

**Argyll and Bute Council
Development and Economic Growth**

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: 19/02512/PP

Planning Hierarchy: Local Development

Applicant: Argyll & Bute Council

Proposal: Alterations and extensions

Site Address: Salen Primary School, Ardmor Road, Salen, Isle of Mull, Argyll and Bute, PA72 6JL

DECISION ROUTE

Local Government Scotland Act 1973

(A) THE APPLICATION

(i) Development Requiring Express Planning Permission

- Erection of extension

(ii) Other specified operations

- N/A
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(B) RECOMMENDATION:

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

(C) HISTORY:

00/0699/NID

Siting of Metal Storage Unit. Granted 13th June 2000

00/01858/NID

Extension to Primary School. Granted 29th January 2001

01/00761/NID

Extension of Primary School. Granted 14th June 2001

02/00913/CPD

New pre-five units. Objections raised 26th June 2002

14/01102/PP

Alterations and extension to Pre-Five Unit and associated works. Granted 10th July 2014

15/00879/CPD

Erection of extension. Permitted development 10th April 2015

(D) CONSULTATIONS:

Area Roads Authority

No objection. Report dated 13th February 2020

Environmental Health

No response at time of report and no request for an extension of time

(E) PUBLICITY:

The proposal has been advertised in terms of Regulation 20 procedures, closing date 6th February 2020.

(F) REPRESENTATIONS:

17 objections have been received regarding the proposed development.

1. Georgia Satchel, Linicro, Dervaig, Isle of Mull, PA75 6QR (21.01.20)
2. Rebecca Adams, Arlabeg, Aros, Isle of Mull, PA75 6JS (22.01.20)
3. Mrs Heather Hill, Tigh An Achadh, Salen, Isle of Mull, PA72 6JF (22.01.20)
4. Miss Claire McGill, 6 Jarvisfield Road, Salen, Isle of Mull, PA72 6LA (22.01.20)
5. Mr Allan Cameron, Glenstrae, Salen, Isle of Mull, PA72 6JG (22.01.20)
6. Ms Bev Maidment, Dobhranach, Salen, Isle of Mull, PA72 6JB (10.02.20)
7. Mrs Eilidh Munro, 21 Bentalla Crescent, Salen, Isle of Mull (PA72 6JH)
8. Mr Martin Rowley, Dobhranach, Salen, Isle of Mull, PA72 6JB (11.02.20)
9. Mrs Leanne MacDonald, 51 Rockfield Road, Tobermory, Isle of Mull, PA75 6PN (11.02.20)
10. Ms Mary Ireson, Cillchriosd, Calgary, Isle of Mull, PA75 6QY (11.02.20)
11. Mrs Mairi Greig, Alligin, Ardmor Road, Salen, Isle of Mull, PA72 6JJ (12.02.20)
12. Mrs Andrena Duffin, 1 Beadoun, Eas Brae, Tobermory, Isle of Mull, PA75 6QA (13.02.20)
13. Mrs Jodi MacLean, Taigh Nan Gras, Salen, Isle of Mull, PA72 6JB (18.02.20)
14. Mrs Catherine MacLean, 7 Bentalla Crescent, Salen, Isle of Mull, PA72 6JH (19.02.20)
15. Ms Gemma Paterson, (no address provided), (18.02.20)

16. Mrs Helen MacDonald, The Schoolhouse, Bredalbane Street, Tobermory, Isle of Mull, PA75 6PE (18.02.20)

17. Mrs Flora Corbett, Laggan Farm, Lochbuie, Isle of Mull (16.02.20)

- The existing building is inadequate but the current proposals do not properly address this. Surely there is an opportunity with the currently allocated funds to address the bigger picture and to future-proof this vital education provision rather than to apply a 'quick-fix'? This could be achieved by a total re-build of the school premises; by building upwards (adding a storey to the existing building) rather than extending outwards and/or by purchasing adjacent land for expansion, increased parking and enhanced outdoor space. Was any of this considered? At a rushed public meeting last year, Council officers admitted that there is no long-term plan for Mull and that the Council is just dealing with the immediate problem.
- This is an ill thought out, quick-fix solution rushed through to meet government deadlines. It shows little thought to the longer-term education plan for the area and whilst it will result in an enhanced pre-school unit, it will be to the detriment of primary pupils. It is a waste of public money.

Comment: *The architect/agent engaged by the Council to secure delivery of this development has commented that, "There is no proposal to demolish and construct a new school at this time. A programme of internal refurbishment is proposed as part of the works to improve the existing facility and enhance the school learning environment. This will also provide wider benefits for the local community who use the building."*

"The existing school is single storey and of modest scale. The formation of an upper storey was given consideration but agreed not to be appropriate due to the additional height and increased overall scale required to accommodate stairs and a lift. It is also desirable that all classrooms are provided with direct access to the outdoors."

The planning authority are required to assess the planning application as submitted and to limit this assessment solely to material planning considerations. Potential alternative proposals and the long-term education provision aspirations of the Council and Community do not form part of the material planning considerations in the assessment of this current and specific planning application.

- Loss of playground space to the detriment of the children's outdoor learning and playtime. This will also leave no space for external marquees if required for community events.

Comment: *The architect/agent engaged by the Council to secure delivery of this development has commented that, "Careful consideration has been given to minimise the impact on the existing playground. An upgrade and reorganisation of existing areas to include the removal of an existing shipping container will improve and enhance the external environment." It is understood by the Planning Authority that the amount of playground space is regulated under separate legislation outwith the planning process. It is considered that the site is large enough to accommodate the proposed extensions without any materially harmful impact upon the character and appearance of the site and its wider landscape setting. The potential restriction of the site area for alternative uses and/or developments is not a material planning consideration in the proper assessment of this specific planning application.*

- The works will result in the loss of the existing modular building. This is a waste of money.

Comment: *The architect/agent engaged by the Council to secure delivery of this development has commented that, "The existing modular building currently houses the Early Years facility which will be relocated to the main school building as part of the improvement works. The future use of the modular building is outwith the scope of this Planning Application. Discussions are ongoing with the school community over the possible future use." Notwithstanding this, the planning authority are required to assess the planning application as submitted and to limit this assessment solely to material planning considerations. The cessation of the use of the existing modular classroom building does not constitute 'development' and, therefore, does not form part of the material planning considerations in the assessment of this current and specific planning application. For clarity, the current planning application does not propose the demolition/removal of the existing modular building itself.*

- The existing community hall within the building, which is a community asset built with community money, will be severely restricted by the proposed new development.
- The General Practice room, currently used for primary school children as well as by the community, seems to have disappeared?

Comment: *The architect/agent engaged by the Council to secure delivery of this development has commented that, "Access to the community hall will be retained as a key part of the proposals. The hall facilities will be improved with better access to the kitchen and provision of an additional WC and cloakroom to serve the hall. Out of school hours access to the new classroom areas can also be provided for community use." In addition, it is noted that the proposed development does not appear to reduce the size of the existing community hall within the building or to restrict either of its two entrances.*

- The existing classroom areas are not fit for purpose.

Comment: *The architect/agent engaged by the Council to secure delivery of this development has commented that, "These will be re-decorated with new flooring, IT access points and power for interactive screens." Notwithstanding this, the planning authority are required to assess the planning application as submitted and to limit this assessment solely to material planning considerations. The size and/or standard of the existing classrooms does not form part of the material planning considerations in the assessment of this current and specific planning application. It is noted that the proposed development seeks to improve the existing facilities and to add additional school facilities.*

- The proposal does not provide sufficient parking and the existing parking area will be significantly compromised.

Comment: *The architect/agent engaged by the Council to secure delivery of this development has commented that, "The proposals are to improve the existing facility to increase the number of hours available to Early Years children. It is anticipated that the overall school capacity will not increase significantly as a result of the proposals therefore existing traffic and parking will remain similar." Pre-application discussions*

with the area roads officer have taken place regarding the creation of additional on-street parking to the front of the school. However due to site restrictions, the required visibility splays cannot be achieved. The area roads officer has been consulted as part of this application and he has not raised any objections to the proposal.

- Gaelic should be offered in other schools to balance out numbers. The Council should adopt a more joined up approach across the island to save money and offer a more comprehensive education to our children.

Comment: *The planning authority are required to assess the planning application as submitted and to limit this assessment solely to material planning considerations. Whilst the promotion of the Gaelic language and Gaelic culture in our schools is a key component of the Council's education strategy, this is a planning application solely for alterations and extensions to the fabric of the existing school building and the education strategy of the Council does not form part of the material planning considerations in the assessment of this current and specific planning application.*

- The community and parents have had very little input into the proposed plans. There should have been much better public consultation with parents of school children and the wider community.

Comment: *There is no statutory planning requirement for pre-application consultation for this scale of development.*

- The design does not allow for any increase in school roll numbers.

Comment: *The purpose of the development is not to cater for an increase in roll numbers. In any case this is not a material planning consideration.*

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>.

(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 e.g. retail impact, transport impact, noise impact, flood risk, drainage impact etc:	No

(H) PLANNING OBLIGATIONS

(i)	Is a Section 75 obligation required:	No
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(I) Has a Direction been issued by Scottish Ministers in terms of Regulation 30, 31 or 32: **No**

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

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

Argyll and Bute Local Development Plan, 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 8 – Supporting the Strength of our Communities

LDP 9 – Development Setting, Layout and Design

LDP 8 - Supporting the Strength of our Communities

LDP 11 – Improving our Connectivity and Infrastructure

Supplementary Guidance

SG LDP ENV 14 – Landscape

LDP REC/COM 1 - Sport, Recreation and Community Facilities

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

SG LDP TRAN 6 – Vehicle Parking Provision

Sustainable Siting and Design Principles

(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 3/2013.

Scottish Planning Policy (SPP) 2014

Consultee Responses

Third Party Representations

Proposed Local Development Plan 2

(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: **Yes**

(O) Requirement for a hearing:

Whilst this planning application has attracted some 17 objections from within the local community, Members should note that the majority of those objections concern themselves with matters outwith the scope and purpose of this specific planning application. The planning authority are required to assess the planning application as submitted and to limit this assessment solely to material planning considerations. Potential alternative proposals and the long-term education and community facility provision aspirations of the Council and Community do not form part of the material planning considerations in the assessment of this current and specific planning application. Neither does the proposed cost of the works or whether that money might be better spent differently.

Matters relating to classroom size, building standards, school play area provision etc are controlled under separate, non-planning, legislation and also do not form part of the material planning considerations in the assessment of this current and specific planning application.

Those limited concerns raised which are material planning considerations are adequately addressed within this report of handling and it is considered that a discretionary local hearing would not add value to the decision making process in this case.

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

Planning permission is sought for the alteration and the erection of extensions to Salen Primary School, Salen, Isle of Mull.

In terms of the adopted Argyll and Bute Local Development Plan (LDP) the application site is located within the Key Rural Settlement of Salen where Policy LDP DM 1 gives encouragement to sustainable forms of up to medium scale development on appropriate sites subject to compliance with other relevant policies and supplementary guidance.

Objections have been received regarding the proposed development, however the majority of the concerns raised are not material planning considerations and raise issues outwith the scope of this planning application.

Policy LDP 8 and Policy SG LDP REC/COM 1 supports new development proposals that seek to strengthen the community. It is considered that the proposal accords with this policy since it will improve the existing facilities by providing a new English and Gaelic early years facility as well as a number of internal refurbishment works which will enhance the learning environment. Furthermore, the proposed design complements the existing building and there are no servicing or infrastructural constraints.

It is considered that the development is acceptable and is in accordance with the relevant provisions of the local development plan and acceptable having had appropriate regard to all other material planning considerations. Therefore it is recommended that planning permission be granted.

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

(R) Reasons why planning permission in principle should be approved:

1. The proposed alterations and extensions are of a suitable form, scale and design which does not give rise to any adverse visual impact nor do they give rise to any adverse privacy or amenity issues. Furthermore, there are no servicing or infrastructural constraints.
 2. The proposal accords with Policies LDP STRAT 1, LDP DM 1, LDP 3, LDP 8, LDP 9, LDP 10, and LDP 11, supplementary guidance SG LDP ENV 14, SG LDP ENV 14, SG LDP REC/COM 1, 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.
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(S) Reasoned justification for a departure to the provisions of the Development Plan

N/A – the proposal is in accordance with the development plan.

(T) Need for notification to Scottish Ministers or Historic Environment Scotland:

No

Author of Report: Andrew Barrie **Date:** 14th February 2020

Reviewing Officer: Tim Williams **Date:** 26th February 2020

Fergus Murray
Head of Development and Economic Growth

CONDITIONS AND REASONS RELATIVE TO APPLICATION REFERENCE 19/02512/PP

1. The proposed development shall be carried out in accordance with the details specified in the application form dated 18th December 2019 and the approved drawings numbered 1 of 6 to 6 of 6 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.

APPENDIX A – RELATIVE TO APPLICATION NUMBER: 19/02512/PP

PLANNING LAND USE AND POLICY ASSESSMENT

A. Settlement Strategy

Detailed planning permission is sought for alterations and extensions to Salen Primary School, Salen, Isle of Mull.

In terms of the adopted Argyll and Bute Local Development Plan (LDP) the application site is located within the Key Rural Settlement of Salen where Policy LDP DM 1 gives encouragement to sustainable forms of up to medium scale development on appropriate sites subject to compliance with other relevant policies and supplementary guidance.

Policy LDP STRAT 1 seeks that developers should seek to demonstrate that the proposals are sustainable in that they conserve and enhance the built environment. Policy LDP 3 assesses applications for their impact on the natural, human and built environment with Policy LDP 9 seeking developers to produce and execute a high standard of appropriate design and ensure that development is sited and positioned so as to pay regard to the context within which it is located. The Sustainable Siting and Design Principles expands on this policy seeking development layouts to be compatible with, and consolidate the existing settlement and take into account the relationship with neighbouring properties to ensure no adverse privacy or amenity issues.

Policy LDP 8 supports new sustainable development proposals that seek to strengthen communities.

Policy LDP 11 supports all development proposals that seek to maintain and improve internal and external connectivity by ensuring that suitable infrastructure is delivered to serve new developments. SG LDP TRAN 4 and SG LDP TRAN 6 expand on this policy seeking to ensure developments are served by a safe means of vehicular access and have an appropriate parking provision within the site.

Policy SG LDP REC/COM 1 states that:

- A. There is a presumption in favour of new or improved sport, recreation and other community facilities provided:
 - I. In the settlements and countryside zones the development is of a form, location and scale broadly consistent with policy LDP DM1, and that the scale of any development should be determined by the size of the settlement, the nature of the facility and the community that it serves;
 - II. They respect the landscape/townscape character and amenity of the surrounding area;
 - III. They are readily accessible by public transport where available, cycling and on foot;
 - IV. They are located close to where people who will use the facility live and reduce the need to travel: AND,
 - V. The proposal is consistent with the other policies and SG contained in the Local Development Plan;
 - VI. Participation sports and recreational activities requiring unimpeded access to remote open country are exempt from the requirements of clauses (iii) and (iv).

It is considered that at the proposal accords with this policy since it will improve the existing school facilities by providing a new English and Gaelic early years facility as well as a number of internal refurbishment works which will enhance the learning environment.

B. Location, Nature and Design of Proposed Development

The site is located within the village of Salen within a predominately residential area. Salen Primary School is a single storey building constructed in the 1980s and it has previously been extended over the years.

Internal alterations, not requiring planning permission, are proposed and two new extensions are proposed to the front of the building. The works will include a reconfiguration of the internal space to provide a new English and Gaelic early years facility whilst maintaining the existing number of classrooms. The design of the proposed extensions reflect the general character and scale of the existing school building and they incorporate matching finishing materials. They are subservient in nature and they do not raise any adverse visual impact. No concerns relating to the visual impact of the development on the site or its wider landscape/townscape setting have been raised by third parties or consultees.

The proposed extensions will result in a loss of some external space and this has been raised as a concern by a number of objectors. The applicant has advised that various options have been considered and that the proposed scheme has been chosen to meet operational requirements whilst minimising its impact on the playground. An existing shipping container is also proposed to be removed which will improve the external environment.

The proposal is located within the confines of the existing school and it will allow for the provision of additional educational facilities rather than a significant increase in the school roll. It is not considered that there will be any adverse impact on the privacy and amenity of neighbours and no such concerns have been raised by third parties or consultees.

The proposal is considered to comply with the terms Policies LDP 3, LDP 9, Supplementary Guidance SG LDP ENV 14 as well as the Sustainable Siting and Design Principles which seek to ensure developments are of a suitable scale, design and finish and do not have an adverse impact on the privacy and amenity of neighbouring properties.

The scale, form and design of the proposed development has been carefully assessed against the relevant provisions of the Local Development Plan and all other material planning considerations and is considered acceptable.

C. Road Network and Parking

Policy LDP 11 supports all development proposals that seek to maintain and improve internal and external connectivity by ensuring that suitable infrastructure is delivered to serve new developments. Supplementary Guidance SG LDP TRAN 4 and SG LDP TRAN 6 expands on this policy seeking to ensure that developments are served by a safe means of vehicular access and have an adequate on-site parking and turning area.

The applicant has advised that the proposals are to improve the existing facility to increase the number of hours available to Early Years children. It is anticipated that the overall

school capacity will not increase significantly as a result of the proposals, therefore existing traffic and parking will remain similar. Pre-application consultation was undertaken with the Roads Authority regarding the potential provision of a limited amount of additional parking. However due to various site restrictions and road safety concerns this has not been possible.

Notwithstanding this, the Area Roads Engineer has been consulted and has not raised any objections to the proposed development. The development is, therefore, in full compliance with Policy LDP 11 and Supplementary Guidance SG LDP TRAN 4 and SG LDP TRAN 6 of the LDP.

The proposed development raises no access, parking or infrastructure issues.