **Designing Streets** <http://www.gov.scot/Resource/Doc/307126/0096540.pdf>

RE: 17/01745/PP: Proposal: Erection of Dwelling House and relocation of Search & Rescue Shed

Location: Land To South Of 1 Lochandhu Taynuilt Argyll And Bute PA35 1JL.

I would refer to the above and I can confirm that at the Taynuilt Community Council meeting of Mon 18 September 2017, this application was discussed and it was agreed that we were happy with the proposals and that there was no need for any objections.

Regards
Murray Sim
Treasurer
Taynuilt Community Council

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By email to: Fiona.mccallum@argyll-but.gov.uk

Committee Services Officer
Argyll and Bute Council
Kilmory
Lochgilphead
Argyll
PA31 8RT

Longmore House
Salisbury Place
Edinburgh
EH9 1SH

Enquiry Line: 0131-668-8716
HMAppeals@hes.scot

Our ref: AMH/90037/10
Our case ID: 300022151
Your ref: 17/0010/LRB
LA Ref: 17/01745/PP
14 November 2017

Dear Ms McCallum

[Land To South Of 1 Lochandhu, Taynult - Erection of dwellinghouse and relocation of search and rescue shed. \(Notice of Local Review\)](#)

We have previously been consulted on this application and have no further comments to add; our previous response is attached for ease of reference.

Yours sincerely,

Historic Environment Scotland

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**By email to:**planning.olandi@argyll-bute.gov.uk

Argyll and Bute Council - Oban Office
 Planning Services
 Municipal Buildings
 Albany Street
 Oban
 PA34 4AW

Longmore House
 Salisbury Place
 Edinburgh
 EH9 1SH

Enquiry Line: 0131-668-8716
HMConsultations@hes.scot

Our ref: AMH/90037/10
 Our case ID: 300022151
 Your ref: 17/01745/PP

28 July 2017

Dear Sir/Madam

Town and Country Planning (Development Management Procedure) (Scotland)
 Regulations 2013
 Land To South Of 1 Lochandhu, Taynuilt - Erection of dwellinghouse and relocation of
 search and rescue shed

Thank you for your consultation which we received on 18 July 2017. We have assessed it for our historic environment interests and consider that the proposals have the potential to affect the following:

Ref	Name	Designation Type
SM90037	Bonawe, Iron Furnace	Scheduled Monument

You should also seek advice from your archaeology and conservation service for matters including unscheduled archaeology and category B and C-listed buildings.

Our Advice

We have considered the information received and do not have any comments to make on the proposals. Our decision not to provide comments should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on development affecting the historic environment, together with related policy guidance.

Further Information

This response applies to the application currently proposed. An amended scheme may require another consultation with us.

Guidance about national policy can be found in our 'Managing Change in the Historic Environment' series available online at www.historicenvironment.scot/advice-and-



[support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes/](#). Technical advice is available through our Technical Conservation website at www.engineshed.org.

Please contact us if you have any questions about this response. The officer managing this case is Kevin Grant who can be contacted by phone on 0131 668 8798 or by email on kevin.grant@hes.scot.

Yours faithfully

Historic Environment Scotland

STATEMENT OF CASE

FOR

**ARGYLL AND BUTE COUNCIL
LOCAL REVIEW BODY**

17/0010/LRB

**Local Review for non-determination of planning application ref 17/01745/PP – Erection
of dwellinghouse and relocation of search and rescue shed at land to the south of 1
Lochanduh, Taynuilt**

21st of November 2017

STATEMENT OF CASE

The Planning Authority is Argyll and Bute Council ("the Council"). The appellant is Mr Tony Huntington ("the appellant").

Planning application ref 17/01745/PP for the erection of a dwellinghouse and relocation of a search and rescue shed at land to south of 1 Lochanduh was validated on the 18th of June 2017. The appointed officer has failed to give the applicant their decision within a period of 2 months after the validation date.

The applicant has consequently requested a Local Review Body against a deemed refusal of this application whereby the appointed officer has failed to give the applicant their decision within a period of two months after the validation date.

DESCRIPTION OF SITE

The application site comprises land to the rear of 1-4 Lochandhu Cottages, a terrace of single storey traditional dwellinghouses and south of Bonawe Iron Works. The application site also extends eastwards beyond these cottages to the rear of 5-7 Lochandhu, a terrace of 3 one-and-a-half storey traditional dwellinghouses. The site is bounded to the south by a grazing field and reservoir associated with the iron works (refer below). The applicant owns land around the application site that includes 1, 3, 5 and 6 Lochandhu.

An existing shed is located within the application site to the rear of 3-4 Lochandhu and this is used by the local Search and Rescue Team as a storage shed.

The scheduled monument (SM90037) consists of the extensive and well preserved remains of the Bonawe Iron Works, founded in 1753. The core of the site includes the furnace building, (including the bridge house, bellows house and casting floor), charcoal sheds and the ore shed. The wider complex also includes the aqueduct bringing water from the River Awe, two blocks of workers' dwellings (with an associated area of rig and furrow), the manager's house, slag heaps, reservoirs, the stone pier on Loch Etive, the remains of stabling and an area of slag-built ridges to the E of Bonawe House. Included in the area is a standing stone of uncertain date.

The two reservoirs associated with the iron works form two further parts of the scheduled area. In both cases the protected area is defined as 10m out from the normal edge of the water. This gives one area around Lochandhu which is irregular in shape and measures roughly 130m N-S by 110m and a second area in the grounds of Bonawe House which is also irregular and measures roughly 60m N-S by 60m.

In addition to the Iron Works, blast furnace and store house, the Category A Listing (LB12180) includes workers' dwellings to the south-east of the iron works at 1-4 Lochandhu Cottages which are rubble part lime washed with slated roofs.

STATUTORY BASIS ON WHICH THE APPEAL SHOULD BE DECIDED

Section 25 of the Town and Country Planning (Scotland) Act 1997 provides that where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise. This is the test for this application.

STATEMENT OF CASE

Argyll and Bute Council considers the determining issues in relation to the case are as follows:

- Whether the material considerations asserted by the appellant are sufficient to warrant the approval of planning application ref 17/01745/PP.

The Report of Handling (Appendix 1) sets out the Council's full assessment of the application in terms of Development Plan policy and other material considerations.

REQUIREMENT FOR ADDITIONAL INFORMATION AND A HEARING

It is not considered that any additional information is required in light of the appellant's submission. The issues raised were assessed in the Report of Handling which is contained in Appendix 1. As such it is considered that Members have all the information they need to determine the case. Given the above and that the proposal is medium scale, has no complex or challenging issues, and has not been the subject of any significant public representation, it is not considered that a Hearing is required.

COMMENT ON APPELLANT'S SUBMISSION

It is considered that the Local Review statement does not present any justification which could over-ride the policy issues which have been raised with regards to the Countryside Zone designation of the site, impacts on the historic environment and inadequate access arrangements.

The appellant further argues that the vehicular access should not be required to be brought up to adoptable standards and states that the search and rescue operation has now been moved elsewhere off the site. It is alluded by the applicant that this displacement of the search and rescue shed would result in no increase in vehicular movements at this access.

Comment:

The Area Roads Engineer has been consulted and has recommended that the proposed development is refused for the following reasons:

1. The private road is unsuitable for any further development until the road is brought up to an adoptable standard. There are already 20 dwellings located on the surfaced section with a further 10 on the dirt track section
2. Visibility splays measuring 42m x 2.4m in each direction at junction with the public road are not achievable.
3. The proposed driveway is too narrow. Minimum width approximately 2.5m against Roads spec of 3.0m or 3.7m (Drg SD 08/002a) from a point 13m or more from a private road.

As the sightlines cannot be achieved and the private road is considered to be unsuitable to serve additional dwellings, the proposed development is considered to be contrary to policies LDP 11 and SG LDP TRAN4.

It is considered that the surrounding area has existing parking and access problems. The introduction of a further dwellinghouse to the rear of existing dwellings with shared access arrangements would only exacerbate traffic and pedestrian safety issues.

Furthermore the description of the proposed development includes the relocation of the search and rescue shed and not for its removal. The removal of this shed does not form part of this proposal.

CONCLUSION

Section 25 of the Town and Country Planning Act 1997 requires that all decisions be made in accordance with the development plan unless material considerations indicate otherwise.

Taking all of the above into consideration, it is considered that the proposed development has been appropriately assessed against the Council's Local Development Plan and Supplementary Guidance.

Taking account of the above, it is respectfully requested that the application for review be dismissed.

APPENDIX 1

Argyll and Bute Council
Development & Infrastructure Services

Delegated or Committee Planning Application Report and Report of handling as required by Schedule 2 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 relative to applications for Planning Permission or Planning Permission in Principle

Reference No: 17/01745/PP
Planning Hierarchy: Local
Applicant: Mr Tony Huntington
Proposal: Erection of dwellinghouse and relocation of search and rescue shed
Site Address: Land to the south of 1 Lochandhu, Taynuilt

DECISION ROUTE

Sect 43 (A) of the Town and Country Planning (Scotland) Act 1997

(A) THE APPLICATION

(i) Development Requiring Express Planning Permission

- Erection of dwellinghouse
- Relocation of existing search and rescue shed
- Upgrade to existing vehicular access
- Provision of informal footpath

(ii) Other specified operations

- Connection to public water supply network
 - Connection to public drainage network
-

(B) RECOMMENDATION:

Having due regard to the Development Plan and all other material considerations, it is recommended that planning permission be refused for the reasons appended to this report.

(C) CONSULTATIONS:

Area Roads Oban	01.11.2017	Refuse
SNH	03.11.2016	No comments
Environmental Health	17.03.2017	No objections

Core Paths	06.09.2017	No objections
HES	28.07.2017	No comments
Taynuilt Community Council	13.11.2017	No objections
Scottish Water	02.08.2017	No objections

(D) HISTORY:

12/02027/PP

Erection of a dwellinghouse and detached garage, withdrawn 18/01.2013.

14/00539/PP

Erection of a dwellinghouse and detached garage, refusal issued 17.04.2017.

(E) PUBLICITY:

ADVERT TYPE:

Regulation 20 Advert Local Application

EXPIRY DATE: 17.08.2017.

A Conservation Area Site Notice was displayed on the site on the 4th of August 2017

(F) REPRESENTATIONS:

(i) **Representations received from:**

- No representations received

(ii) **Summary of issues raised:**

- N/A
-

(G) SUPPORTING INFORMATION

Has the application been the subject of:

- | | |
|---|-----|
| (i) Environmental Statement: | No |
| (ii) An appropriate assessment under the Conservation (Natural Habitats) Regulations 1994: | No |
| (iii) A design or design/access statement: | Yes |

- (iv) **A report on the impact of the proposed development eg. Retail impact, transport impact, noise impact, flood risk, drainage impact etc:** No
-

(H) PLANNING OBLIGATIONS

Is a Section 75 agreement required: No

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

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

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

'Argyll and Bute Local Development Plan' (Adopted March 2015)

LDP STRAT 1 – Sustainable Development
LDP DM 1 – Development within the Development Management Zones
LDP 3 – Supporting the Protection Conservation and Enhancement of our Environment

LDP 9 – Development Setting, Layout and Design
LDP 11 – Improving our Connectivity and Infrastructure

Supplementary Guidance

SG LDP ENV 16(a) Development Impact on Listed Buildings;
SG LDP ENV 17 Development in Conservation Areas and Special Built Environment Areas;
SG LDP ENV 19 Development Impact on Scheduled Ancient Monuments;
SG LDP ENV 20 Development Impact on Sites of Archaeological Importance;
SG LDP HOU 1 General Housing Development Including Affordable Housing Provision;
SG LDP SERV 1 Private Sewage Treatment Plants and Wastewater (i.e. drainage) Systems;
SG LDP SERV 2 Incorporation of Natural Features/Sustainable Drainage Systems (SuDS);
SG LDP TRAN 4 New and Existing, Public Roads and Private Access Regimes;
SG LDP TRAN 5 Off-site Highway Improvements;
SG LDP TRAN 6 Vehicle Parking Provision;
SG2 Sustainable Siting and Design Principles.

- (ii) List of all other material planning considerations taken into account in**

the assessment of the application, having due regard to Annex A of Circular 3/2013.

National Planning Framework 3 (NPF 3) (June 2014);
Scottish Planning Policy (SPP) (June 2014);
Scottish Historic Environment Policy 2014;
Applicants Supporting Information;
Planning history;
Views of statutory and other consultees;

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

(L) Has the application been the subject of statutory pre-application consultation (PAC): No

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

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

(O) Requirement for a hearing : No

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

This is a proposal seeking planning permission for the erection of a dwellinghouse and relocation of search and rescue shed at land to the south of 1 Lochandhu, Tahuilt. Planning permission ref 14/00539/PP has recently been refused on the 16th of February 2017 for the erection of a dwellinghouse and detached garage at the site. This refusal of planning permission was not appealed and this very recent planning decision should be afforded a significant amount of weight in the determination of the proposed development.

The current application site unit is identical to the application site unit as refused per 14/00539/PP. The proposed dwellinghouse would be sited on the same part of the site as was previously proposed. The existing search and rescue shed would also be relocated to the eastern part of the site as was previously proposed. This proposal does not make any provisions for a detached garage. The design of the previously proposed dwellinghouse was modern in appearance, displaying only traditional form in its shape and roof pitch. Elevations displayed random patterns of both horizontal and vertical window openings lacking any cohesion. The relationship of the windows at upper levels on the north elevation particularly appeared at odds with traditional surrounding housing. The previously refused dwellinghouse was considered to be incongruous on this particular site amongst traditional dwellinghouses and in particular with impact on the A-listed terrace at 1-4 Lochandhu to the north.

The previous refusal ref 14/00539/PP was refused for three reasons. The first reason was that the proposed development would represent unacceptable backland development being inconsistent with the character of the surrounding

townscape due to scale, siting, design and impact on adjacent dwellings. The proposed development did not constitute infill, rounding-off or redevelopment consistent with the established surrounding settlement character. The second reason for refusal was that the design of the dwellinghouse was not of the highest quality that would respect the surrounding dwellinghouses within the Taynuilt Conservation Area. Additionally it was considered that the proposed development would not preserve and enhance the Scheduled Monument immediately adjacent to the application site where such a modern dwellinghouse in close proximity would erode its traditional setting. The third reason for refusal was on the grounds that the private vehicular access serving the site is unsuitable for any further development unless commensurate improvements could be made. Additionally, the proposed shared access to serve the proposed dwellinghouse could not meet the required sightlines of 42 metres in each direction from a 2.4metre setback nor meet the required Roads specification for a minimum access width of 3 metres.

In the Argyll and Bute Local Development Plan, the application site is located outwith the key rural settlement of Taynuilt within the Countryside Zone and within the Taynuilt Conservation Area. The proposed development is within the vicinity of Bonawe Ironworks (Category A Listed building), 1-4 Lochandhu Cottages (Category A Listed buildings) and Bonawe Iron Furnace (a Scheduled Monument).

The current proposal seeks planning permission for the erection of a dwellinghouse at the same part of the site as previously proposed.

The application site comprises land to the rear of 1-4 Lochandhu Cottages, a terrace of single storey traditional dwellinghouses and south of Bonawe Iron Works. The application site also extends eastwards beyond these cottages to the rear of 5-7 Lochandhu, a terrace of 3 one-and-a-half storey traditional dwellinghouses. The site is bounded to the south by a grazing field and reservoir associated with the iron works (refer below). The applicant owns land around the application site that includes 1, 3, 5 and 6 Lochandhu.

An existing shed is located within the application site to the rear of 3-4 Lochandhu and this is used by the local Search and Rescue Team as a storage shed.

The application site would be served by Lochandhu Road which is a private surfaced road from its junction with the B845 Brochroy Road to the west. From that junction, Lochandhu Road is a private road which serves some twenty dwellinghouses until at a point some 500 metres to the west the private road becomes an unmade single track road which splits to serve the Iron Works to the north and Lochandhu to the south. From Lochandhu, the unmade single track road loops westwards to join the A85.

The site is overgrown with areas of infestation by Japanese Knotweed.

The scheduled monument (SM90037) consists of the extensive and well preserved remains of the Bonawe Iron Works, founded in 1753. The core of the site includes the furnace building, (including the bridge house, bellows house and casting floor), charcoal sheds and the ore shed. The wider complex also includes the aqueduct bringing water from the River Awe, two blocks of workers' dwellings (with an associated area of rig and furrow), the manager's house, slag heaps, reservoirs, the stone pier on Loch Etive, the remains of stabling and an area of slag-built ridges to the E of Bonawe House. Included in the area is a standing stone of

uncertain date.

The two reservoirs associated with the iron works form two further parts of the scheduled area. In both cases the protected area is defined as 10m out from the normal edge of the water. This gives one area around Lochandhu which is irregular in shape and measures roughly 130m N-S by 110m and a second area in the grounds of Bonawe House which is also irregular and measures roughly 60m N-S by 60m.

In addition to the Iron Works, blast furnace and store house, the Category A Listing (LB12180) includes workers' dwellings to the south-east of the iron works at 1-4 Lochandhu Cottages which are rubble part lime washed with slated roofs.

The site lies within the designated Countryside Zone wherein Policy LDP DM 1 gives encouragement to small scale sustainable development on appropriate infill, rounding off sites and redevelopment sites and changes of use of existing buildings. The site does not present an opportunity for any of these types of development. It is considered that the proposed dwellinghouse would result in unacceptable backland development for the reasons stated below.

Sustainable Siting and Design Principles policy provides additional detail to policy LDP 9 –

Development Setting, Layout and Design of the Adopted Argyll and Bute Local Development Plan and provides guidance on the design of new housing in the Countryside Development Management Zones.

3.1 In many places the Argyll and Bute landscape could be easily spoiled by careless development. If its uniqueness and beauty are not to be destroyed, the design and construction of new houses within this landscape must respect local identity and the environment. All new buildings and other structures should be designed taking the following advice into account.

• Location: houses must be carefully located within the landscape to complement their surroundings and should make the minimum possible physical impact. Hilltop, skyline or ridge locations should be avoided for wind exposure and visual reasons.

Comment: The proposed dwellinghouse would be located behind a small cluster of dwellinghouses at the end of the private road.

• Siting: must respect existing landforms and development patterns, and the amenity of other dwellings. Southerly aspect and shelter should be maximised. Clues can often be gained from old houses as to the best orientation for a new building, relative to shelter and aspect.

Comment: The proposed dwellinghouse would be located to the rear of a line of two residential terraces. The established settlement character is one of linear development along the private road. Whilst the nearby building line is staggered, the immediate character is of single tier development with dwellinghouses facing the private road.

The proposed dwellinghouse would be sited approximately 25 metres to the rear of 1-2 Lochandhu and capable of overlooking these properties and their private back garden areas. Windows from habitable windows on both ground and upper floor of the proposed dwellinghouse would have the capacity to overlook and reduce

privacy and amenity for the properties at 1-4 Lochandhu.

The proposed dwellinghouse design varies substantially to the design of the previously refused dwellinghouse at the site. The previously refused dwellinghouse was modern in appearance, displaying only traditional form in its shape and roof pitch. Whilst this design may be appropriate on another site, it is considered to be incongruous on this particular site amongst traditional dwellinghouses and in particular with impact on the A-listed terrace at 1-4 Lochandhu to the north.

The proposed dwellinghouse which is the subject of this application has a more traditional form and style. It would be one and a half storey in height with a 45 degree pitched roof. The south facing elevation would incorporate 2 wallhead dormers with a number of velux windows being installed into the roof planes. The north facing elevation would incorporate a projection which would run from below the eaves with a mono-pitched roof running the majority of the length of the dwellinghouse. The openings are set cohesively which helps to aid to the dwellinghouses balanced appearance. The roof would be finished with slate and the walls would have a natural stone finish. The proposed dwellinghouse would be more in keeping with the one and a half storey terraced row of houses to the north east of the site. The proposed dwellinghouse is still considered to be relatively incongruous on this site particularly with regards to the impact on the A-listed Terrace at 1-4 Lochandhu to the north.

It is proposed to form a vehicular access from an existing lay-by off of the A819. An area of permeable hardstanding for parking and deliveries is to be formed near the junction with the public road. The Area Roads Engineer has been consulted and has recommended that the proposed development is refused for the following reasons:

1. The private road is unsuitable for any further development until the road is brought up to an adoptable standard. There are already 20 dwellings located on the surfaced section with a further 10 on the dirt track section
2. Visibility splays measuring 42m x 2.4m in each direction at junction with the public road are not achievable.
3. The proposed driveway is too narrow. Minimum width approximately 2.5m against Roads spec of 3.0m or 3.7m (Drg SD 08/002a) from a point 13m or more from a private road.

As the sightlines cannot be achieved and the private road is considered to be unsuitable to serve additional dwellings, the proposed development is considered to be contrary to policies LDP 11 and SG LDP TRAN4.

It is considered that the surrounding area has existing parking and access problems. The introduction of a further dwellinghouse to the rear of existing dwellings with shared access arrangements would only exacerbate traffic and pedestrian safety issues.

It is proposed to connect to both the public water supply network and the public drainage network. Scottish Water has been consulted and has raised no objections. .

The issues which were present at the time of planning for the previous refusal at the site ref 14/00539/PP still remain. It is recognised that the design of the

proposed dwellinghouse at the site has been significantly altered to have a more traditional appearance. However, the proposed dwellinghouse is still considered to be relatively incongruous on this site particularly with regards to the impact on the A-listed Terrace at 1-4 Lochandhu to the north. The roads issues are paramount to this proposal and there is no change to the proposed access regime which could warrant the development of this site.

The applicant has submitted a design statement which does not address the main issues which are present at this particular site. It is considered that the design statement does not present any justification which could over-ride the policy issues which have been raised with regards to the Countryside Zone designation of the site, impacts on the historic environment and inadequate access arrangements.

In view of the foregoing, the proposal is considered to be inconsistent with the relevant policies contained in the Argyll and Bute Local Development Plan by virtue of unacceptable backland development, inappropriate siting and design of a one and a half storey dwellinghouse to the rear of existing traditional dwellinghouses with significant impact on surrounding amenity space and capacity to exacerbate existing access and parking problems. Improving the surface of the private road would not remove the fact that the proposal is considered to be inappropriate backland development within the Conservation Area, immediately adjacent to a Grade A Listed terrace and adverse impact on surrounding residential amenity.

The proposal is considered to be contrary to policies LDP STRAT 1, LDP DM1, LDP 3, LDP8, LDP 9, LDP 11 and to Supplementary Guidance policies SG LDP ENV 16(a), SG LDP ENV 17, SG LDP ENV 19, SG LDP ENV 20, SG LDP HOU 1, SG LDP TRAN 4 and SG2 Sustainable Siting and Design Principles of the Argyll and Bute Proposed Local Development Plan.

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

(R) Reasons why Planning Permission or Planning Permission should be refused:

1. Having regard to the immediate settlement character of traditional dwellinghouses in single tier format, the proposal to erect a one-and-a-half storey dwellinghouse to the rear of the row of cottages at 1-4 Lochandhu is considered to represent unacceptable backland development and is inconsistent with the character of the surrounding townscape due to scale, siting, design and impact on adjacent dwellings. Additionally, the presence of habitable room windows on the side (north) elevation of the proposed dwellinghouse would result in overlooking of the adjacent cottages at 1-4 Lochandhu including their private rear garden areas with reduced privacy and visual amenity. The siting, scale and design of the proposed dwellinghouse and its detached garage would represent an incongruous element to the rear of existing traditional dwellinghouses that would not be in keeping with the traditional character of the surrounding area.

Accordingly, it is considered that the proposed development would not constitute acceptable infill, rounding off or redevelopment consistent with the established surrounding settlement character and is therefore contrary to the principles of sustainable development and of protecting and enhancing the quality of the environment as identified in Scottish Planning Policy (June 2014); Planning Advice

Note 67 - 'Housing Quality; and to policies LDP STRAT 1, LDP DM1, LDP8, LDP 9 of the Argyll and Bute Local Development Plan (March 2015) including Supplementary Guidance (March 2016) policies SG LDP HOU 1 and SG2, all of which presume against the nature of the development proposed.

2. The inappropriate siting to the rear of traditional dwellinghouses coupled with an incongruous design on this site particularly with regards to the impact on the A-listed Terrace at 1-4 Lochandu to the north would not enhance or preserve the setting or character of these historic buildings. The proposed dwellinghouse is not subordinate in form or design and is considered to have a negative impact on the existing surrounding traditional buildings within the Conservation Area.

The proposed development would not preserve and enhance the Scheduled Monument immediately adjacent to the application site where a one and a half storey dwellinghouse in such close proximity would erode its traditional setting.

Accordingly, it is considered that the proposed development does not respect surrounding dwellinghouses within Taynuilt Conservation Area. The submitted Design Statement is considered to be minimal in its description of the proposed dwellinghouse to fully recognise the impact that the proposed development would have on adjacent historic buildings and their settings. Additionally, the proposed development would not preserve and enhance the Scheduled Monument immediately adjacent to the application site where a one and a half storey dwellinghouse set in such close proximity would erode its traditional setting.

Accordingly, it is considered that the proposed development would not provide an appropriate or enhanced relationship with the surrounding traditional dwellinghouses, particularly 1-4 Lochanduh Cottages., Conservation Area and Scheduled Monument and is therefore contrary to the principles of sustainable development and of protecting and enhancing the quality of the environment as identified in Scottish Planning Policy (June 2014); Scottish Historic Environment Policy 2014; and to policies LDP STRAT 1, LDP 3 of the Argyll and Bute Local Development Plan (March 2015) including Supplementary Guidance (March 2016) policies SG LDP ENV 16(a), SG LDP ENV 17, SG LDP ENV 19 and SG2, all of which presume against the nature of the development proposed.

3. The proposal to erect a further dwellinghouse to the rear of existing buildings served by a an unsuitable private access has the capacity to intensify an already congested area with lack of dedicated car parking spaces and shared access arrangements. It is considered that the existing unmade single track private road serving the application site is unsuitable for any further development unless commensurate improvements could be made.

Additionally, the proposed shared access to serve the proposed dwellinghouse could not meet the required sightlines of 42 metres in each direction form a 2.4 metre setback nor meet the required Roads specification for a minim access width of 3 metres.

Accordingly, it is considered that without commensurate improvements to bring the private road up to adoptable standards then the private access regime is considered to be unsuitable for additional vehicular traffic. The proposal is therefore contrary to the principles of sustainable development and improving existing sub-standard access regimes and contrary to policies LDP STRAT 1, LDP 11 of the Argyll and Bute Local Development Plan (March 2015) including Supplementary Guidance (March 2016) policies SG LDP TRAN 4, SG LDP TRAN 5 and SG2, all of which

presume against the nature of the development proposed.

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

N/A

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

Author of Report: Lesley Cuthbertson **Date:** 21.11.2017

Reviewing Officer: Tim Williams **Date:**

Angus Gilmour
Head of Planning & Regulatory Services

GROUNDS OF REFUSAL RELATIVE TO APPLICATION REFERENCE *17/01745/PP

1. Having regard to the immediate settlement character of traditional dwellinghouses in single tier format, the proposal to erect a one-and-a-half storey dwellinghouse to the rear of the row of cottages at 1-4 Lochandhu is considered to represent unacceptable backland development and is inconsistent with the character of the surrounding townscape due to scale, siting, design and impact on adjacent dwellings. Additionally, the presence of habitable room windows on the side (north) elevation of the proposed dwellinghouse would result in overlooking of the adjacent cottages at 1-4 Lochandhu including their private rear garden areas with reduced privacy and visual amenity. The siting, scale and design of the proposed dwellinghouse and its detached garage would represent an incongruous element to the rear of existing traditional dwellinghouses that would not be in keeping with the traditional character of the surrounding area.

Accordingly, it is considered that the proposed development would not constitute acceptable infill, rounding off or redevelopment consistent with the established surrounding settlement character and is therefore contrary to the principles of sustainable development and of protecting and enhancing the quality of the environment as identified in Scottish Planning Policy (June 2014); Planning Advice Note 67 - 'Housing Quality'; and to policies LDP STRAT 1, LDP DM1, LDP8, LDP 9 of the Argyll and Bute Local Development Plan (March 2015) including Supplementary Guidance (March 2016) policies SG LDP HOU 1 and SG2, all of which presume against the nature of the development proposed.

2. The inappropriate siting to the rear of traditional dwellinghouses coupled with an incongruous design on this site particularly with regards to the impact on the A-listed Terrace at 1-4 Lochandhu to the north would not enhance or preserve the setting or character of these historic buildings. The proposed dwellinghouse is not subordinate in form or design and is considered to have a negative impact on the existing surrounding traditional buildings within the Conservation Area.

The proposed development would not preserve and enhance the Scheduled Monument immediately adjacent to the application site where a one and a half storey dwellinghouse in such close proximity would erode its traditional setting.

Accordingly, it is considered that the proposed development does not respect surrounding dwellinghouses within Taynuilt Conservation Area. The submitted Design Statement is considered to be minimal in its description of the proposed dwellinghouse to fully recognise the impact that the proposed development would have on adjacent historic buildings and their settings. Additionally, the proposed development would not preserve and enhance the Scheduled Monument immediately adjacent to the application site where a one and a half storey dwellinghouse set in such close proximity would erode its traditional setting.

Accordingly, it is considered that the proposed development would not provide an appropriate or enhanced relationship with the surrounding traditional dwellinghouses, particularly 1-4 Lochandhu Cottages., Conservation Area and Scheduled Monument and is therefore contrary to the principles of sustainable development and of protecting and enhancing the quality of the environment as identified in Scottish Planning Policy (June 2014); Scottish Historic Environment Policy 2014; and to policies LDP STRAT 1, LDP 3 of the Argyll and Bute Local Development Plan (March 2015) including Supplementary Guidance (March 2016) policies SG LDP ENV 16(a), SG LDP ENV 17, SG LDP ENV 19 and SG2, all of which presume against the nature of the development proposed.

3. The proposal to erect a further dwellinghouse to the rear of existing buildings served by a an unsuitable private access has the capacity to intensify an already congested area with lack of dedicated car parking spaces and shared access arrangements. It is considered that the existing unmade single track private road serving the application site is unsuitable for any further development unless commensurate improvements could be made.

Additionally, the proposed shared access to serve the proposed dwellinghouse could not meet the required sightlines of 42 metres in each direction from a 2.4 metre setback nor meet the required Roads specification for a minim access width of 3 metres.

Accordingly, it is considered that without commensurate improvements to bring the private road up to adoptable standards then the private access regime is considered to be unsuitable for additional vehicular traffic. The proposal is therefore contrary to the principles of sustainable development and improving existing sub-standard access regimes and contrary to policies LDP STRAT 1, LDP 11 of the Argyll and Bute Local Development Plan (March 2015) including Supplementary Guidance (March 2016) policies

APPENDIX TO DECISION REFUSAL NOTICE

Appendix relative to application **16/01745/PP**

- (A)** Has the application been the subject of any “non-material” amendment in terms of Section 32A of the Town and Country Planning (Scotland) Act 1997 (as amended) to the initial submitted plans during its processing

No

- (B)** The reason why planning permission has been refused.

1. Having regard to the immediate settlement character of traditional dwellinghouses in single tier format, the proposal to erect a one-and-a-half storey dwellinghouse to the rear of the row of cottages at 1-4 Lochandhu is considered to represent unacceptable backland development and is inconsistent with the character of the surrounding townscape due to scale, siting, design and impact on adjacent dwellings. Additionally, the presence of habitable room windows on the side (north) elevation of the proposed dwellinghouse would result in overlooking of the adjacent cottages at 1-4 Lochandhu including their private rear garden areas with reduced privacy and visual amenity. The siting, scale and design of the proposed dwellinghouse and its detached garage would represent an incongruous element to the rear of existing traditional dwellinghouses that would not be in keeping with the traditional character of the surrounding area.

Accordingly, it is considered that the proposed development would not constitute acceptable infill, rounding off or redevelopment consistent with the established surrounding settlement character and is therefore contrary to the principles of sustainable development and of protecting and enhancing the quality of the environment as identified in Scottish Planning Policy (June 2014); Planning Advice Note 67 - ‘Housing Quality; and to policies LDP STRAT 1, LDP DM1, LDP8, LDP 9 of the Argyll and Bute Local Development Plan (March 2015) including Supplementary Guidance (March 2016) policies SG LDP HOU 1 and SG2, all of which presume against the nature of the development proposed.

2. The inappropriate siting to the rear of traditional dwellinghouses coupled with an incongruous design on this site particularly with regards to the impact on the A-listed Terrace at 1-4 Lochandhu to the north would not enhance or preserve the setting or character of these historic buildings. The proposed dwellinghouse is not subordinate in form or design and is considered to have a negative impact on the existing surrounding traditional buildings within the Conservation Area.

The proposed development would not preserve and enhance the Scheduled Monument immediately adjacent to the application site where a one and a half storey dwellinghouse in such close proximity would erode its traditional setting.

Accordingly, it is considered that the proposed development does not respect surrounding dwellinghouses within Taynuilt Conservation Area. The submitted

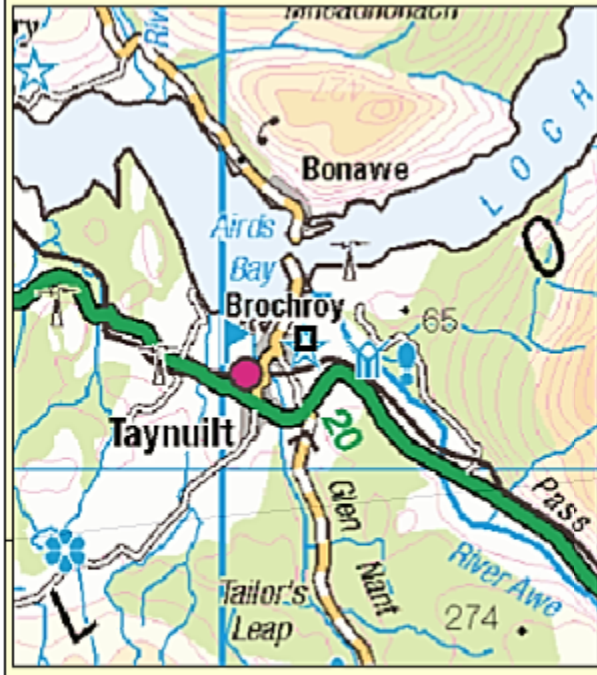
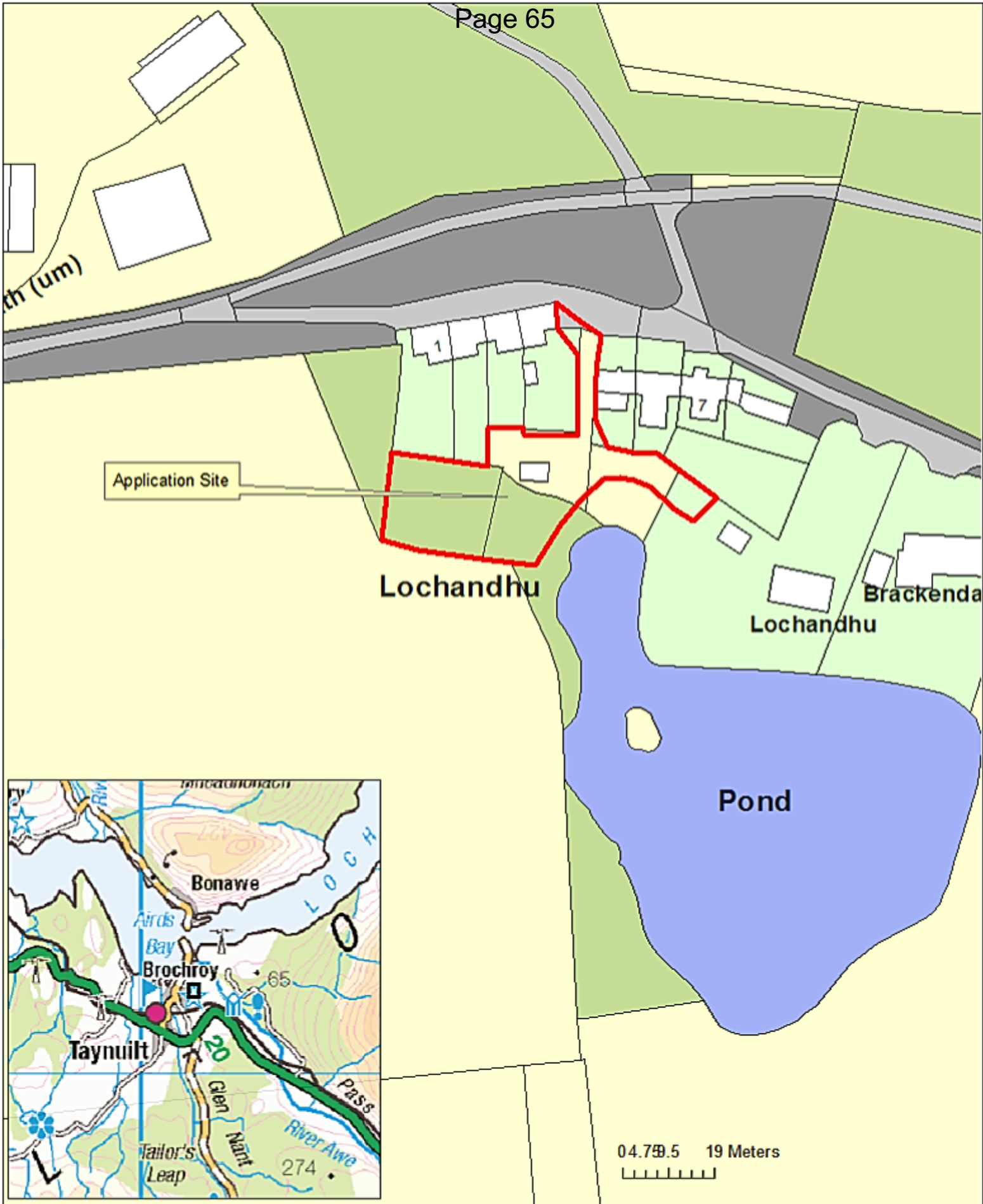
Design Statement is considered to be minimal in its description of the proposed dwellinghouse to fully recognise the impact that the proposed development would have on adjacent historic buildings and their settings. Additionally, the proposed development would not preserve and enhance the Scheduled Monument immediately adjacent to the application site where a one and a half storey dwellinghouse set in such close proximity would erode its traditional setting.

Accordingly, it is considered that the proposed development would not provide an appropriate or enhanced relationship with the surrounding traditional dwellinghouses, particularly 1-4 Lochanduh Cottages., Conservation Area and Scheduled Monument and is therefore contrary to the principles of sustainable development and of protecting and enhancing the quality of the environment as identified in Scottish Planning Policy (June 2014); Scottish Historic Environment Policy 2014; and to policies LDP STRAT 1, LDP 3 of the Argyll and Bute Local Development Plan (March 2015) including Supplementary Guidance (March 2016) policies SG LDP ENV 16(a), SG LDP ENV 17, SG LDP ENV 19 and SG2, all of which presume against the nature of the development proposed.

3. The proposal to erect a further dwellinghouse to the rear of existing buildings served by a an unsuitable private access has the capacity to intensify an already congested area with lack of dedicated car parking spaces and shared access arrangements. It is considered that the existing unmade single track private road serving the application site is unsuitable for any further development unless commensurate improvements could be made.

Additionally, the proposed shared access to serve the proposed dwellinghouse could not meet the required sightlines of 42 metres in each direction from a 2.4 metre setback nor meet the required Roads specification for a minim access width of 3 metres.

Accordingly, it is considered that without commensurate improvements to bring the private road up to adoptable standards then the private access regime is considered to be unsuitable for additional vehicular traffic. The proposal is therefore contrary to the principles of sustainable development and improving existing sub-standard access regimes and contrary to policies LDP STRAT 1, LDP 11 of the Argyll and Bute Local Development Plan (March 2015) including Supplementary Guidance (March 2016) policies



Location Plan Relative to LRB: 17/01745/PP



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From: Paul Houghton <paul@houghtonplanning.co.uk>

Sent: 24 November 2017 13:51

To: McCallum, Fiona

Cc: localreviewprocess

Subject: RE: Request for Local Review - Reference 17/0010/LRB (Planning Ref: 17/01745/PP) Erection of Erection of Dwellinghouse and relocation of search and rescue shed: Land to South of 1 Lochandhu, Taynuilt, Argyll

Dear Ms. McCallum,

My comments on the case officer's submission is, as follows.

1. The Search and Rescue shed is now redundant, so does not require relocation.
2. The Statement of Case comments that A+B Roads have been consulted, but their comments are the same as submitted in relation to the application. I assume, therefore, that they have not read the Local Review Statement, or seen the further submissions?
3. I also note that the officer's proposed reasons for refusal are the same as the previous application ref: 14/00539/PP rather than specific to this proposal. For example, reason for refusal 1 refers to a detached garage, which is not part of this proposal. Might I suggest that whilst the Assessment text has changed, the reasons of refusal inadvertently have not.
4. In relation to the comment on overlooking, there are two ground floor windows, and three roof lights, proposed on the elevation facing 1-4 Lochandhu, a boundary that is fenced to a height of about 1.8m to 2m. There will be no overlooking from ground floor windows, and the roof lights can have high cills, have restricted opening, and/or be obscured glazed, if necessary, if that remote possibility is seen as an issue.
5. As for the house design, the case officer seems to like the design, but then says it is "relatively incongruous on this site particularly with regards to the impact on the A-listed Terrace at 1-4 Lochandhu to the north". As the proposed dwelling is of similar form and design to these, and uses traditional materials, then we would suggest that it is wholly in-keeping with existing development. Our case on design is set out in full in the Local Review Statement.

Regards

Paul Houghton MRTPI

Director

Houghton Planning

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