

**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**

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**Reference No:** 16/02218/PP

**Planning Hierarchy:** Local Development

**Applicant:** Mr Frank Phipps

**Proposal:** Erection of 9 dwellinghouses, installation of sewage treatment plant and formation of vehicle access

**Site Address:** Land North of West Shore Cottage, Fort Road, Kilcreggan

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## **DECISION ROUTE**

### **Local Government (Scotland) Act 1973**

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#### **(A) THE APPLICATION**

##### **(i) Development Requiring Express Planning Permission**

- Erection of 9 (originally 10) dwellinghouses
- Installation of private sewage treatment plant
- Formation of private vehicle access from Fort Road to service 4 dwellinghouses
- Individual accesses direct from Fort Road to serve 5 dwellinghouses

##### **(ii) Other specified operations**

- Connection to public water main
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#### **(B) RECOMMENDATION:**

Having due regard to the Development Plan and all other material considerations, it is recommended that, subject to a Discretionary Hearing, planning permission be granted as a minor departure from Policies LDP DM 1 and SG LDP HOU 1 of the Local Development Plan subject to a Section 75 Agreement covering off site junction improvements, footway provision and affordable housing, and the conditions and reasons appended to this report.

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#### **(C) HISTORY:**

12/01548/PP

Erection of 14 dwellinghouses, installation of sewage treatment plant, formation of vehicular access and junction improvements at Fort Road/Rosneath Road

Comment: Application will be withdrawn.

15/01054/PP

Erection of 6 dwellinghouses, installation of sewage treatment plant and formation of vehicular access

Comment: Application will be withdrawn.

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**(D) CONSULTATIONS:**

Area Roads Manager

Memos dated 01/11/16 and 13/10/16 - As previously intimated the existing public road (Fort Road) serving the new development is at capacity. Therefore, until such time as improvements are carried out, would not support any further development. The minimum necessary works required to upgrade the existing public road are at the junction of the B 833 (Rosneath Road) plus from the junction along the length of the road to the access into "Rockfield".

These carriageway, footway and verge improvements will require an application for Roads Construction Consent to be submitted to the Roads Network Manager. These upgrading works should also include the improvement of the existing piped culvert under Fort Road at the eastern boundary of the "Haven", Fort Road, Kilcreggan. No construction work on the new houses should not commence until such time as a Road Construction Consent has been approved and a financial security bond lodged with the Council.

It may be necessary that there is a requirement for a section 75 agreement to be completed, to ensure that any land outwith the existing public road boundary is available to accommodate these necessary road improvements.

Beyond the identified road improvements the existing public road serving the new development is accessed from a single track road with passing places and no pedestrian facility. Therefore, in accordance with the Local Plan Policy SG LDP TRAN 2, a dedicated pedestrian walkway would be required as commensurate improvement to link the development with the main village of Kilcreggan.

The car parking and turning provision detailed is in accordance with the Local Plan Policy SG LDP TRAN 6.

Core Paths

Memos dated 06/10/16 and 23/11/16. Core Path C499 to Kilcreggan – the proposed specification for the Core Path and the provision of a finger post are welcomed. There is no requirement to apply for a Section 208 Path Diversion Order provided that the line of the path remains as it has been recorded on the Core Paths Plan. Previously advised permit/approve.

Scottish Water

Letter dated 23/12/16 and e-mails dated 04/01/17 - No objection in principle. There is no public system to connect into.

SNH

E-mail dated 21/09/16 advising that they don't intend to comment.

West of Scotland Archaeology Service

On previous application letter dated 10/06/15 indicating no objections subject to a condition requiring an archaeological investigation.

Bio-Diversity Officer

Letter dated 21/05/16 on previous application. Asks that the applicant carry out an ecological survey (by a suitably qualified ecologist) of the site to determine its current biodiversity status in relation to the LNCS designation and any other biodiversity interest. In addition, that a landscape planting design is conditioned with emphasis on the treatment of the boundary adjacent to the LNCS.

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**(E) PUBLICITY:**

The proposal has been advertised in terms of Regulation 20 procedures, closing date 20/10/16.

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**(F) REPRESENTATIONS:**

A total of 43 e-mails and letters of representation have been received. These comprise 31 objectors and 12 supporters as detailed in Appendix B at the end of this report.

**Objectors**

**(i) Summary of issues raised**

- There is already a substantial amount of heavy plant using Fort Road between the proposed site and the Old Boatyard, which is now a builders' yard. Additional construction traffic will be a source of even greater disruption and damage on a woefully inadequate road which is already in poor condition. The surface of the single track Fort Road continues to crumble along its entire length and we strongly urge no further developments be allowed to take place until Fort Road is upgraded.  
*Comment: The Area Roads Manager has advised no objection subject to Fort Road being upgraded. See also the assessment.*
- The proposed density and type of development has the potential to blight an area outwith the core village next to Kilcreggan woods and Conservation Area. The only other large site with planning consent well within the Kilcreggan envelope lies undeveloped with only ground works completed creating a scar on the landscape and there must be a propensity for something similar should demand for the houses fail to materialise.  
*Comment: See the assessment.*
- The proposed housing development is completely out of character with surrounding properties such as West Shore Cottage, The Barn, Glen Ashdale, Stratharran and Rana.  
*Comment: See the assessment.*
- The culvert over the Kilcreggan Burn is over 100 years old and already showing signs of collapse. Any planning consent should include the upgrade of the entire length of Fort Road, the culvert and the junction with Shore Road prior to commencement of construction.  
*Comment: The Area Roads Manager has advised no objection subject to Fort Road being upgraded. See also the assessment.*

- The proposed site sits astride several public footpaths and the proposed diversion(s) increases the walking distance substantially. The footpaths have been partially obstructed by the erection of fencing.  
*Comment: The Council's Core Path Team has no objections in principle to their diversion and amendment.*
- The area is a site of archaeological and natural interest and should be conserved as such.  
*Comment: West of Scotland Archaeological Service has advised no objections subject to a condition requiring an archaeological investigation.*
- The Council is required to assess such applications in terms of their impact on the natural, human and built environment. The site is designated as a Local Nature Conservation Site (LNCS) and the proposal will be detrimental to the landscape of the area and particularly the wildlife. The LNCS status for the entire area remains and has now been designated as an Area For Action as Sensitive Countryside. So sensitive that any further development here can only be detrimental to the LNCS. It has a very rare raised geological beach which is currently being decimated by owners. This development will take away the tranquillity of the area.  
*Comment: See the assessment.*
- This application seems like a change in the proposals made in application 12/01548/PP. The application is large in scale with a bigger footprint than the very first proposals made in application 12/01548/PP. That application is still awaiting decision. Why were these changes not made in that application, therefore allowing all objectors to a chance to respond?  
*Comment: Where changes are made to a current planning application the Council has to decide whether they constitute a material change. If so the Council will request a fresh application. In this case it was decided that the changes were material and a fresh application was requested.*
- The Bio-Diversity Officer asked for a report to be carried out by the applicant on application 12/01548/PP. We trust this is still a requirement.  
*Comment: An ecological report will be required as a pre-start condition.*
- A major concern is the spread of Japanese Knotweed which is rife in the immediate vicinity of the site.  
*Comment: An informative has been attached to deal with this issue.*

## Supporters

### (i) Summary of issues raised

- Local people have a very short memory regarding Fort Road. It was used by travellers and fly tippers with all sort of litter, couches, scrap cars and builders' rubble etc being left for someone else to deal with. With fencing and regular grass cutting they were turned away. Kilcreggan is a fantastic village and will only be made greater with this development.  
*Comment: See the assessment.*
- The small section of Fort Road zoned for building is currently a grass paddock and will have minimum effect on the already encouraged local wildlife and the benefits these houses bring to the community in terms of new families to support the school and businesses far outweigh the obvious

gripes of one or two neighbours with a large list of friends and restless keyboard.

Comment: See the assessment.

- The roads are safer to drive on due to passing places, the area is cleaner due to a lack of fly tipping, and knotweed is being dealt with. The roads are also safer for cyclists due to the introduction of cycle/footpaths. The landowner has no intention of further developing the area for residential use and fully intends to improve and manage the long neglected area for the benefit of the community.

Comment: See the assessment.

- The area at Fort Road is only a very small part of a larger 30 acre estate. It is approximately 3 acres and has been identified in the Local Plan as a settlement zone. The infill will complete the small community and provide work, much needed homes for families, children to help maintain the schools and revenue for local businesses. This area needs affordable housing and cannot understand why objections should be made, after all there is a housing shortage.

Comment: See the assessment.

- Dismayed by many of the unfounded comments made by objectors to this small development. This development would benefit the community by: -
- bringing much needed housing to the area and improving the infrastructure of Fort Road by making the only entrance to it and our village surgery safer.
- The creation of a countryside foot path/cycle way/bridleway at the expense of the development team making it safer and pedestrian friendly
- An Ecological and Biodiversity report has already been carried out on the whole area of the 30-acre estate, but once again, what continually seems to be overlooked with regards to the site area is that the development site is in fact designated on the area wide plan for Argyll and Bute as a settlement zone.
- The landowners team have continually worked to improve the area, this has been proved by the increase in use by the public and the access provided. Many people park and walk their dogs from all over the area and now with the beach access created Kayakers now also park and launch to navigate the Kayak trail. The Peninsula trail follows Fort Road too and will soon with the team's efforts have a designated and safe pathway.
- A recent dig by the local archaeological group and with permission and assistance from the estate team unearthed bronze-age finds in a cave at the ancient beach. This will become a visitor feature and will also be protected and financed by the estate team and landowner.
- This development is very important to the future of the whole estate as the continuity of improvements requires finance and the small trade off from the 3 acres will provide all the improvements and management of the woodland and foreshore to take the Fort Road estate forward.
- The land owner and team want the Fort Road estate to be an outstanding feature of Kilcreggan village and a legacy to be proud of. Continued sensitive management of the whole area will continue.

The above represents a summary of the issues raised. Full details of the letters of representation are available on the Council's Public Access System by clicking on the following link <http://www.argyll-bute.gov.uk/content/planning/publicaccess>. A total of 42 e-mails and letters of representation have been received. These comprise 31 objectors and 11 supporters as detailed in the Appendix at the end of this report.

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**(G) SUPPORTING INFORMATION**

**Has the application been the subject of:**

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

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**(H) PLANNING OBLIGATIONS**

**(i) Is a Section 75 agreement required: Yes**

A section 75 agreement is required in order to secure the proposed off site road improvements considered to be necessary in road safety terms in order to accommodate the increased traffic volumes that this development would generate. In addition, the adopted Local Development Plan, under Policies LDP 8 and SG LDP HOU 1, requires that on any site with more than 8 residential units, 25% of them should be affordable units. The developer is required to fund the following works, namely:

**Junction improvements and footway provision**

- a. The provision of a 5.5 metre carriageway between Rosneath Road (B833) and the entrance to the house known as "Rockfield". This shall include a 2 metre footway on the south side linking to the medical centre and grass verges on the north side.
- b. The existing water course culvert located under Fort Road serving the Kilcreggan burn should be increased in length to accommodate the proposed road widening works.
- c. The existing street lighting shall be extended to the eastern limits of the proposed road widening improvements.

Full details of these proposed road improvements on Fort Road shall be submitted to and agreed in writing with the Planning Authority in consultation with the Council's Road Network Manager. Thereafter the proposed road improvements shall be fully implemented in accordance with these details prior to occupation of the first dwelling house.

On Fort Road between the development site and the house known as "Rockfield" (termination of the proposed road widening works) a pedestrian walkway should be provided adjacent to the existing single track public road.

Full details of the layout and the proposed maintenance arrangements to be submitted prior to any works starting on site. Thereafter the approved layout shall be fully implemented prior to occupation of the first house.

## **Affordable Housing**

Provision of 2 off-site affordable residential units by means of a commuted sum of approximately £24,000 per affordable unit payable to the Council's Strategic Housing Fund after the completion of 1 mainstream house.

**(ii) Reason for refusal in the event that the Section 75 agreement is not concluded:**

### **Junction improvements and footway provision**

The existing public road (Fort Road) serving the new development is at capacity. Therefore, the addition of a further 9 dwellinghouses require that improvements are carried out. The improvements include upgrading the existing public road (Fort Road) at the junction of the B 833 (Rosneath Road) plus from the junction along the length to the road to the access into "Rockfield". These upgrading works should also include the improvement of the existing piped culvert under Fort Road at the eastern boundary of the "Haven" Fort Road, Kilcreggan. A dedicated pedestrian walkway would be required as commensurate improvement to link the development with the main village of Kilcreggan. These off-site measures cannot be secured by way of planning conditions and therefore a legal agreement is required. In the absence of such an agreement, vehicular and pedestrian safety on the approach road to the site would be compromised by the traffic generated by the scale of development proposed, contrary to the requirements of Policies LDP TRAN 4 and LDP TRAN 5 of the 'Argyll and Bute Local Development Plan'.

## **Affordable Housing**

This development relates to the provision of more than 8 residential units and is therefore subject to Policies 'LDP 8 and SG LDP HOU 1' of the Argyll and Bute Local Development Plan. These policies require that sites with a capacity of 8 units or more should contribute 25% of the total number of units as affordable housing. In the absence of a Section 75 Legal Agreement to secure the required provision the development of 9 residential units, as proposed, would not provide for the affordability component required by Policies 'LDP 8 and SG LDP HOU 1'. This would be contrary to the Council's Local Development Plan commitment to assist in supply of affordable homes pursuant to the advice given by Scottish Government in SPP (2014).

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<b>(I)</b>	<b>Has a Direction been issued by Scottish Ministers in terms of Regulation 30, 31 or 32:</b>	<b>No</b>
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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.**

Argyll and Bute Local Development Plan, 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 4 – Supporting the Sustainable Development of our Coastal Zone

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 1 – Development Impact of Habitats, Species and Our Biodiversity  
 SG LDP ENV 5 Development Impact on Local Nature Conservation Sites (LNCS)  
 SG LDP ENV 6 – Development Impact on Trees / Woodland  
 SG LDP ENV 14 –Landscape  
 SG LDP ENV 20 – Development Impact on Sites of Archaeological Importance

SG LDP HOU 1 – General Housing Development including Affordable Housing  
 SG LDP HOU 2 – Special Needs Access Provision in Housing Developments  
 SG LDP HOU 3 – Housing Green Space  
 Sustainable Siting and Design Principles  
 Delivery of Affordable Housing

SG LDP BAD 2 – Bad Neighbour Development in Reverse  
 SG LDP SERV 1 Private Sewage Treatment Plants and Wastewater (i.e. drainage) Systems  
 SG LDP SERV 2 – Incorporation of Natural Features/Sustainable Systems (SUDS)  
 SG LDP SERV 3 – Drainage Impact Assessment (DIA)  
 SG LDP SERV 5 (b) – Provision of Waste Storage and Collection Facilities within New Development  
 SG LDP SERV 7 – Flooding and Land Erosion – The Risk Framework for Development  
 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

SG LDP DEP – Departures to the Local Development Plan

- (i) **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.**

Argyll and Bute Sustainable Design Guidance, 2006  
 Scottish Planning Policy (SPP), 2014  
 Representations

<b>(K)</b>	<b>Is the proposal a Schedule 2 Development not requiring an Environmental Impact Assessment:</b>	<b>No</b>
<b>(L)</b>	<b>Has the application been the subject of statutory pre-application consultation (PAC):</b>	<b>No</b>
<b>(M)</b>	<b>Has a sustainability check list been submitted:</b>	<b>No</b>
<b>(N)</b>	<b>Does the Council have an interest in the site:</b>	<b>No</b>



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**(O) Requirement for a hearing:** A total of 43 e-mails and letters of representation have been received. In light of the significant local community interest and that the proposal is a minor departure from Policies LDP DM 1 and SG LDP HOU 1 it is considered that a hearing would give added value to the decision making process and is justified in this instance.

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

Planning permission is sought for the erection of 9, originally 10, dwellinghouses on an area of land at Fort Road, Kilcreggan. Policy SG LDP TRAN 4 indicates that developments should be served by a public road, however, there are a number of exceptions depending on the circumstances which include the opportunity for a housing development not exceeding 5 dwellings to be served by a private access. In this case 5 of the 9 houses take access directly from Fort Road which is adopted with the second tier of 4 houses being served by means of a new private access. The Area Roads Manager has indicated no objections subject to conditions and the proposal is considered to accord with this policy.

In this case the determining issues are whether the proposal has a high standard of design and its impact on the natural, human and built environment including, inter alia, form, location and scale. As the site also forms part of a larger Local Nature Conservation Site (LNCS) and Area for Action, the impact of the development on the wider LNCS also has to be considered. Development that would have an adverse effect on the integrity of Local Nature Conservation Sites will not be supported unless the developer satisfactorily demonstrates that such adverse effects are clearly outweighed by social, environmental or economic benefits and that all possible mitigation measures have been incorporated to minimise the adverse effects on the interests of the site.

In terms of the adopted Argyll and Bute Local Development Plan the application site is located primarily within the settlement boundary where Policy LDP DM 1 gives encouragement to sustainable forms of development subject to compliance with other relevant policies and supplementary guidance.

The site forms part of a larger paddock and scrub/rough grazing land on the north side of Fort Road. The proposal is for the erection of 9 houses set out in a two tier linear pattern. The site slopes up from the coast and road towards existing dwellinghouses. An access road to service four of the proposed houses is located towards the western end of the site and is just outwith the settlement boundary.

Portkil is a minor settlement where there is a presumption against major (more than 30 houses) and medium (6 to 30) scale housing development as defined by Policies LDP DM 1 and SG LDP HOU 1. At 9 houses the proposal is defined as medium scale and is contrary to these policies which in minor settlements allows up to 5 houses. Nine houses are proposed to fund the road improvements required by the Area Roads Manager. The development of 9 houses will have an economic benefit to the local area and the upgrading of the existing access road will create additional opportunities for development. By improving the infrastructure of Fort Road, specifically upgrading the access, it will make the only entrance to this area and access to the medical centre safer in terms of both vehicular and pedestrian safety. The creation of a countryside footpath/cycle/bridleway will also improve vehicular and pedestrian safety.

The access road to service four of the house plots and the proposed private sewage treatment plant are located outwith the settlement boundary in the Countryside Zone.

In this case the development has a high standard of design and sits comfortably with the existing settlement structure which comprises a mix of house styles. Only the access road and private sewage treatment plant is located within the Countryside Zone and any incursion/extension is minimal. There is currently no visible defined edge to the existing settlement boundary and a scheme of boundary planting is proposed which will give a specific and defensible end to the settlement. In landscape terms it is therefore, considered that there is justification for a minor departure to policies LDP DM1 and SG LDP HOU1 which are resistant to housing development immediately adjacent to a defined settlement boundary. As part of the proposal, 2 affordable units will be required and overall the proposed houses will finance the upgrade of Fort Road as required by the Area Roads Manager. The proposed houses, by virtue of their design and separation distance, will not impact on the character and amenity of adjoining houses and the surrounding area. In addition, the development will not detrimentally impact on the local nature conservation area. As such, it is considered that the proposal can be justified as a minor departure to Policies LDP DM 1 and SG LDP HOU 1.

The existing public road (Fort Road) serving the new development is at capacity therefore improvements will be required. The minimum necessary works required to upgrade the existing public road (Fort Road) are at the junction of the B 833 (Rosneath Road) plus from the junction along the length to the road to the access into "Rockfield".

These carriageway, footway and verge improvements will require an application for a roads construction consent to be submitted to the Roads Network Manager. These upgrading works should also include the improvement of the existing piped culvert under Fort Road at the eastern boundary of the property known as the "Haven", Fort Road, Kilcreggan. These can be covered by a Section 75 Agreement and should not commence until such time as a Road Construction Consent has been approved and a financial security bond lodged with the Council.

Beyond the identified road improvements the existing public road serving the new development is accessed from a single track road with passing places and no pedestrian facility. Therefore in accordance with Local Plan Policy SG LDP TRAN 2 a dedicated pedestrian walkway would be required as commensurate improvement to link the development with the main village of Kilcreggan. The car parking and turning provision detailed is in accordance with the Local Development Plan Policy SG LDP TRAN 6.

Water supply is via a connection to the public system while drainage is indicated to be by means of a private sewage system. Under Policy SG LDP SERV 1 connection to the public sewer will be required, unless the applicant can demonstrate, inter alia, that connection is not feasible, for technical or economic reasons. In terms of sewerage, a number of options are available. The applicant has previously obtained planning permission for a separate sewage treatment unit to the south of the application site under reference 09/00758/DET. This is to service other development in the area. Scottish Water has confirmed that there is no public system. An existing private pipe which takes waste from the existing houses on Fort Road discharges raw sewage directly in to the Clyde without any treatment and it is not considered appropriate to add to this. As such the applicant's preferred option for a new private treatment plant discharging clean water into adjoining ground is considered acceptable in principle.

The development has a high standard of design and sits comfortably with the existing settlement structure. A scheme of boundary planting is proposed which will give a specific and defensible end to the settlement. As part of the proposal 2 affordable units will be required and the proposed houses will finance the upgrade of Fort Road required by the Area Roads Manager. The proposed houses will not impact on the character and amenity of adjoining houses and the surrounding area. In addition, the development will not detrimentally impact on the local nature conservation area. As such, it is considered that

the proposal can be justified as a minor departure to Policies LDP DM 1 and SG LDP HOU 1.

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

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**(R) Reasons why planning permission should be granted**

The development has a high standard of design and sits comfortably with the existing settlement structure which comprises a mix of house styles. There is no specific defined edge to the existing settlement boundary and a scheme of boundary planting is proposed which will give a specific and defensible end to the settlement. As part of the proposal 2 affordable units will be required and the proposed houses will finance the upgrade of Fort Road required by the Area Roads Manager. The proposed houses are all contained within the settlement boundary and will not impact on the character and amenity of adjoining houses and the surrounding area. In addition, the development will not detrimentally impact on the local nature conservation area. As such, it is considered that the proposal can be justified as a minor departure to Policies LDP DM 1 and SG LDP HOU 1.

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

Portkil is a minor settlement where there is a presumption against major (more than 30 houses) and medium (6 to 30) scale housing development as defined by Policies LDP DM 1 and SG LDP HOU 1. At 9 houses the proposal is defined as medium scale and is contrary to this policy which in minor settlements allows up to 5 houses. In addition, the access road to service four of the house plots is located outwith the settlement zone in the Countryside Zone. Within the Countryside Zone up to small scale on appropriate infill, rounding off and redevelopment sites and changes of use of existing buildings. In exceptional cases development in the open countryside up to and including large scale may be supported on appropriate sites if this accords with an ACE. There is a presumption against development that seeks to extend an existing settlement into the Countryside Zone.

In this case, the development has a high standard of design and, subject to the removal of one of the plots (from 10 to 9), sits comfortably with the existing settlement structure which comprises a mix of house styles. Only the private access which will serve 4 houses and the private sewage treatment plant are located within the Countryside Zone and any incursion/extension is minimal. There is currently no visible defined edge to the existing settlement boundary and a scheme of boundary planting is proposed which will give a specific and defensible end to the settlement. In landscape terms it is therefore, considered that there is justification for a minor departure to policies LDP DM1 and SG LDP HOU1 which are resistant to housing development immediately adjacent to a defined settlement boundary. As part of the proposal 2 affordable units will be required and the proposed houses will finance the upgrade of Fort Road required by the Area Roads Manager. The proposed houses will not impact on the character and amenity of adjoining houses and the surrounding area. In addition, the development will not detrimentally impact on the local nature conservation area.

The development of 9 houses will have an economic benefit to the local area and the upgrading of the existing access road will create additional opportunities for development. By improving the infrastructure of Fort Road, specifically upgrading the access, it will make the only entrance to this area and access to the medical centre safer in terms of both vehicular and pedestrian safety. The creation of a countryside footpath/cycle/bridleway will also improve vehicular and pedestrian safety. In

environmental terms the creation of a defined edge with significant boundary planting will enhance this part of Portkil and have a minor positive impact on the local nature conservation area by creating additional habitat. Previous development along Fort Road has not included any affordable housing. The scheme of 9 houses will provide 2 affordable units by means of a commuted sum off site thus having a positive social benefit. As such, it is considered that the proposal can be justified as a minor departure to Policies LDP DM 1 and SG LDP HOU 1.

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<b>(T)</b>	<b>Need for notification to Scottish Ministers or Historic Scotland:</b>	<b>No</b>
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<b>Author of Report:</b>	Howard Young	<b>Date:</b> 04/01/17
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<b>Reviewing Officer:</b>	Angus Gilmour	<b>Date:</b> 05/01/17
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**Angus Gilmour**  
**Head of Planning**

## **CONDITIONS AND REASONS RELATIVE TO APPLICATION REF. NO. (16/02218/PP)**

1. The development shall be implemented in accordance with the details specified on the application form dated 9 August 2016 and the approved drawing reference numbers P(LP)001, P(SP)001, A.005H, A.005, A.006H, A.007H, A.007 and D(AP)001 A unless the prior written approval of the planning authority is obtained for other materials/finishes/for an amendment to the approved details under Section 64 of the Town and Country Planning (Scotland) Act 1997.

Reason: For the purpose of clarity, to ensure that the development is implemented in accordance with the approved details.

2. 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 to the Planning Authority for approval before commencement of development.

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

3. No development shall commence until samples of materials to be used in the construction of the dwellinghouse hereby approved have been submitted to and approved in writing by the Planning Authority. The development shall thereafter be completed using the approved materials or such alternatives as may be agreed in writing with the Planning Authority

Reason: In order to integrate the development into its surroundings.

4. Prior to commencement of development a scheme of boundary treatment, surface treatment and landscaping shall be submitted to and approved in writing by the Planning Authority. The scheme shall include details of:

- i) Location, design and materials of proposed walls, fences and gates;
- ii) Surface treatment of proposed means of access and hardstanding areas;
- iii) Any proposed re-contouring of the site by means of existing and proposed ground levels.
- iv) Proposed hard and soft landscape works.

The development shall not be occupied until such time as the boundary treatment, surface treatment and any re-contouring works have been completed in accordance with the duly approved scheme.

All of the hard and soft landscaping works shall be carried out in accordance with the approved scheme during the first planting season following the commencement of the development, unless otherwise agreed in writing by the Planning Authority.

Any trees or plants which within a period of ten years from the completion of the development die, for whatever reason are removed or damaged shall be replaced in the next planting season with others of the same size and species, unless otherwise agreed in writing with the Planning Authority.

Reason: To assist with the integration of the proposal with its surroundings in the interest of amenity.

5. Prior to development commencing on site, full details of the proposed private sewage treatment plant to serve the development shall be submitted to and approved in writing by the Planning Authority. The information submitted shall include details of the proposed outfall soakaway and a regime for the on-going maintenance of the private treatment plant. The duly

approved scheme shall be implemented in full concurrently with the development that it is intended to serve and shall be operational prior to the occupation of the development.

*Reason: To ensure that an adequate means of foul drainage is available to serve the development and to ensure that there is no discharge of contaminated or polluted drainage to ground or surface waters.*

6. No development shall be commenced until details of the surface water drainage system to be incorporated into the development have been submitted to and approved in writing by the Planning Authority. Such measures shall show separate means for the disposal of foul and surface water, the provision of a Sustainable Urban Drainage System (SuDS) and shall include details of how it will be maintained. Suds should be designed in accordance with CIRIA C753 and Sewers for Scotland 3<sup>rd</sup> Edition and include details of design calculations, method statement for construction, maintenance regime and ground investigation. The approved surface water drainage system shall be completed and brought into use prior to the development hereby approved being completed or brought into use.

*Reason: To ensure that an acceptable scheme of surface water drainage is implemented*

7. Prior to development commencing a method statement for an archaeological watching brief shall be submitted to and approved in writing by the Planning Authority in consultation with the West of Scotland Archaeology Service. The method statement shall be prepared by a suitably qualified person and shall provide for the recording, recovery and reporting of items of interest or finds within the application site. Thereafter the development shall be implemented in accordance with the duly approved details with the suitably qualified person being afforded access at all reasonable times during ground disturbance works.

Reason: In order to protect archaeological resources.

8. Prior to works commencing on site an ecological survey of the Kilcreggan Woodlands and Raised Beach Local Nature Conservation Site shall be carried out by a qualified ecologist to determine its current biodiversity status in relation to the LNCS designation and any other biodiversity interest. The survey should identify measures to maintain and enhance the flora and fauna of the area including a timescale for the implementation of any of the measures agreed with the Council.

*Reason: To maintain and enhance the range of species and character of Kilcreggan Woodlands and Raised Beach Local Nature Conservation Site.*

9. Prior to works commencing on site, the following information shall be submitted and agreed in writing with the Council:

- details of how it is proposed to maintain Core Path C499 during the construction phase of operations and after completion of development;
- details of how it is proposed to maintain the wider path network namely paths 15/22 and 15/86 which traverse the site during the construction phase of operations and after completion of development.

*Reason: To ensure that Core Path C499 is maintained and improved.*

10. Prior to works commencing on site, the following information shall be submitted and agreed in writing with the Council:

- details of how Core Path C499, within the applicant's control, will be improved and maintained. Thereafter, the approved details shall be implemented prior to the development hereby approved being completed or brought into use unless otherwise agreed in writing with the Planning Authority.

*Reason: To ensure that Core Path C499 is maintained and improved.*

11. Prior to works commencing on site, details of the method of construction of the private access serving the four dwellings including gradients and finishes shall be submitted to and agreed in writing by the Planning Authority.

*Reason: In the interests of road safety.*

12. At the junction of the proposed private access serving the four dwellings and the public road (Fort Road) a visibility sightline 2.4 x 25 x 1.05 metres shall be provided and maintained in perpetuity.

*Reason: In the interests of road safety.*

13. The provision for car parking within the site shall be in accordance with the Council's Local Development Plan supplementary guidance SG LDP TRAN 6 Vehicle Parking Provision.

*Reason: In the interests of road safety.*

#### **Notes to Applicant:**

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 Sections 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. Failure to comply with this requirement constitutes a breach of planning control under Section 123(1) of the Act.

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.

The proposed road improvements to the existing public road (Fort Road) would require the submission of an application for a roads construction consent. After subsequent approval a financial security road bond will be required to be lodged before any works commence on site.

Japanese Knotweed has been reported on or near this site. It is a highly invasive weed that is capable of structural damage. Disturbance will cause it to spread and its movement is controlled by legislation. Under the Wildlife and Countryside Act 1981 it is illegal to cause it to spread in the wild. You are strongly advised to survey the site for the presence of Japanese Knotweed at an early stage and before any site clearance work and, if found, to formulate plans to control or eradicate it. Please note that Japanese Knotweed can be far more extensive than the visible parts on the surface and that the underground parts of the plants may extend laterally up to 7 metres beyond this.

Prior to any alterations or diversion of the paths within the application site the applicant should contact the Council's Access Officer from the Core Paths Team to receive written approval for their proposals.

## **APPENDIX A – RELATIVE TO APPLICATION NUMBER: 16/02218/PP**

### **PLANNING LAND USE AND POLICY ASSESSMENT**

#### **A. Settlement Strategy**

Planning permission is sought for erection of 9 (originally 10) dwellinghouses on an area of paddock and scrub land at Fort Road, Kilcreggan. In terms of the adopted Argyll and Bute Local Development Plan the application site is located primarily within the settlement boundary where Policies LDP DM 1 and SD LDP HOU 1 give encouragement to sustainable forms of development subject to compliance with other relevant policies and supplementary guidance.

Portkil is a minor settlement where there is a presumption against major (more than 30 houses) and medium (6 to 30) scale housing development as defined by Policies LDP DM 1 and SG LDP HOU 1. At 9 houses the proposal is defined as medium scale and is contrary to these policies which in minor settlements allows up to 5 houses. Nine houses are proposed to fund the road improvements required by the Area Roads Manager. The development of 9 houses will have an economic benefit to the local area and the upgrading of the existing public road will create additional opportunities for development. By improving the infrastructure of Fort Road, specifically upgrading the junction with the B833, it will make the only entrance to this area and access to the medical centre safer in terms of both vehicular and pedestrian safety. The creation of a countryside footpath/cycle/bridleway will also improve vehicular and pedestrian safety.

The development has a high standard of design and, subject to the removal of one of the plots (from 10 to 9), sits comfortably with the existing settlement structure which comprises a mix of house styles. Only the private access which will serve 4 houses and the private sewage treatment plant are located within the Countryside Zone and any incursion/extension is minimal. There is currently no visible defined edge to the existing settlement boundary and a scheme of boundary planting is proposed which will give a specific and defensible end to the settlement. In landscape terms it is therefore, considered that there is justification for a minor departure to policies LDP DM1 and SG LDP HOU1 which are resistant to housing development immediately adjacent to a defined settlement boundary.

As part of the proposal 2 affordable units will be required and the proposed houses will finance the upgrade of Fort Road as required by the Area Roads Manager. The proposed houses will not impact on the character and amenity of adjoining houses and the surrounding area. In addition, the development will not detrimentally impact on the local nature conservation area. As such, it is considered that the proposal can be justified as a minor departure to Policies LDP DM 1 and SG LDP HOU 1.

#### **B. Location, Nature and Design of Proposed Development**

The site is irregular in shape extending to some 9372 square metres. It forms part of a larger area of paddock and scrub/rough grazing land on the north side of Fort Road, Portkil. The site slopes up from the coast and road towards existing dwellinghouses and an industrial unit.

The proposal is for the erection of 9 originally 10 houses set out in a linear pattern. Two house types are shown with all being detached, one and a half storey houses of modern design with a strong central projection/extension. The five at the front of the site take access from Fort Road. An access road to service the other four houses is located towards the western end of the site and is outwith the settlement boundary. The proposed houses have slate roofs and timber and smooth render finish walls.



The houses sit in substantial plots and are some 30 metres from the existing dwellinghouses to the north of the site and 23 metres from West Shore Cottage to the south. There is no specific defined edge to the existing settlement boundary and a scheme of boundary planting is proposed which will give a specific and defensible end to the settlement. As part of the proposal 2 affordable units will be required by means of a commuted sum and the proposed mainstream houses will finance the upgrade of Fort Road as required by the Area Roads Manager.

As indicated above, the original proposal was for 10 houses set out in three tiers of 5, 1 and 4 houses. The single house separating the other two tiers was incongruous and didn't sit well with the other houses. It appeared squeezed in to the corner of the site and was at odds with the proposed linear pattern. If approved it is considered that it would have been visually discordant and visually intrusive. As such the applicant has agreed to delete this property. With this plot removed the development has a high standard of design and sits comfortably with the existing settlement structure which comprises a mix of house styles. The proposed houses will not impact on the character and amenity of adjoining houses and the surrounding area. In addition, the development will not detrimentally impact on the local nature conservation area. As such, it is considered that the proposal can be justified as a minor departure to Policies LDP DM 1 and SG LDP HOU 1.

The application site adjoins Ensign Motifs which is a long-standing industrial unit now within the settlement boundary. Policy SG LDP BAD 2 deals with the potential for bad neighbour development in reverse. Potentially the siting of dwellinghouses next to an industrial unit could give rise to conflict. In this instance, Ensign Motifs manufactures embroidered clothing and would be classified as a Class 4 Business Use under the Use Classes (Scotland) Order. Such uses can be carried on in any residential area without detriment to the amenity of that area. As such it is considered that it does not constitute a bad neighbour and that the proposal accords with Policy SG LDP BAD 2.

### **C. Road Network, Parking and Associated Transport Matters.**

Policy SG LDP TRAN 4 indicates that developments should be served by a public road, however, there are a number of exceptions depending on the circumstances which include the opportunity for a housing development not exceeding 5 dwellings to be served by a private access. In this case 5 of the 9 houses take access directly from Fort Road which is adopted with the second tier of 4 houses being served by means of a new private access. The Area Roads Manager has indicated no objections subject to conditions and the proposal is considered to accord with this policy.

Under Policy SG LP TRAN 5, where development proposals will significantly increase vehicular or pedestrian traffic on substandard private or public approach roads, then developments will be required to contribute proportionately to improvements to an agreed section of the public or private road network. Since the last Local Plan, when the settlement boundary of Portkil was revised and extended, the Council has approved a number of new houses in this area. It is now considered that the existing public road (Fort Road) serving the new development is at capacity and therefore improvements will be required. The minimum necessary works required to upgrade the existing public road (Fort Road) are at the junction of the B 833 (Rosneath Road) plus from the junction along the length to the road to the access into "Rockfield including upgrading of an existing culvert".

These carriageway, footway and verge improvements will require an application for Roads Construction Consent to be submitted to the Roads Network Manager. These upgrading works should also include the improvement of the existing piped culvert under Fort Road at the eastern boundary of the property known as the "Haven", Fort Road, Kilcreggan. The land is outwith the control of the applicant but he has indicated that he

has dealt with the owner previously and will be able to provide the improvements. As such a Section 75 Agreement is considered to be the most appropriate mechanism for providing these improvements in this instance. Road Construction Consent will also be required including a financial security bond to be lodged with the Council prior to the occupation of the first dwellinghouse. On this basis, the proposal accords with Policy SG LDP TRAN 5.

Beyond the identified road improvements the existing public road serving the new development is accessed from a single track road with passing places and no pedestrian facility. Therefore, in accordance with Local Plan Policy SG LDP TRAN 2, a dedicated pedestrian walkway would be required as commensurate improvement to link the development with the main village of Kilcreggan. Again this can be covered by condition. The car parking and turning provision, as amended, is in accordance with Policy SG LDP TRAN 6.

#### **D. Drainage/Flooding/Infrastructure**

Water supply is via a connection to the public system while drainage is indicated to be by means of a private sewage system. Under Policy SG LDP SERV 1 connection to the public sewer will be required, unless the applicant can demonstrate, inter alia, that connection is not feasible, for technical or economic reasons. In terms of sewerage, a number of options are available. The applicant has previously obtained planning permission for a separate sewage treatment unit to the south of the application site under reference 09/00758/DET. This is to service other development in the area. Scottish Water has confirmed that there is no public system. An existing private piped system which takes waste from the existing houses on Fort Road discharges raw sewage directly in to the Clyde without any treatment and it's not considered appropriate to add to this. As such the applicant's preferred option for a new private treatment plant discharging clean water into adjoining ground is considered acceptable in principle in line with Policy SG LDP SERV 1. A SuDS condition will also be attached regarding surface water.

#### **E. Bio- Diversity/Local Nature Conservation Site**

The application site has a triple designation under the Local Plan. It is part of the larger Kilcreggan Woodlands and Raised Beach Local Nature Conservation Site. It is an Area for Action (AFA) 2001 and it is within the settlement boundary. Policy SG LDP ENV 5 is applicable in relation to its conservation designation. It states that development that would have an adverse effect on the integrity of the Local Nature Conservation Sites will not be supported unless the developer satisfactorily demonstrates that:

- (A) Such adverse effects are clearly outweighed by social, environmental or economic benefits of community wide importance arising from the development proposal, and,
- (B) The Council is satisfied that all possible mitigation measures have been incorporated to minimise the adverse effects on the interests of the site.

Where development is allowed which could affect an LNCS, including beyond their boundaries, the developer must demonstrate that adequate measures will be taken to conserve and enhance the sites' ecological, geological and geomorphological interest.

The Local Nature Conservation Site has a special interest in regards to habitat diversity including uncommon flora (Wall Pennywort, Sea Radish, Common Skullcap, Bistort, White Campion, Yellow Rattle and a variety of orchids) and includes Black Bog Rush. The LNCS consists of mixed habitats and includes broadleaved woodland and scrub, marsh/marshy grassland. The Council's Bio-Diversity Officer was consulted on the previous application and responded in May 2016. She has indicated that the wider site does not have any protected European species but has interest in terms of both flora

and fauna. As such she is recommending an ecological survey be undertaken together with a landscape planting plan.

The issue is whether development of this site will undermine its conservation status. As previously advised the site is also included within the settlement boundary where there is a presumption in favour of development. The site itself is part paddock and scrub/rough grazing land which it is considered contributes little to the wider LNCS designation. The proposal includes substantial boundary planting to the west of the application site and the Bio-Diversity Officer has indicated that the ecological survey and planting scheme can be covered by suspensive conditions. As such it is considered that the loss of this part of the LNCS will not undermine its conservation status and that with additional planting the bio-diversity of the area will be marginally enhanced. The proposal is therefore consistent with Policy SG LDP ENV 5.

#### **F. Core paths/Access issues**

Under Policy SG LDP TRAN 1 the Council requires development proposals to safeguard and enhance public rights of access to the outdoors in a manner that is appropriate and proportionate to the specific site characteristics and the scale and impact of the proposed development on access issues. Accordingly, the Core Paths Plan, claimed Public Rights of Way and public rights of access to land and water under the Land Reform (Scotland) Act 2003 (LRSA) will be material considerations in assessing planning applications. Where development would have a significant adverse effect upon the public access interests identified an alternative access provision will be sought at the developer's expense either by diverting the route or incorporating it into the proposed development in a way that it is no less attractive, safe or convenient for public use. Where development would have a significant effect upon the public access interests identified the developer is required to submit an Access Plan which addresses access issues to the satisfaction of the Council.

Core path C499 is partly within the site boundary and offers the opportunity for re-routing and path improvement. In terms of the wider path network, paths 15/22 and 15/86 traverse the site and will require the construction of a new path. A new path is shown within the development site and the Outdoor Access Team have indicated no objections. Subject to conditions regarding maintenance of access and the re-routing and improvement of core path C499 it is considered that the proposal accords with Policy SG LDP TRAN 1.

#### **G. Affordable Housing**

The adopted Local Development Plan, under Policies LDP 8, SG LDP HOU 1, requires that on any site with more than 8 residential units, 25% of them should be affordable units. Affordable housing can be delivered by a variety of means including social rented housing, mid-market rented housing, the payment of commuted sums and also the building of houses/apartments designed to meet the needs of first time buyers. Affordable housing to be provided is expected to be fully integrated on site, delivered by a number of different mechanisms including shared equity where appropriate and taken forward in a tenure blind manner. Only in exceptional circumstances and once the developer has demonstrated to the satisfaction of the Planning Authority that on site provision is not practicable will other options then be considered. In order to secure the most appropriate affordable housing for each site therefore a sequential approach will be applied to the delivery of affordable housing, in the following order:

1(a) the provision of affordable (social rented/shared equity) housing on-site

OR

1(b) the transfer of an area of serviced land on-site to a registered social housing provider

OR – if this is not achievable for market, investment, location or other reasons:

2(a) the provision of affordable housing (social rented/shared equity) off-site within the same community or housing market area

2(b) the transfer of an area of serviced land off-site to a Registered Social Landlord (RSL).

Where the options 1 or 2 are not available for market, investment, location or other reasons the following options can also be considered on an equal basis namely;-

4 Commuted Payment (Sum to be agreed by the District Valuer for each Housing Market Area);

5 Discounted low cost sale;

6 Housing without subsidy.

In this case the applicant has indicated that provision will be by means of an Open Market Shared Equity Scheme. This allows people on low to moderate incomes to buy homes that are for sale on the open market where it is affordable for them to do so. The scheme is currently open to help all first time buyers. The minimum equity stake that buyers must take in a property is 60 per cent and the maximum equity stake is 90 per cent. Lenders normally require buyers to provide a modest deposit. Applications to the scheme are assessed by registered social landlords who administer the scheme on behalf of the Scottish Government

There are limits set on the price of homes that can be bought under the open market scheme to ensure that only 'starter' properties are available through the scheme - these are known as threshold prices. These limits vary according to house prices in different parts of Scotland and are often referred to as local maximum price ceilings. In Argyll and Bute a 6 apartment property has a threshold of £235,000. The applicant's agent has confirmed the two properties to be utilised for affordable housing will meet this threshold. However, it is considered that given their mass, scale and design these are not starter properties and their basic price will be well in excess of the Argyll and Bute threshold. Therefore, the requirement for a minimum equity stake that buyers must take in a property of 60 per cent and a maximum equity stake of 90 per cent means that this option is not a practical one in terms of the properties being affordable.

In terms of the sequential test and for the same reasons as indicated above it is not considered practical to provide housing on site either social rented/shared equity. Equally the transfer of an area of serviced land on-site to a registered social housing provider is also ruled out given the design of the houses. The applicant does not own land elsewhere and therefore off-site provision within the same community or housing market area or transfer of an area of serviced land off-site to a Registered Social Landlord (RSL) is not an option.

This leaves a commuted payment as the most practical option. These payments can be used to enable off-site provision to make an equal and equivalent financial contribution to the Strategic Housing Fund managed by Argyll and Bute Council to promote the direct provision of affordable accommodation with an approved Registered Social Landlord on other sites in the local housing market area. The commuted payment should be equivalent to the difference between the value of the affordable housing unit and the value of the equivalent private unit to ensure that the financial impact to the developer is the same as if the developer provided the affordable units on site. Where commuted payments are agreed, they will normally be payable at the same stage as on site provision would have been required in order to ensure that the time lag between the supply of private housing and the affordable housing is minimised.

In this case the commuted sum of approximately £24,000 per affordable unit would be payable to the Council's Strategic Housing Fund after the completion of 1 mainstream

house. The provision of the commuted sum would be monitored by Planning staff in conjunction with the Housing Department. If the Council is unable to attract public funding for the provision of affordable housing within a five year period (from completion of the first private house) in the form of off-site provision, then the provision in relation to commuted payments will be invoked and the developer will be entitled to have the commuted sum returned.

## **H. Previous Planning History**

Reference is made in the representations section to the site's previous planning history. Two applications for this site are still pending decision. These are 12/01548/PP for the erection of 14 dwellinghouses, installation of sewage treatment plant, formation of vehicular access and junction improvements and 15/01054/PP for the erection of 6 dwellinghouses, installation of sewage treatment plant and formation of vehicular access. In the first instance the proposal for 14 houses (reduced from the original 20) was considered over development. Last year's application for 6 houses was considered more acceptable but, according to the applicant, would not provide sufficient monies to pay for the required junction and other road improvements. It is understood that they will be withdrawn and are minor material considerations in the assessment of the current proposal.

## **I. Conclusion.**

Section 25 of the Town and Country Planning (Scotland) Act 1997 establishes that the determination of a planning application shall be made in accordance with the development plan unless material considerations indicate otherwise. In this instance the plan relevant to the application is the Local Development Plan (LDP).

Portkil is a minor settlement where there is a presumption against major (more than 30 houses) and medium (6 to 30) scale housing development as defined by Policies LDP DM1 and SG LDP HOU 1. At 9 houses the proposal is defined as medium scale and is contrary to these policies which in minor settlements allows up to 5 houses. In addition, the access road to service four of the house plots is located outwith the settlement zone in the Countryside Zone. In this case, the development has a high standard of design and, subject to the removal of one of the plots, sits comfortably with the existing settlement structure which comprises a mix of house styles. Only the access road is located within the Sensitive Countryside Zone and any incursion/extension is minimal. There is no specific defined edge to the existing settlement boundary and a scheme of boundary planting is proposed which will give a specific and defensible end to the settlement. As part of the proposal 2 affordable units will be required and the proposed houses will finance the upgrade of Fort Road required by the Area Roads Manager. The proposed houses will not impact on the character and amenity of adjoining houses and the surrounding area. In addition, the development will not detrimentally impact on the local nature conservation area.

The development of 9 houses will have an economic benefit to the local area and the upgrading of the existing access road will create additional opportunities for development. In environmental terms the creation of a defined edge with significant boundary planting will enhance this part of Portkil and have a minor positive impact on the local nature conservation area by creating additional habitat. Previous development along Fort Road has not included any affordable housing. The scheme of 9 houses will provide 2 affordable units thus having a positive social benefit. As such, it is considered that the proposal can be justified as a minor departure to Policies LDP DM 1 and SG LDP HOU 1.

## Appendix B - Representations Received for: 16/02218/PP

Total Representations: 43

Representations - Summary	Totals
1 - OBJECTORS	31
2 - SUPPORTERS	12

### 1 - OBJECTORS

Aiden Flanagan, 15 Craighornie Gardens, Kilcreggan, Helensburgh, Argyll And Bute, G84 0HY

Alice Kelly, West Shore Cottage, Fort Road, Kilcreggan, Helensburgh, Argyll And Bute, G84 0LG

Alison Barclay, Shore Road, Kilcreggan

Catherine Murray, 10c Tenant Street, Renfrew, PA4 8RH

David Strachan, 43 Morion Road, Knightswood, Glasgow, G13 2HB

Dougie Wotherspoon, Flat 2/1, 27 Spencer Street, Clydebank, G81 3AX

Esther Connell, Stratharran, Fort Road, Kilcreggan, Helensburgh, Argyll And Bute, G84 0LG

Gary Kelly, West Shore Cottage, Fort Road, Helensburgh, Argyll And Bute, G84 0LG

Harry S Cathcart, Aingarh, Fort Road, Kilcreggan, Helensburgh, Argyll And Bute G84 0LQ

Hugh Scanlan, 44 Dalmuir Court, Clydebank, G81 4AA

Iain Connell, Stratharran, Fort Road, Kilcreggan, Helensburgh, Argyll And Bute, G84 0LG

Irene Young, Creanach, Fort Road, Kilcreggan, Helensburgh, Argyll And Bute G84 0LG

Jemma Cairns, 61 Lesmuir Drive, Scotstoun, Glasgow G14 0EG

Joanne Barron, 0/2 1545 Dumbarton Road, Glasgow, G14 9XG

Joanne Cairns, 61 Lesmuir Drive, Glasgow, G14 0EG

Jonathan Thompson, Flat 3 Yard, 122 Highgate, Kendal, LA9 4HE

Lorraine Kelly, 11 Fairway, Garelochhead, Helensburgh, Argyll And Bute, G84 0BA

Malcolm Evans, Thistle House, Fort Road, Kilcreggan, Helensburgh, Argyll And Bute, G84 0LG

Margaret Thompson, Flat 3, Yard 122, Highgate, Kendal, LA9 4HE

Mark Mills, 62 Cloan Ave, 0/2 Drumchapel, Glasgow, G15 6AD

Paul Murray, 10c Tennant Street, Renfrew, PA4 8RH

R H West, Lynton Park, Fort Road, Kilcreggan, Helensburgh, Argyll And Bute, G84 0LQ

Robina Scanlan, 44 Dalmuir Court, Dalmuir, Clydebank, G81 4AA

Robyn Kelly, West Shore Cottage, Fort Road, Kilcreggan, Helensburgh, Argyll And Bute, G84 0LG

Samantha Sherwin, Flat 5 St Columba Mews, Sinclair Street, Helensburgh, Argyll And Bute, G84 8TR

Sharon Kelly, West Shore Cottage, Fort Road, Kilcreggan, Helensburgh, Argyll And Bute, G84 0LG

Sharon Strachan, 124 Baldwin Avenue, Glasgow, G13 2QU

Steven Morton, 9/2 Comely Bank Place, Edinburgh, EH41DT

Terence McLernon, 1545 Dumbarton Road, Glasgow, G14 9XG

Tim Burgess, The Haven, Fort Road, Kilcreggan, Argyll And Bute G84 0LQ

Walter Young, Creanach, Fort Road, Kilcreggan, Helensburgh, Argyll And Bute, G84 0LG

## **2 - SUPPORTERS**

Alan Smith, Bayview, Fort Road, Kilcreggan, Helensburgh, Argyll And Bute, G84 0LG

Arusha Irvine, Ivyhill, Shore Road, Kilcreggan, Helensburgh, Argyll And Bute, G84 0HQ

Cheryl Smith, Bayview, Fort Road, Kilcreggan, Helensburgh, Argyll And Bute, G84 0LG

Christina Smith, Bayview, Fort Road, Kilcreggan, Helensburgh, Argyll And Bute, G84 0LG

James Aplin, 98 Main St, Barrhead, G78 1SE

Kerris Bone, 11E Rankin Way, Barrhead, G78 1TB

Mark Irvine, Ivyhill, Shore Road, Kilcreggan Helensburgh, Argyll And Bute, G84 0HQ

Paul Collins, Camsail, Rosneath, Helensburgh, G84 0QR

Robert Aplin, 6B Henry Street, Barrhead, G78 1RJ

Ryan Davies, Braeview, Fort Road, Kilcreggan, Helensburgh, Argyll And Bute, G84 0LG

Thomas Wilson, 2 Upland Wynd, Garelochhead, Helensburgh, Argyll And Bute, G84 0BL

Paul Wilson, Oakview, Fort Road, Kilcreggan, Argyll and Bute, G84 0LG