

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:	17/00468/PP
Planning Hierarchy:	Local
Applicant:	Mr Karl Hughes
Proposal:	Change of use of land for the formation of camping site, including erection of toilet/shower facilities and installation of replacement septic tank
Site Address:	Land North of Sunset Cottage, Balevullin, Isle of Tiree, Argyll And Bute

DECISION ROUTE

Local Government (Scotland) Act 1973

(A) THE APPLICATION

(i) Development Requiring Express Planning Permission

- Formation of campsite with 10 motorhome pitches and 10 tent pitches
- Erection of toilet/shower block
- Upgrading of vehicular access
- Replacement of sewage treatment plant and soakaway

(ii) Other specified operations

- Connection to private water supply
-

(B) RECOMMENDATION:

That planning permission be granted subject to conditions and a discretionary hearing.

(C) CONSULTATIONS:

Area Roads

No objections subject to conditions. Report dated 26th June 2017

Environmental Health

No objection subject to condition. Memo dated 2nd June 2017

Core Path Team

No formal comments offered. E-mailed dated 10th July 2017

Oban Disability Forum

General Comments Provided. E-mail dated 6th July 2017

Scottish Natural Heritage (SNH)

No formal comments offered. E-mail dated 6th July 2017

Highlands and Islands Airports Limited

No objections. E-mail dated 1th July 2017

Flood Risk Engineer

No objections. E-mail dated 9th October 2017

(D) HISTORY:

None

(E) PUBLICITY:

The proposal has been advertised in terms of Regulation 20 procedures, closing date 27th July 2017

(F) REPRESENTATIONS:

The following neutral representations have been received from:

Argyll Estates, Inveraray Castle, Inveraray (08.07.17)

Balevullin Common Grazings Committee (08.07.17)

Fiona MacRae, Frangosdal, Balevullin, Isle of Tiree, Argyll, PA77 6XD (11.07.17)

The following objections have been received:

Clair MacArthur, Lochanban, Balevullin, Tiree, PA77 6XD (14.07.17)

Neil MacRae, Flat Ground 1, 26 West Argyle Street, Helensburgh, G84 8DB (14.07.17)
(28.07.17) (01.08.17)

Pearl Brown, Lochan Ban, Balevullin, Isle of Tiree, PA77 6XD (13.07.17)

Mary Smith, by e-mail only mary@ipec.co.uk (14.07.17)

Lachlan Brown, The Cottage, Balevullin, Isle of Tiree, PA77 6XD (14.07.17)

Mrs Kathryn MacCallum, 17 Balevullin, Isle of Tiree, PA77 6XD (14.07.2017)

Fiona MacRae, Frangosdal, Balevullin, Isle of Tiree, Argyll, PA77 6XD (14.07.17)

Hector Neill, Tioran, Balevullin, Isle of Tiree, PA77 6XD (14.07.17)

Miss Sine Henderson, Sea View, Balevullin, Isle of Tiree PA77 6XD (14.07.17)

Karen McGregor, 5 The Steadings, Naemoor Farm, Rumbling Bridge, KY13 0QB
(14.07.2017)

Jeanette MacLeod, 43 Kinnaird Crescent, Bearsden, G61 2BN (14.07.17)

Margaret MacKinnon, Braeside, Balevullin, Isle of Tiree, PA77 6XD (14.07.17)

Jennifer MacKinnon, 28 Rosewood Close, North Sheilds, NE29 8AG (14.07.17)

Morag Allan, Sunnyside, Waterfoot, Carradale, Campbeltown, PA28 6QX (14.07.17)

Miss Hazel McInnes, 5 Farnell Way, Dunfermline, KY12 0SR (21.07.17)

Neil Munn, 3 Balemeanach, Middleton Road, Middleton, Isle of Tiree, PA77 6XH
(20.07.17)

Flora MacKinnon, 4 Balevullin, Isle of Tiree, PA77 6XD (15.07.17)

Fiona McInnes, Cearcal A'Chuain, Balevullin, Isle of Tiree, PA77 6XD (14.07.2017)

The following support have been received:

Iona Larg, The Two Harvets No 2 Balemartine, Isle of Tiree, PA77 6UA.
Robbie Larg, The Two Harvets No 2 Balemartine, Isle of Tiree, PA77 6UA. (14.08.17)
Christine Browne, 276 Chase Road, Burtwood, Staffordshire, WS7 0DY (17.07.17)
John Ogden, by e-mail only (06.10.17)
Jack Peyton, by e-mail only (07.10.17)
Robbie Robertson, by e-mail only (07.10.17)
William Byfield, by e-mail only (11.10.17)
Craig Sutherland, by e-mail only (16.10.17)
Iain MacDonald, The Green, Isle of Tiree, PA77 6XB (16.10.17)
Iona MacLachlan, by e-mail only (12.10.17)
Catriona Spink,, by e-mail only (26.10.17)
Myra Walker, by e-mail only (02.11.17)

Summary of issues raised:

- The access route has not been agreed by Argyll Estates or the Common Grazing Committee

Comment: It is noted that there is some dispute over the legalities of the proposed access route to serve the development and the extent of this access route. It appears that there is physical access to the site via a track from the public road and then along the machair to a field gate. It is understood that the land does not belong to the applicant but that certain use rights may exist. Given the dispute between the parties the matter has been referred to the council's legal team who have scrutinised the title deeds pertaining to the access road. It has been concluded that the applicant may not rely on the servitude right for the purpose of allowing third parties to access and egress the proposed camping site. However this is a civil issue and the relevant owner has been notified of the application and they have stated that they are open to discussions regarding access to the site.

- The certificate in the planning application form states that the land is not part of an agricultural holding. This is an incorrect statement. The access track proposed is also forms part of an agricultural holding – the Balevullin common grazings.

Comment: This is noted however it is not material to the determination of the current application as there are no material planning concerns which would result from this.

- The impact on the existing dirt track up a steep hill will not be suitable or safe for such use without realignment and resurfacing plus regular maintenance. The access crosses common grazing and with traffic having to pull off track to pass this will cause damage to the fragile machair.

Comment: The area roads officer has been consulted on the proposal and has not raised any concerns regarding the access to the site subject to planning conditions relating to the upgrading of the bellmouth and parking. The proposed development will therefore accord with the provisions of LDP 11 and Supplementary Guidance SG LDP TRAN 4 and SG LDP TRAN 6 of the Local Development Plan. Given the small scale nature of the development and estimated vehicle movements it is not considered that there would be a significant increase in vehicles crossing onto the machair to pass each other. Furthermore, there has been no objection from SNH.

- An advertising sign has been placed on the common grazing (CG) at the foot of

the proposed access route without permission from the estate or CG and I understand it has been omitted from the application for the campsite. It gives the impression that the campsite is open now prior to permissions being in place.

Comment: No advertisements are proposed as part of this application and therefore any allegation of unauthorised advertisements will be investigated separately. If the advertisement has been erected on third party land not within the control of the applicant it would be open to the owner of the land to pursue the matter directly.

- There already is a campsite on the island, is another one needed?

Comment: All planning applications are assessed on their individual merits having regard to the development plan and any other relevant material considerations. There is no requirement for a needs and demand assessment and there is no indication that there is an over-provision of camping and caravan facilities on the island.

- Traffic causing noise pollution

Comment: Consultation has been undertaken with the council's environmental health department and no concern has been raised in relation to noise pollution from vehicles. This is a small scale development which is located within the Settlement Zone as defined in the Local Development Plan and it is inherently accepted that new developments are likely to have an increase in traffic.

- There are many less communal and more suitable places for such a proposal on the island.

Comment: All planning applications are assessed on their individual merits having regard to the development plan and any other relevant material considerations. There is no requirement for a needs and demand assessment and there is no indication that there is an over-provision of camping and caravan facilities on the island. The site is within the defined settlement zone which have a general capacity to accommodate a variety of uses.

- The proposal will adversely affect the view from my property.

Comment: This is not a material planning consideration. There is no 'right to a view' and the development is to be located within the defined settlement zone where there is a presumption in favour of development.

- The development will have a negative impact on the value of existing property

Comment: This is not a material planning consideration.

- The access track abuts onto the north-eastern boundary of Frangosdal. At present this is unfenced but a stock proof fence will be erected along the unfenced sections of this property. I would like the access to be rerouted so this boundary is not compromised.

Comment: The area roads officer has been consulted has recommended that the application be approved subject to conditions relating to the upgrading of the junction, the provision of visibility splays and the provision of parking. Any issues arising out of access rights or boundary disputes are civil issues and are not within the remit of the planning authority.

- Access to Fransgosdal could be restricted during upgrading works the access.

Comment: This is a civil matter and not material to the determination of this planning application.

- A mains water pipe may run under the proposed access road.

Comment: It is not anticipated that any road improvement works would affect underground services. Nevertheless the onus is on the applicant to ensure that no damage is caused to third parties and if so that this is addressed.

- Increase in traffic volume and road safety concerns. There are no passing places.

Comment: The area roads officer has been consulted on the proposal who has not raised any concerns regarding the access to the site subject to planning conditions relating to the upgrading of the bellmouth and parking. The proposed development will therefore accord with the provisions of LDP 11 and Supplementary Guidance SG LDP TRAN 4 and SG LDP TRAN 6 of the Local Development Plan.

- Increase in light pollution

Comment: Environmental Health have been consulted and have not raised any concern in this regard. A planning condition will be imposed to control light pollution.

- Increase in noise including loud music being played through the night.

Comment: Environmental Health have been consulted and have not raised any concern in this regard. A planning condition will be imposed to requiring the submission of a site management plan which will allow the planning authority to prevent any noise nuisance.

- Inappropriate location for a commercial enterprise

Comment: The site is within the defined settlement zone which have a general capacity to accommodate a variety of uses without being in conflict with residential uses.

- Impact on natural environment including littering and rubbish

Comment: The development is located on an area of croft land and therefore it has little ecological value. A condition requiring a site management plan will be imposed which will address the disposal of litter at the site. The actions of individuals out with the site is not within the control of the planning authority.

- A campsite would change the ambience of what used to be a tranquil and peaceful environment.

Comment: The site is within the defined settlement zone which have a general capacity to accommodate a variety of uses without being in conflict with residential uses. There is no evidence to suggest that the development will adversely affect the character of the area. It is noted that the area already possesses a number of holiday homes and that a beach hut has recently been granted planning permission on appeal.

- Overshadowing – as people are already camping there we have noted that campers are able to look directly into our house and we had a nasty experience with a naked campervan person.

Comment: The camping and campervan locations are situated well out with the

recommended direct window to window distance of 18m contained within the Local Development Plan. It is therefore considered that the development does not cause any undue overlooking issues.

- There are no nearby facilities such as a shop to support a campsite.

Comment: There is no requirement for such services and there are facilities elsewhere on the island.

- Balevullin is a small community and increased traffic has already seen a number of animals killed as well as destruction of the machair with needless vehicles accessing the beach via the machair.

Comment: This is a planning application for planning permission for a campsite on croft land. Vehicles accessing the machair is out with the control of the planning authority as is the driving skills of tourists. The provision of a designated and serviced site is likely to have the opposite effect by reducing indiscriminate parking on the machair.

- The size of development is not in-keeping with the size of this small township

Comment: This development is defined as 'small scale' in terms of the Local Development Plan in compliance with Policy LDP DM 1 and is compatible with the surrounding development.

- Balevullin Township is designated in the Local Plan as local Nature Conservation Site. A significant increase in the resident tourist population, however temporary, could have an impact on nesting corncrakes and other wildlife.

Comment: Scottish Natural Heritage have no raised any objections to the planning application. Given that the site is a working croft it is not likely to be of any meaningful ecological value.

- The mains water supply is quite poor and has a slow flow rate.

Comment: A suspensive planning condition will be attached to any grant of planning permission requiring confirmation from Scottish Water that a suitable connection can be made. If this is not possible, the development may not proceed and alternative arrangements would need to be explored.

- Irreversible damage to the pristine machair land surrounding the site which is likely to undergo increased erosion as visitors make their way to the local beach.

Comment: This is not a material planning consideration in the context of the current application.

- The property the Cowshed was not neighbour notified.

Comment: Our records indicate that the property was notified on the 23rd June 2017. It is also understood that this agricultural building is in the process of being redevelopment into a dwellinghouse and as such the notification has recently been returned to the planning authority. There is no mechanism for the planning authority to send neighbour notification to additional addresses. They must be sent to the address of the site as held by the council. As such neighbour notification procedures have been carried out correctly.

- The carpark is not maintained and there is a huge amount of erosion at this site

nobody is taking responsibility for this area and more traffic would be a disaster.

Comment: The existing beach car park is not part of this application. It is more likely that the development will reduce the amount of indiscriminate parking taking place.

- We also have noise pollution from beach parties which go on very late at night. I have been for a walk at night and I have seen for myself the empty glass bottles and cans, my son actually stood on a rusty nail that had been left from one of these parties. Adding a campsite would only add to it. The area is a place of natural beauty and uniqueness. It should be kept as such.

Comment: Each application is assessed on its individual merit. A condition requiring a site management plan will be imposed which will address the disposal of litter at the site. The actions of individuals out with the site is not within the control of the planning authority.

- The so called barn will be used as part of the project. Did this building have planning permission and will it require a change of use from barn to toilet/shower room?

Comment: There is no indication that this building is to be used as part of the development. All allegations of unauthorised development will be assessed separately.

- There is also running water available via a stand pipe which being a business I would imagine should be metered although I very much doubt it is.

Comment: This is not a material planning consideration.

- Campervans are parking all over the place and this will make it worse.

Comment: It is likely that the development will reduce the number of indiscriminate parking taking place by campervans by encouraging them to a designated serviced site.

- The proposed campsite is to be located on an elevated site. It would be seen from nearly all angles in Balevullin and spoil the beauty of the area for all.

Comment: The development has been assessed as not having an adverse visual impact.

- The septic tank will not have capacity to serve the proposed development.

Comment: The capacity of the septic tank will be dealt with under the building regulations.

The private water supply must be regulated by SEPA.

- It has been stated that there is no flood risk and that no assessment is required however it has come to officers' attention that Lochin Ban, a dry loch, on the boundary fence and on higher ground does flood. After approximately 4 days of heavy rain the loch is full and floods. This is not surface water due to the soil type; it runs 1 to 2 feet below the surface potentially rendering the ground unstable. The excess water runs off to the access, beachside of the new development beside No 17 Achnamara. This potentially renders the use of this access unusable as an emergency access to any forthcoming site. This would suggest that a flood impact study may indeed be necessary, especially as this is a commercial proposal.

Comment: The Council's Flooding Consultant has not raised any objections to the proposed development.

- Cearcal A'Chuain has not been neighbour notified despite being less than 20m away from the proposed site.

Comment: The application site edged red is more than 20m from the residential curtilage of Cearcal A'Chuain and therefore there is no requirement to carry out neighbour notification.

(G) SUPPORTING INFORMATION

Has the application been the subject of:

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

(H) PLANNING OBLIGATIONS

Is a Section 75 agreement required: No

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

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

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

Policy

LDP STRAT 1 – Sustainable Development
 LDP DM 1 – Development within the Development Management Zones.
 The site is located within the settlement zone.
 LDP 3 – Supporting the Protection Conservation and Enhancement of our Environment
 LDP 4 Supporting the Sustainable Development of our Coastal Zone
 LDP 5 – Supporting the Sustainable Growth of Our Economy
 LDP 8 – Supporting the strength of our communities
 LDP 9 – Development Setting, Layout and Design
 LDP 10- Maximising our Resources and Reducing our Consumption
 LDP 11 – Improving our Connectivity and Infrastructure

Supplementary Guidance

SG LDP ENV 5 – Development Impact on Local Nature Conservation Sites
SG LDP ENV 14 – Landscape
SG LDP BUS 1 - Business & Industry Proposals in the Settlements
SG LDP BUS 5 – Economically Fragile Areas
SG LDP TOUR 1 – Tourist Facilities and Accommodation, Including Static and Touring Caravans
SG LDP BAD 1 – Bad Neighbour Development
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 SERV 5(b) – Provision of Waste Storage & Collection Facilities within New Development
SG LDP SERV 6 – Private Water Supplies and Water Conservation
SG LDP SERV 7 – Flooding and Land Erosion – The Risk Framework for Development
SG LDP TRAN 3 – Special Needs Access Provision
SG LDP TRAN 4 – New & Existing Public Roads and Private Access Regimes
SG LDP TRAN 6 – Vehicle Parking Provision
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 4/2009.**

Scottish Planning Policy 2014
Isle of Tiree Sustainable Design Guidance 2006
Consultation responses
Representations

(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: Yes. Balevullin is identified in the Local Development Plan as a village/minor settlement. A total of 24 letters / emails of objection and support and one representation have been received (at the time of writing there were 18 objections, 3 expressions of support and 3 representations). On the basis of the size of this small crofting community, the number of representations received and the range of technical issues raised it is considered

that there would be added value in holding a Hearing. It should however be noted that the applicant has stated that within the immediate local area there are 20 houses, 4 of which are occupied full time by locals; the other 16 houses are holiday rental businesses or second homes.

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

Planning permission is sought for the formation of a campsite comprising of 10 motorhome pitches and 10 tent pitches including the erection of a toilet/shower block on Land North of Sunset Cottage, Balevullin, Isle of Tiree, Argyll and Bute. The use of the site is to be seasonal from the 1st April to the 30th September in any calendar year.

The site is located within the settlement boundary as defined by the adopted Local Development Plan. The proposal constitutes small scale tourism development and the Local Development Plan is supportive of this within minor settlement.

The development is considered to be acceptable in landscape and visual terms and is not considered that it would have a significant impact in terms of privacy and amenity.

The Local Development Plan is supportive of tourism development on appropriate sites and it is considered that the development would have a positive economic impact and would both directly and indirectly support businesses on the island.

Taking account of the above, it is recommended that planning permission be approved subject to conditions and a discretionary hearing.

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

(R) Reasons why Planning Permission should be approved:

1. The site lies within a designated settlement zone wherein Policy LDP DM 1 gives encouragement to small scale development on suitable sites which, in terms of siting and design, will visually integrate with the landscape and settlement pattern. The site conforms to the local settlement pattern consolidating the pattern of development and the development is compatible with its surroundings. Tourism is an important economic sector in Argyll supported by the Council's economic and development plan policies and the development will contribute to sustainable economic development. The development will assist in the reduction in demand for the occupation of indiscriminate overnight sites elsewhere on the island, which themselves present uncontrolled adverse effects upon the local environment.
2. The proposal accords with Policies LDP STRAT 1, LDP DM 1, LDP 3, LDP 4, LDP 5, LDP 8, LDP 9, LDP 10, and LDP 11, supplementary guidance SG LDP ENV 5, SG LDP ENV 14, SG LDP BUS 1, SG LDP BUS 5, SG LDP TOUR 1, SG LDP BAD 1, SG LDP SERV 1, SG LDP SERV 2, SG LDP SERV 5B, SG LDP SERV 6, SG LDP SERV 7, SG LDP TRAN 4, SG LDP TRAN 6, and the Sustainable Siting and Design Principles of the adopted Argyll and Bute Local Plan and there are no other material considerations which would warrant anything other than the

application being determined in accordance with the provisions of the development plan.

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

N/A – The proposal is in accordance with the Local Development Plan

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

Author of Report: Andrew Barrie **Date:** 3rd October 2017

Reviewing Officer: Angus Gilmour **Date:** 5th October 2017

Angus Gilmour
Head of Planning, Housing & Regulatory Services

CONDITIONS AND REASONS RELATIVE TO APPLICATION REF. NO. 17/00468/PP

GENERAL

1. The proposed development shall be carried out in accordance with the details specified in the application form dated 21st June 2017 and the approved drawings numbered 1 of 3 to 3 of 3 and stamped approved by Argyll and Bute Council.

Reason: In order to ensure that the proposed development is carried out in accordance with the details submitted and the approved drawings.

Standard Note: In terms of condition 1 above, the council can approve minor variations to the approved plans in terms of Section 64 of the Town and Country Planning (Scotland) Act 1997 although no variations should be undertaken without obtaining the prior written approval of the Planning Authority. If you wish to seek any minor variation of the application, an application for a non-material amendment (NMA) should be made in writing which should list all the proposed changes, enclosing a copy of a plan(s) detailing these changes together with a copy of the original approved plans. Any amendments deemed by the Council to be material, would require the submission of a further application for planning permission.

ACCESS AND PARKING

2. Notwithstanding the provisions of Condition 1, prior to the commencement of development the proposed access shall be formed in accordance with the Council's Roads Standard Detail Drawing SD 08/004a with the service lay-by located to the left side of the entrance; and visibility splays of 2.4 metres to point X by 53 metres to point Y from the centre line of the proposed access. The access shall be surfaced with a bound material in accordance with the stated Standard Detail Drawing.

Reason: In the interests of road safety in accordance with Policy LDP DM 11 and Supplementary Guidance SG LDP TRAN 4 of the adopted 'Argyll and Bute Local Development Plan' 2015.

3. Prior to the operation of the development hereby approved, vehicle parking of 1 space per pitch shall be provided and shall be maintained as such thereafter in perpetuity.

Reason: To enable vehicles to park clear of the access road in the interests of road safety by maintaining unimpeded vehicular access over that road in accordance with Policy LDP DM 11 and Supplementary Guidance SG LDP TRAN 6 of the adopted Argyll and Bute Local Development Plan 2015.

WATER, DRAINAGE AND FLOODING

4. Notwithstanding the provisions of Condition 1, the development shall incorporate a surface water drainage system which is consistent with the principles of Sustainable urban Drainage Systems (SuDS) compliant with the guidance set out in CIRIA's SuDS Manual C753 The requisite surface water drainage shall be operational prior to the development being brought into use and shall be maintained as such thereafter.

Reason: To ensure the provision of an adequate surface water drainage system and to prevent flooding in accordance with Policy LDP DM 10 of the adopted Argyll and Bute Local Development Plan 2015.

5. No development shall commence on site until authorisation has been given by Scottish Water for connection to the public water supply. Confirmation of authorisation to connect shall be provided in writing to the Planning Authority before commencement of development.

Reason: To ensure that the development is adequately served by a public water supply.

EXTERNAL LIGHTING

6. With the exception of the single wall mounted low emission eyelid light on the south elevation of the toilet/shower block hereby approved, no exterior lighting shall be installed anywhere on the site without the prior written consent of the Planning Authority. All exterior lighting should be installed in a manner which avoids conflict with adjacent residential properties and road users and which minimises light spillage out with the site boundary.

Reason: In the interests of visual amenity and in order to safeguard residential amenity and road safety by avoiding potential nuisances from on-site lighting.

USE OF SITE

7. The site shall be occupied as a tourist site solely by motorhomes and/or touring caravans (up to a maximum of 10) and tents (up to a maximum of 10) used for the purposes of overnight stays, with stances/pitches distributed as per the approved details, other than in the event of any subsequently approved layout having been approved in writing. This planning permission does not permit the use of the site by static caravans for any purpose.

Reason: In order to define the terms of the permission and for the avoidance of doubt.

8. The proposed camping site hereby approved shall be operational from 1st April to 30th September each year and shall not operate as a camping site outwith this period.

Reason: In accordance with the use applied for.

LANDSCAPING

9. Notwithstanding the provisions of Condition 1, prior to development commencing full details of the intended landscaping of the site shall be submitted for the written approval of the Planning Authority. These details shall include:

- a) The location, species, number, size and planting distances of trees to be planted (all tree planting to be native species);
- b) The location, species, number, size, and planting distances of shrubs to be planted (all shrubs to be native species);
- c) Proposed measures to secure establishment, including soil preparation,

- control of weeds and means of excluding grazing animals;
d) Intended monitoring and maintenance for the first 5 years following planting.

The duly approved mounding shall be completed prior to the use being first commenced, and the landscaping shall be completed in the first planting season following the commencement of the use. Any planting which fails to become established, which is removed, is grazed by animals or becomes diseased or dies, within five years of being planted shall be replaced in the following planting season by equivalent sizes and species as those originally required to be planted.

Reason: In order to help assimilate the development in its landscape setting in the interests of visual amenity.

10. Notwithstanding the details shown on the approved plans, the Toilet/shower block shall be finished externally in vertically boarded timber cladding with a grey/blue rounded profile corrugated sheet roof, unless any variation thereof is agreed in advance in writing by the Planning Authority.

Reason: In order to secure an appropriate appearance relative to its surroundings in the interests of visual amenity

MANAGEMENT PLAN

11. *Prior to the development first being brought into use, a site management plan shall be submitted to and approved in writing by the planning authority. Such management plan shall detail how the site is intended to be operated including noise mitigation measures. Thereafter the development shall be implemented in accordance with the duly approved site management plan.*

Reason: In order to protect the amenity of the surrounding area.

NOTE TO APPLICANT

- **The length of the permission:** This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period. [See section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended).
- In order to comply with Section 27A(1) of the Town and Country Planning (Scotland) Act 1997, prior to works commencing on site it is the responsibility of the developer to complete and submit the attached 'Notice of Initiation of Development' to the Planning Authority specifying the date on which the development will start.
- In order to comply with Section 27B(1) of the Town and Country Planning (Scotland) Act 1997 it is the responsibility of the developer to submit the attached 'Notice of Completion' to the Planning Authority specifying the date upon which the development was completed.
- In addition to this planning permission a Caravan Site Licence will require to be obtained from the Council prior to the development being brought into use. This should be applied for via the Council's Environmental Health Department (tel: 01631 567914). Please see the enclosed memo for further information.
- Any enquiries regarding the improvements required to the access to the site should be directed to the Council's Roads Engineers (tel: 01546 604682). Surface water drainage

will be required to avoid discharge of surface water onto the public road.

- A Road Opening Permit under the Roads (Scotland) Act 1984 must be obtained from the Council's Roads Engineers prior to the formation/alteration of a junction with the public road.
- The access shall be constructed and drained to ensure that no surface water is discharged onto the public road.
- Further advice on SuDS can be found in SEPA's Standing Advice for Small Scale Development – www.sepa.org.uk

APPENDIX A – RELATIVE TO APPLICATION NUMBER: 17/00468/PP

PLANNING LAND USE AND POLICY ASSESSMENT

A. Settlement Strategy

The site is located within the Minor Settlement of Balevullin on an area of elevated land which forms part of a registered croft. Policy LDP DM 1 states that within the minor settlements up to small scale development may be permitted on appropriate sites.

The development of the site to provide overnight accommodation for campervans, touring caravans and tents constitutes a tourism development subject to the effect of SG LDP TOUR 1, which *inter alia* defines tourist scale of development for the purposes of the effect of Policy DM 1. SG LDP TOUR 1 defines small scale tourist development to include proposals of up to 10 caravans or stances or up to 50 tent pitches or any similar scale combination of the above. In this case, the application is for 10 campervan pitches and 10 tent pitches which is considered to be small scale development.

B. Location, Nature and Design of Proposed Development

The site is located on the north-western fringe of the minor settlement of Balevullin

The site is located on the north-eastern fringes of the small settlement of Salen, on the north-west of the Isle of Tiree. The site is located in-land and is set on a slightly elevated area of working croft land to the west of the public road. It is bounded by residential property to the north, south and east with open croft land to the west.

There is to be two separate areas each for the 10 campervan pitches and 10 pitches located on the western boundary of the site. A new toilet/shower block is to be constructed adjacent to an existing agricultural building. Minimal ground disturbance is proposed with the development being informal in nature and which will be in operation for only part of the year.

Access to the site already exists via a small track which leads to Sunset Cottage and then beyond to a field access gate.

The proposed toilet/shower block is small scale measuring 7.5m x 2.9m and is single storey with a mono-pitched roof. A planning condition can be imposed to secure suitable finishing materials.

It is considered that the proposed building is of an appropriate design which will be compatible with its surroundings. This is in accordance with the relevant provisions of Policies LDP 3, LDP 9 and SG LDP ENV 14 and SG Sustainable Design Guidance which seek to ensure developments are compatible with their setting, are of a suitable scale, design and finish, and do not have an adverse impact on the privacy and amenity of neighbouring properties.

C. Economic Development

The Isle of Tiree is identified in the Council's Local Development Plan as being one of Argyll and Bute's 'Economically Fragile Areas' where SG LDP BUS 5 allows opportunity for variation of the scales of development normally permitted by the LDP in recognition of the need to sustain economically fragile areas. Policy LDP 5 confirms the presumption established in Scottish Planning Policy in favour of developments which contribute to the aims of sustainable development. Tourism is recognised as a main growth sector in terms of Policy LDP 5.

Supplementary Guidance SG LDP TOUR 1 provides general support for tourism related development subject to consideration against the following:

- a) *The development is of a form, location and scale consistent with Policy LDP DM 1* – The development is small scale and although elevated is set against a rising background which helps to integrate it into its surroundings. It is also set within an area of significant built development with the proposal being subordinate in scale. The development is acceptable in terms of its landscape and visual implications having regard to the landscape character and settlement pattern of its surroundings.
- b) *It respects landscape/townscape and amenity* – as above and no concerns have been raised by Environmental Health in terms of amenity. The development is located within a Settlement Zone whereby a variety of uses can comfortably co-exist with residential uses such as business uses, shops and tourism uses. The development is a sufficient distance from neighbouring properties which eliminates any possible overlooking or noise issues.
- c) *It is reasonably accessible by public transport where available, cycling and on foot* – in this case by virtue of the type of application (which serves the needs of motorised travellers) non-vehicular access would be expected to be limited. However the nature of the proposal means that users of the site can readily explore the island on foot or via bicycle.
- d) *It is well related to the existing built form of settlements or the existing development pattern outwith the settlements and avoid dispersed patterns of development, unless the developer has demonstrated a locational requirement based on the need to be near to the specific tourist interest being exploited, and that the facility will not damage those interests* –. The development is surrounded by built development and will be viewed cohesively with the existing built form.
- e) The proposal is consistent with other LDP policies and supplementary guidance – there are no conflicts with other aspects of development plan policy.

Paragraph 45 of Scottish Planning Policy states that “the planning system should support economic development in all areas by:

- taking account of the economic benefits of proposed development in development plans and development management decisions,
- promoting development in sustainable locations, particularly in terms of accessibility,
- promoting regeneration and the full and appropriate use of land, buildings and infrastructure,
- supporting development which will provide new employment opportunities and enhance local competitiveness, and
- promoting the integration of employment generation opportunities with supporting infrastructure and housing development.”

Tourism is an important economic sector in Argyll supported by the Council’s economic and development plan policies in circumstances where it can contribute to sustainable economic development. The development plan has not specifically identified locations elsewhere which are suitable for this type of development. The development will not have an adverse impact on the landscape and visual amenity of the area and it will also positively contribute to the tourism economy including a reduction in demand for the occupation of indiscriminate overnight sites elsewhere on the island, which themselves present uncontrolled adverse effects upon the local environment. Additionally, the development will directly and indirectly support other businesses on the island.

The proposed development is therefore considered to support the aims of Policy LDP 5, SG LDP TOUR 1 and Scottish Planning Policy.

D. Natural Environment

The site is within a Local Nature Conservation Site and accordingly consultation with SNH was undertaken. SNH do not intend to offer formal comment on the proposal and they have not objected. Given that the site is a working croft it offers little ecological value. It is therefore considered that the proposal has no adverse impact on the designation and is therefore in accordance with Supplementary Guidance SG LDP ENV 5 of the Local Development Plan.

E. Residential Amenity

The proposal will bring levels of activity to the site and is classed as 'Bad Neighbour' Development. Supplementary Guidance SG LDP BAD 1 of the Local Development Plan permits such developments where there are no unacceptable adverse effects on the amenity of residents. Accordingly, consultation has accordingly been undertaken with Environmental Health. They have not raised any objections in terms of 'bad neighbour' aspects. They have noted that it will need to be ensured by campsite management that there is not excessive noise and a nuisance caused by visitors staying on the site. A planning condition can be attached regarding a management plan in order to ensure that the site is operated in the interests of preserving residential amenity.

Some concern has been raised regarding the possibility of light pollution however it is anticipated that lighting requirements for the development will be minimal. However it is considered that a condition should be applied to any grant of planning permission for full details of external lighting to ensure that there is no light pollution of undue light spillage out with the site.

It is considered that the development is in accordance with Supplementary Guidance SG LDP BAD 1.

F. Road Network, Parking and Associated Transport Matters

The site will be accessed via an existing private access directly off of the public road. The Area Roads Engineer has been consulted and has raised no objections subject to conditions with regards to the provision of improvements at the junction of the public road; the provision of appropriate visibility splays and the provision of parking and turning commensurate with the size of the development. The proposed development will therefore accord with the provisions of LDP 11 and Supplementary Guidance SG LDP TRAN 4 and SG LDP TRAN 6 of the Local Development Plan.

G. Water Supply and Drainage Arrangements

The application form specified that a private water supply was to be used to serve the development. The applicant has since clarified that the private water supply would be used solely for flushing toilets which would come from rainwater harvesting from the existing agricultural building roof. As such a private water supplies condition is not now required. Drinking water, showers, and food prep water etc. will all come from the public water main. Representations have been received which state that the public water supply may suffer from low pressure. It is therefore necessary to add a suspensive condition requiring confirmation from Scottish Water that a suitable connection can be made.

It is proposed to install a replacement septic tank to serve the proposed campsite. Technical standards for the septic tank are controlled during the building warrant phase.

Environmental Health have also commented that a properly designed disposal point for the contents of chemical closets should be provided together with an adjacent adequate supply of water for cleansing containers. The method of disposal will need to be considered in the light of the particular circumstances and should be to the satisfaction of the Local Authority and the appropriate Water Authority. Again this can be controlled via planning condition.

The proposal is considered to be consistent with the relevant provisions of Policy LDP 10, SG LDP SERV 1, and SG LDP SERV 6.

H. Flooding

A representation has been received which raises concerns that the access to the campsite may be affected during periods of prolonged wet weather by run off from Lochin Ban which a dry loch except when there is heavy rain. In light of this representation, the Council's Flood Alleviation Consultant. At the time of writing a response was yet to be received, however, an update will be provided prior to the date of the committee.

I. Licensing

The site will be subject to a licence from environmental health and their requirements are detailed in their consultation response. This will be provided as a 'note to applicant'.

In light of the above assessment it is recommended that planning permission be granted.