

## Notice of Review

Reference Number: 18/01267/PPP

Site for the erection of dwellinghouse at Land South of 91 Bullwood Road, Dunoon, Argyll and Bute

The Local Review Body is requested to consider this application and approve it for the following reasons:

1. The refusal seems to misconstrue the nature and setting of the site. The refusal completely disregards our application for development on a brownfield site, failing to address the brownfield status of the site at all. The refusal states that the site is 'unrelated and uncoordinated' with the existing settlement. In fact, the site sits perfectly comfortably within the boundaries of an existing settlement and would contribute to a Sustainable Siting settlement pattern, as described in the authority's Design Guidance.
2. The refusal cites adverse environmental impact of a site at this location, related to visual quality of the dwelling. This would surely be almost totally dependent on the proposed design of the building, which, as this is an application for permission for Planning in Principle, has not been designed and therefore does not have a 'visual quality' as yet. Excellence of design could contribute a sustainable, positive environmental impact at this site.
3. The refusal states that a large number of trees would need to be felled. This is untrue. No trees would need to be felled.

These points are expanded upon below, in turn:

### 1. Settlement Pattern

**The site is a brownfield site, within the existing settlement pattern. A development here would enhance and complement the existing settlement and surroundings.**

#### i) Site history – Brownfield site

The first item relates to the existing settlement. Bullwood is a small coastal residential community with clusters of housing mostly formed along the coast, with some housing extending further up the contours of the hillside.

The site under consideration has, in the past, been a cleared site within a larger settlement on the hillside, with a building (large enough to have been a dwelling house) previously sited on the site. (Please see enclosed maps for reference).

The site where we propose the dwelling house was a clear, enclosed field, with a small building shown clearly on the OS map from 1900. The ground surrounding the site has historically been extensively used for servicing the Bullwood settlement – as nearby quarries, dairy, wells, flagpoles and sheep farming ground shown on historic maps show. Maps and documents show that the whole hillside was, prior to the Forestry Commission's planting of commercial forestry, a heavily farmed, managed and coppiced landscape peppered with dwellings and associated buildings.

The site was also likely to at one point have had a sentry post nearby, as the whole hillside formed part of the military site used from the First World War to the Second World War, as surveyed and recorded by RCHAMS.

The site has also been used as a caravan park, and has previously had planning permission granted for chalets, albeit some time ago.

Clearly, the site has a long history of being built upon, used and inhabited. This is a vacant brownfield site.

As we propose redeveloping a Brownfield site, this would enhance the local environment. The brownfield site was not mentioned in the Report of Handling, despite our proposal stating clearly that this is a brownfield site - and this is a serious omission. The Local Development Plan states that the 'central challenge' facing Argyll and Bute is sustainable economic growth; it suggests new development to support this growth should be 'making best use of' brownfield land.

## ii) Settlement pattern

To address the question of the settlement pattern: The refusal states the site is 'unrelated and uncoordinated' with the existing settlement pattern. We argue that the site is both related to and coordinated with the existing settlement pattern. A building here would sit comfortably among the existing grouping, while maintaining plenty of space between dwellings.

This correlates with a 'dispersed, small-scale' development pattern of low-density housing as described in 1.4 'Sustainable siting settlement patterns' of the authority's Sustainable Design Guidance.

The proposed dwelling house would be roughly at the centre of a group of dwelling houses on the hillside. Measuring from the house walls at the nearest points, the distances of the proposed dwelling to existing houses are as follows:

Three houses to North East – approx. 80metres  
One house to East – approx. 33 metres  
Two houses to South East approx. 33 metres  
One house to the South – approx. 67 metres  
Two Houses to the Northwest – approx. 80 metres

Distances between existing houses along the seafront are: 33m; 29m; 57m; 47m.

These distances show the site is not 'away from' existing buildings. The distances are comparable and form a pattern. The proposed dwelling therefore forms a pattern that relates well to neighbouring buildings and would not have an adverse impact on neighbouring houses.

(Please see attached map for illustrations of these distances.)

The proposed dwelling would therefore appear to be completely in keeping with the existing settlement pattern. It could be described as 'rounding-off', with the proposed dwelling the last house on an already existing access road, recreating the historic settlement pattern.

Only in relatively recent years has this area been wooded, mostly with citka spruce grown as a monocrop for forestry harvesting, which is currently being felled.

We take each of the policies noted in the refusal in turn below:

## LDP STRAT1

We note this site will fulfil the council's 'Sustainable Development' Strategy, by making use of vacant land. The land is currently a cleared site, clear of trees (with the exception of self-seeded saplings and invasive Rhododendron Ponticum). and unused for any other purpose. It is level and of a suitable size and location, with services nearby and access easily formed. It is an ideal location for a dwelling house that will amply fulfil the criteria of the LDP's Sustainable Development policy.

## LDP DM1

With regards to the Countryside zone, the LDP states that encouragement shall be given to small scale development on 'appropriate infill, rounding off' sites. We note this site is exactly this, and cannot be seen as otherwise, with the track leading past three detached houses at Ardallow Park terminating at the far boundary of this site, and extending no further.

## LDP8

We note this dwelling will provide new sustainable development and housing provision, as supported in this policy. We agree that the design of any dwelling in the Countryside zone should be carefully considered – as noted in policy LDP9 a high standard of design is needed, that effectively integrates with the setting of the development. We would suggest that a condition of planning that any building should be well designed and take into account the context, setting and landscape. This could include consideration of materials, size, height, landscaping, etc.

## SG LDP HOU2

We do not see how the policy on Special Needs Access Provision is relevant to this application, any policies related to this would be complied with at detailed consent stage.

## 2. Environmental Impact

**The site is currently a brownfield site. Sensitive development and excellent design could have a positive environmental impact and be sustainable development.**

The refusal describes the site as 'divorced, exposed, elevated and unduly prominent'.

As shown in response to point 1, the site is not divorced from the surrounding settlement by any criteria. It is close by and inbetween other dwellings and would sit comfortably among the other houses.

The refusal describes a 'woodland setting', however we would argue that the hillside is already extensively developed, in a loose, low-density pattern. The proposed dwelling could be seen as 'rounding-off' of the housing development to the North-East, sited between that development and the farm steading higher up the hill. The site, as shown on historic OS maps, has previously had a building on it. This means this is a vacant brownfield site, as is quite clearly shown on maps. The refusal did not respond to our point that this is a brownfield site.

The site would form part of a row of houses that follow the same contour line above the shore line – at a mere 80m from three existing houses. We do not see how a house at this distance could be considered ‘divorced’ from the existing settlement pattern.

The site is not exposed, being a clear site among mixed woodland and scrub. This woodland/vegetation would provide screening from all directions, and both the North and South approaches on the A815.

The site is undeniably elevated, but any building would be screened from the round by existing trees surrounding the site, at least to the extent existing houses and recent developments are. The site would not be the most elevated dwelling on the hillside, by some degree. A single storey dwelling would be considerably less elevated than surrounding existing dwellings, and Garhallow Farm and associated buildings are all much higher on the slope.

The description of the building as ‘unduly prominent’ relates to the design of the house, and depends on the height, materials, design and landscaping used. It appears that the refusal has been based on an earlier planning application, detailing a two storey house. We ask that this application is considered on its own merits, rather than purely with reference to an outdated and entirely different application. The statement of handling notes ‘inappropriate design’ – quite how a planning in principle application can be termed an inappropriate design when no design has been submitted is questionable.

We would say that the proposed dwelling house is infill or rounding off of existing settlement and will offer a building that will enhance the local area.

As previously stated, we agree that any development within the Countryside zone should be sensitively designed with visual and environmental impact an important consideration. Excellence of design, sustainable design and a building that uses ecological principles are all things we would propose in a location like this. This, however, could surely be achieved with planning conditions to the design, which would of course need to be approved in due course.

We posit that any design judgements would need to be made once a design had been submitted. A house that was single-storey, designed with impeccable eco-credentials, encompassing sustainable and excellent design could contribute to and enhance the local area. If designed well, it would contribute to the sustainable development policy supported by the council to encourage good design and housing supply. Furthermore, a house operating with a wood fuelled heating system supplied by coppicing the existing woodland would sustainably manage and maintain the woods, for example. There is great potential for a sustainable, beautiful and positive development on this existing brownfield site.

We respond to the Policies cited in the Refusal below:

#### LDP 10 – Maximising our Resources and Reducing Our Consumption

This policy relates to environmental considerations. We agree that development on this site should follow sustainable design guidelines wherever possible. There is no reason to suggest that any proposed design or building should not follow these guidelines, and we would suggest that a planning proposal would still be subject to the decision of the planning officers, at which point these policies would be far more relevantly applied. The refusal describes the proposal as an ‘intrusive structure’. We do not see how this is possible, as no structure has yet been designed or proposed.

SG LDP ENV14 - Landscape

The policy states that development will be resisted when it has a: ‘significant adverse impact on the character of the landscape’.

A development will only have significant adverse impact should it be badly designed, or if the materials, design, finish etc were unsuitable for the site. This is a matter of design, and it does not preclude all development on a site.

As stated in the policy, the positive social, economic and environmental benefits should also be considered – this site would provide housing for our client and his family. It would bring a family back to the local area, which would benefit not only them but also help address the council area’s challenges of depopulation, contribute to the local economy during the build and subsequently. It seems the officer has focused entirely on the potential for negative impact, with no consideration of the potential positive impacts, which are considerable.

Should the council feel that a development had adverse impact, there could, as suggested in the Policy, be various mitigation measures put in place – such as screening, planting, landscaping, as well as consideration of the materials, design, massing and size of the house itself. There is scope to enrich the biodiversity of the area by removal of invasive *Rhododendrum Ponticum* and planting of suitable native plants.

The land at the site is not suitable for any other use; development here, if planned well, could easily be said to enhance what is currently vacant brownfield.

### **3. Woodland**

**The site is clear, with no mature trees in the proposed footprint of the house.**

LDP 3 – Supporting the Protection, Conservation and Enhancement of our Environment

As is shown clearly on the map, the site is a rectangle that is clear of trees. There may be some small self-seeded saplings that have recently taken root, but there are certainly no mature or established trees that would require to be felled. The woodland surrounding the plot would not need to be felled, as there is plenty of space for a dwelling, access and parking on the clear site.

It’s not clear from the Report of Handling how the officer has arrived at the decision that the site is wooded. The planning application asked if there were trees ‘on or adjacent to’ the site, with only the choice of ‘yes or no’, to which we stated ‘yes’, as there are deciduous trees adjacent to the site. These trees will not be affected by the development.

We consider that it is important that this new application is considered without prejudice to previous applications, and on its own merits. It appears to us that much of this refusal was based on previous applications, and therefore is not applicable to this application – in particular where the refusal is referencing a design that was previously submitted and is not part of this application.

As architects specialising in sustainable and environmentally sensitive architecture, the enhancement and sustainable management of the landscape is utmost in our consideration.

### **SG LDP ENV 6 - Development Impact on Trees / Woodland**

1.1.4. Development may provide opportunities for new planting.

As stated, there are no mature trees on the site, and no trees would require to be felled in order to build. There are trees on the boundary of the site; these would be unaffected by building.

There is scope for new planting on the site. This could be of native species and in accordance with the local pattern of woodlands. This could be demonstrated by a planting scheme and/or landscaping statement/design, and as suggested in policy, could enhance the landscape character.