

**STATEMENT OF CASE**

**FOR**

**ARGYLL AND BUTE COUNCIL  
LOCAL REVIEW BODY**

**SITE FOR THE ERECTION OF A DWELLINGHOUSE 19/01924/PP**

**PLOT 2, LAND EAST OF ARDTEATLE COTTAGE,  
DALMALLY**

**02.04.2020**

## **STATEMENT OF CASE**

The Planning Authority is Argyll and Bute Council ('the Council'). The appellant is Mr Steve Shields ("the appellant").

Planning permission in principle ref 19/01924/PPP was granted on the 19<sup>th</sup> of December 2019 for the site for the erection of a dwellinghouse at Plot 2, Land East of Ardteatle Cottage, Dalmally. This grant of planning permission in principle was granted subject to a number of planning conditions.

Condition 4 part (ii) of planning permission in principle ref 19/01924/PPP has been appealed and is subject of referral to a Local Review Body.

### **DESCRIPTION OF SITE**

The LRB refers to the site as Plot 2 Land East of Ardteatle Cottage, Dalmally.

The site of the proposed development is within a designated Rural Opportunity Area within which Local Development Plan (LDP) policies LDP STRAT 1 and LDP DM 1 would encourage appropriate forms of up to small scale residential development on appropriate sites. These main policy considerations are underpinned by the supplementary guidance contained within SG LDP ENV 14 and SG LDP HOU 1 which offers further support to appropriate scales of residential development where such development would have no significant adverse impact upon the character of the landscape and where there is no unacceptable environmental, servicing or access impact.

The application site sits approximately 0.9 kilometres to the west and around 85 metres below the level of the Duncan Ban Monument. The monument sits on a prominent knoll and benefits from distant views towards Loch Awe. A significant section of forestry has recently been cleared and the foreground view has been interrupted for the time being. The application site benefits from a band of native woodland to the east and west. It has previously been considered that a single storey dwelling house and possibly one and a half storey will sit below the rolling ridge mentioned above. Whilst the site is elevated it is well contained within a vast upland landscape and is well contained. Micro planning of the house position to achieve the best possible fit with the landscape can be controlled by condition and assessed in detail at a later date as part of an application for planning permission or for matters specified by condition. It is nevertheless considered that the site could be improved by introducing further native tree planting along the north eastern side of the site. This would not only enhance the area and setting of the buildings but ensure the longevity of native tree cover within a broader area characterised by forestry plantations.

The Area Roads Engineer was consulted and had raised no objections subject to the inclusion of planning conditions to secure the following: an access upgrade to the existing public road for a distance of approximately 350 metres to include resurfacing, the installation of two new passing places plus improvements to roadside drainage, plus the provision of adequate visibility splays and parking and turning. The proposal will therefore accord with the provisions of policy LDP 11 and SG LDP TRAN 4 SG

LDP TRAN 5 and SG LDP TRAN 6 of the Local Development Plan which requires all development proposals to have an appropriate standard of access and parking.

## **STATUTORY BASIS ON WHICH THE APPEAL SHOULD BE DECIDED**

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

## **STATEMENT OF CASE**

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

- Whether the material considerations asserted by the appellant are sufficient to warrant the removal of condition 4 part (ii) of planning permission ref 19/01924/PPP which was attached on request of the Roads Engineer in the interests of road safety and in accordance with SG LDP TRAN 4, SG LDP TRAN 5 and SG LDP TRAN 6 of the Argyll and Bute Local Development Plan Supplementary Guidance.

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

## **REQUIREMENT FOR ADDITIONAL INFORMATION AND A HEARING**

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

## **COMMENT ON APPELLANT'S SUBMISSION**

The appellant contends that part (ii) of condition 4 is onerous and unnecessary for the following reasons.

- The Council is legally required to maintain the highway regardless of whether the development proceeds.
- A previous application for two dwellinghouses on this land was granted without this requirement (15/02784/PPP).
- Planning obligations should not be used to resolve existing deficiencies in infrastructure,
- Planning conditions should be reasonable. The cost of the repairs to the public highway would be in the region of £60,000 with each additional passing place adding a further £15,000.

The appellant requests that part (ii) of condition 4 be removed.

### Comment

The Area Roads Engineer was consulted and raised no objections subject to planning conditions with regard to the provision of:

Improvement works to the existing public road including surfacing with bitumen macadam to a depth of 100mm for a minimum length of 350m and the provision of two passing places

SG LDP TRAN 5 requires that 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.

The Area Roads Engineer has assessed the proposed development against this policy and has deemed that the specific improvements as specified by part (iii) of condition 4 of planning permission ref 19/01924/PPP are wholly practical and proportionate to the nature and scale of development proposed

### **CONCLUSION**

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

Taking all of the above into consideration, it is considered that the proposed development has been appropriately assessed against the provisions of SG LDP TRAN 5 as part of the Area Roads Engineers Assessment. The specific improvements as specified by condition part (ii) of condition 4 of planning permission ref 19/01924/PPP are wholly practical and proportionate to the nature and scale of development proposed.

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

## APPENDIX 1

### Argyll and Bute Council Development and Infrastructure

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: 19/01924/PPP

Planning Hierarchy: Local Development

Applicant: Mr Daniel Taylor

Proposal: Site for the erection of dwellinghouse

Site Address: Plot 2 Land East of Ardteatle Cottage, Dalmally

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#### DECISION ROUTE

Section 43 (A) of the Town and Country Planning (Scotland) Act 1997 (as amended)

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#### (A) THE APPLICATION

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

- Site for erection of a dwellinghouse
  - Formation of vehicular access
  - Installation of septic tank
  - Provision of private water supply
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#### (B) RECOMMENDATION:

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

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#### (C) HISTORY:

19/00334/PPP

Site for the erection of a dwellinghouse, withdrawn 28.05.2019.

15/02784/PPP

Site for the erection of a dwellinghouse (plot 2), granted 22.12.2018.

15/02789/PPP

Site for the erection of a dwellinghouse (plot 1), granted 22.12.2019.

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**(D) CONSULTATIONS:**

Area Roads Engineer

No objections, conditions, 05.12.2019.

Environmental Health

No objections, condition, 25.10.2019

WOSAS

No objections, condition, 18.10.2019.

Historic Environment Scotland

No objections, 25.10.2019

Biodiversity Officer

No objections subject to condition, 30.10.2019

The above represents a summary of the issues raised. Full details of the consultation responses are available on the Council's Public Access System by clicking on the following link <http://www.argyll-bute.gov.uk/content/planning/publicaccess>.

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**(E) PUBLICITY:**

The proposal has been advertised in terms of Regulation 20, closing date 14.11.2019.

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**(F) REPRESENTATIONS:**

Representations have been submitted by 3 individuals objecting to the proposed development. Representations will be submitted by the following individuals:

Alison Sinclair, 226 Springfield Road, Linlithgow, EH49 7LQ, (e-mail 01.11.2019)

Steve Shields, Ardteatle Cottage, Dalmally, PA33 1AT, (letter 30.10.2019)

Sonja de Rijk, Ardteatle Cottage, Dalmally, PA33 1AT, (letter 30.10.2019)

**The issues raised can be summarised as follows:**

- Road is of a poor standard. The proposed access, in its current form, would cause serious access issues for us in and out of our permanent dwelling place.

- Road is narrow and steep with no passing places.
- Concerns with regards to structural integrity of road bridge.

*Comment: The Area Roads Engineer has been consulted and has raised no objections subject to the inclusion of planning conditions to secure the following: an access upgrade to the existing public road for a distance of approximately 350 metres to include resurfacing, the installation of two new passing places plus improvements to roadside drainage, plus the provision of adequate visibility splays and parking and turning. The proposal will therefore accord with the provisions of policy LDP 11 and SG LDP TRAN 4 and SG LDP TRAN 6 of the Local Development Plan which requires all development proposals to have an appropriate standard of access and parking.*

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**(G) SUPPORTING INFORMATION**

Has the application been the subject of:

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

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**(H) PLANNING OBLIGATIONS**

- |     |                                      |           |
|-----|--------------------------------------|-----------|
| (i) | Is a Section 75 obligation required: | <b>No</b> |
|-----|--------------------------------------|-----------|

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- |     |  |           |
|-----|--|-----------|
| (I) | Has a Direction been issued by Scottish Ministers in terms of Regulation 30, 31 or 32: | <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**

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|-----|---|
| (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 10 – Maximising our Resources and Reducing our Consumption  
LDP 11 – Improving our Connectivity and Infrastructure

Supplementary Guidance

SG LDP HOU 1 – General Housing Development  
SG LDP ENV 1 – Development Impact on Habitats, Species and Our Biodiversity (ie biological Diversity)  
SG LDP ENV 13 –Development Impact on Areas of Panoramic Quality (APQs)  
SG LDP ENV 14 – Landscape  
SG LDP ENV 20 – Development Impact on Sites of Archaeological Importance  
SG LDP SERV 1 – Private Sewage Treatment Plants and Wastewater (ie. Drainage) systems  
SG LDP SERV 6 – Private Water Supplies and Water Conservation  
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

- (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.**

Argyll and Bute Sustainable Design Guidance, 2006  
Scottish Planning Policy (SPP), 2014  
Consultee Responses  
Argyll and Bute Proposed Local Development Plan 2 November 2019

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

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

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

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

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**(O) Requirement for a hearing: No**

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

This is a proposal seeking planning permission in principle for the erection of a dwellinghouse at plot 2, Land East of Ardteatle Cottage, Dalmally. The site has previously benefitted from planning permission ref 15/02784/PPP which very recently expired on the 22<sup>nd</sup> of December 2018. This recent grant of planning permission is a material consideration which shall be afforded a significant amount of weight in the determination of this application.

The site of the proposed development is within a designated Rural Opportunity Area within which Local Development Plan (LDP) policies LDP STRAT 1 and LDP DM 1 would encourage appropriate forms of up to small scale residential development on appropriate sites. These main policy considerations are underpinned by the supplementary guidance contained within SG LDP ENV 14 and SG LDP HOU 1 which offers further support to appropriate scales of residential development where such development would have no significant adverse impact upon the character of the landscape and where there is no unacceptable environmental, servicing or access impact.

The application site sits approximately 0.9 kilometres to the west and around 85 metres below the level of the Duncan Ban Monument. The monument sits on a prominent knoll and benefits from distant views towards Loch Awe. A significant section of forestry has recently been cleared and the foreground view has been interrupted for the time being. The application site benefits from a band of native woodland to the east and west. It has previously been considered that a single storey dwelling house and possibly one and a half storey will sit below the rolling ridge mentioned above. Whilst the site is elevated it is well contained within a vast upland landscape and is well contained. Micro planning of the house position to achieve the best possible fit with the landscape can be controlled by condition and assessed in detail at a later date as part of an application for planning permission or for matters specified by condition. It is nevertheless considered that the site could be improved by introducing further native tree planting along the north eastern side of the site. This would not only enhance the area and setting of the buildings but ensure the longevity of native tree cover within a broader area characterised by forestry plantations.

It is considered that the siting of a dwellinghouse at the site would accord with the established settlement pattern and it is considered that the proposed development will have no adverse impact on the wider landscape setting of the area. The proposed development will therefore accord with the terms of Policy LDP DM 1 and SG LDP ENV and 14.

The site lies within a designated Area of Panoramic Quality (APQ). The proposed development will in no way have any significant adverse impact on the character of the landscape and will accord with the provision of SG LDP ENV 13.

As the application is for planning permission in principle only no details of the proposed dwellinghouse have been submitted. A detailed design condition will be attached to

the permission to ensure that the proposed dwellinghouse will fit well within the landscape.

Historic Environment Scotland have been consulted and have raised no objections to the proposed development.

West of Scotland Archaeological Services have been consulted and have raised no objections to the proposed development subject to a condition requiring the provision of an archaeological watching brief. The proposed development will therefore comply with SG LDP ENV 20.

The Biodiversity Officer has been consulted and has raised no objections to the proposed development. The Biodiversity Officer has advised that further information in relation to the adjacent Semi-Natural Woodland and methods employed to protect it during construction will be required to be submitted as part of any further detailed planning applications or matters as specified by conditions applications. The Biodiversity Officer has also advised that an up to date phase 1 walk over survey will be required by a planning condition.

The Area Roads Engineer has been consulted and has raised no objections subject to the inclusion of planning conditions to secure the following: an access upgrade to the existing public road for a distance of approximately 350 metres to include resurfacing, the installation of two new passing places plus improvements to roadside drainage, plus the provision of adequate visibility splays and parking and turning. The proposal will therefore accord with the provisions of policy LDP 11 and SG LDP TRAN 4, SG LDP TRAN 5 and SG LDP TRAN 6 of the Local Development Plan which requires all development proposals to have an appropriate standard of access and parking.

The required improvements to the existing unclassified public road are relatively extensive but are considered to be necessary to justify further development utilising this access regime. The required access improvements will address the concerns raised by local residents and the developer is aware of the Roads Engineers requirements.

The proposed development will be served by a septic tank with a soakaway. This raises no planning issues and will be regulated by Building Standards and SEPA as part of their legislative requirements. The proposed development will be served by a private water supply. Environmental Health have been consulted and have raised no objections to the proposed development subject to a condition with regards to the provision of a water appraisal prior to the commencement of development. The proposed development will therefore accord with the provisions of both SG LDP SERV 1 and SG LDP SERV 6.

The proposed development will have no materially adverse impact upon the historic environment including (but not necessarily limited to) the historic/architectural/cultural value and/or setting or other specified qualities of any listed building, any scheduled ancient monument, any garden and designed landscape, any conservation area or any special built environment area. Neither will the proposed development result in any material harm to the natural environment including (but not necessarily limited to) the special environmental/habitat/geological or other specified qualities of any site of special scientific interest, any special protection area, any 'Ramsar' site, any national or local nature reserve, any designated area of wild land, any marine consultation area, any area of semi-natural ancient woodland, any carbon and peatland area or any tree preservation order.

The development has been assessed against all of the above potential constraints and designations and has been determined to raise no issues or concerns except for any specifically referred to within this summary assessment and it is recommended that a further planning permission in principle be granted subject to the conditions appended to this report.

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

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

The site is considered to represent a suitable opportunity for the proposed development without causing any detrimental impact on the wider area and there are no infrastructural constraints which would preclude the development of the site.

The proposal accords with Policies LDP STRAT 1, LDP DM 1, LDP 3, LDP 8, LDP 9, LDP 10, LDP 11 and Supplementary Guidance SG 2, SG LDP ENV 1, SG LDP ENV 13, SG LDP ENV 14, SG LDP ENV 20, SG LDP HOU 1, SG LDP SERV 1, SG LDP ENV 20, SG LDP TRAN 4, SG LDP TRAN 5, SG LDP TRAN 6 of the adopted 'Argyll and Bute Local Development Plan' 2015 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**

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

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**Author of Report: Lesley Cuthbertson Date: 09.12.2019**

**Reviewing Officer: Tim Williams Date: 09.12.2019**

**Fergus Murray**  
**Head of Development and Economic Growth**

## CONDITIONS AND REASONS RELATIVE TO APPLICATION REFERENCE 19/01924/PPP

1. Plans and particulars of the matters specified in conditions 3, 4, 5 and 6 below shall be submitted by way of application(s) for Approval of Matters Specified in accordance with the timescales and other limitations in Section 59 of the Town and Country Planning (Scotland) Act 1997 as amended. Thereafter the development shall be completed wholly in accordance with the approved details.

Reason: To accord with Section 59 of the Town and Country Planning (Scotland) Act 1997 as amended.

2. The development shall be implemented in accordance with the details specified on the application form dated 11<sup>th</sup> of September 2019, supporting information and, the approved drawing numbered 1-1.

Reason: To accord with Regulation 28 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008.

Note to Applicant:

- 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.

3. Pursuant to Condition 1 – no development shall commence until plans and particulars of the site layout, design and external finishes of the development have been submitted to and approved by the Planning Authority. These details shall incorporate:
  - i) A statement addressing the Action Checklist for developing design contained within the Argyll and Bute Sustainable Design Guide 2006;
  - ii) Local vernacular design;
  - iii) Maximum of one and a half storey in design;
  - iv) Rectangular footprint with traditional gable ends;
  - v) Symmetrically pitched roof angled between 35 and 42 degrees finished

in natural slate or good quality artificial slate;

- vi) External walls finished in natural stone or wet dash render or natural timber cladding, or a mixture of these;
- vii) Details of finished ground floor levels relative to an identifiable fixed datum located outwith the application site;
- viii) Window openings with a vertical emphasis;
- ix) Traditional "peaked" roof porches shall be encouraged.

Reason: To accord with Section 59 of the Town and Country Planning (Scotland) Act 1997 as amended, and in order to integrate the proposed dwellinghouse with its surrounds.

4. Pursuant to Condition 1 – no development shall commence until plans and particulars of the means of vehicular access and parking/turning arrangements to serve the development have been submitted to and approved by the Planning Authority. Such details shall incorporate:
- i) Formation of the access at the junction with the public road in accordance with Operational Services Drawing No SD08/004a with visibility splays measuring 2.4 metres to point X by 75 metres to point Y from the centre line of the junction;
  - ii) A written scheme of improvement works to the existing public road including surfacing with bitumen macadam to a depth of 100mm for a minimum length of 350m and the provision of two passing places
  - iii) A system of surface water drainage is required to prevent water from passing onto the public road. Any existing roadside ditch will be required to be culverted to the satisfaction of the Roads Engineer.
  - iv) The provision of parking and turning in accordance with the requirements of Policy LDP 11 of the Argyll and Bute Local Development Plan.

Prior to work starting on site, the visibility splays shall be cleared of all obstructions such that nothing shall disrupt visibility from a point 1.05 metres above the junction at point X to a point 0.6 metres above the public road carriageway at point Y. The final wearing surface on the access shall be completed prior to the development first being brought into use and the visibility splays shall be maintained clear of all obstructions thereafter.

The approved parking and turning layout shall be implemented in full prior to the development first being occupied and shall thereafter be maintained clear of obstruction for the parking and manoeuvring of vehicles.

Reason: In the interests of road safety to ensure that the proposed development is served by a safe means of vehicular access and has an appropriate parking and turning area in accordance with the provisions of Policy LDP 11 and Supplementary Guidance SG LDP TRAN 4 and SG LDP TRAN 6 of the adopted Argyll and Bute Local Development Plan.

5. Pursuant to Condition 1 – no development shall commence until a scheme of boundary treatment, surface treatment and landscaping has been submitted to and approved by the Planning Authority. The scheme shall comprise a planting plan and schedule which shall include details of:
  - i) Existing and proposed ground levels in relation to an identified fixed datum;
  - ii) Existing landscaping features and vegetation to be retained;
  - iii) Location design and materials of proposed walls, fences and gates;
  - iv) Proposed soft and hard landscaping works to include a screen planting belt not less than 10 metres in width along the north eastern boundary of the site.
  - v) A programme for the timing, method of implementation, completion and subsequent on-going maintenance.

All of the hard and soft landscaping works shall be carried out in accordance with the approved scheme unless otherwise approved in writing by the Planning Authority.

Any trees/shrubs which within a period of five years from the completion of the approved landscaping scheme fail to become established, die, become seriously diseased, or are removed or damaged shall be replaced in the following planting season with equivalent numbers, sizes and species as those originally required to be planted unless otherwise approved in writing by the Planning Authority.

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

6. Pursuant to Condition 1 – no development shall commence until details of the proposed means of private foul drainage to serve the development have been submitted to and approved by the Planning Authority.

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.

Note to Applicant:

Private drainage arrangements are also subject to separate regulation by Building Standards and SEPA.

7. Notwithstanding Condition 1 above, no development shall commence until an appraisal of the wholesomeness and sufficiency of the intended private water supply and the system required to serve the development has been submitted to and approved by the Planning Authority.

The appraisal shall be carried out by a qualified hydrologist and shall include a risk assessment having regard to the requirements of Schedule 4 of the Private Water Supplies (Scotland) Regulations 2006 which shall inform the design of the system by which a wholesome and sufficient water supply shall be provided and maintained. The appraisal shall also demonstrate that the wholesomeness and sufficiency of any other supply in the vicinity of the development, or any other person utilising the same source or supply, shall not be compromised by the proposed development.

The development shall not be brought into use or occupied until the required water supply system has been installed in accordance with the agreed specification and is operational.

Reason: In the interests of public health and in order to ensure that an adequate private water supply in terms of both wholesomeness and sufficiency can be provided to meet the requirements of the proposed development and without compromising the interests of other users of the same or nearby private water supplies.

Note to Applicant:

Regulatory requirements for private water supplies should be discussed with the Council's Environmental Health Officers in the first instance.

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

Reason: To ensure the provision of an adequate surface water drainage system and to prevent flooding.

9. Notwithstanding the provisions of condition 1 above, no development or other work shall be carried out on the site until a Phase 1 Habitat Survey has been submitted to and approved by the Planning Authority.

Reason: To ensure that the proposed development accords with the provisions of SG LDP ENV 1.

10. Notwithstanding the provisions of condition 1 above, the developer shall secure the implementation of an archaeological watching brief, to be carried out by an archaeological organisation acceptable to the Planning Authority, during all ground disturbance. The retained archaeological organisation shall be afforded access at all reasonable times and allowed to record, recover and report items of interest and finds. A method statement for the watching brief will be submitted by the applicant, agreed by the West of Scotland Archaeology Service and approved by the Planning

Authority prior to the commencement of the watching brief. The name of the archaeological organisation retained by the developer shall be given to the Planning Authority and to the West of Scotland Archaeology Service in writing not less than 14 days before development commences.

Reason: In order to protect archaeological resources.

Note to Applicant:

Regard should be had to the West of Scotland Archaeology Service's consultation comments in respect of the proposed development.

## APPENDIX TO DECISION APPROVAL NOTICE

Appendix relative to application **19/01924PPP**

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- (A)** Has the application required an obligation under Section 75 of the Town and Country Planning (Scotland) Act 1997 (as amended).

**No**

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

**No**

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- (C)** The reason why planning permission in principle has been approved.

The site is considered to represent a suitable opportunity for the proposed development without causing any detrimental impact on the wider area and there are no infrastructural constraints which would preclude the development of the site.

The proposal accords with Policies LDP STRAT 1, LDP DM 1, LDP 3, LDP 8, LDP 9, LDP 10, LDP 11 and Supplementary Guidance SG 2, SG LDP ENV 1, SG LDP ENV 13, SG LDP ENV 14, SG LDP ENV 20, SG LDP HOU 1, SG LDP SERV 1, SG LDP ENV 20, SG LDP TRAN 4, SG LDP 5 and SG LDP TRAN 6 of the adopted 'Argyll and Bute Local Development Plan' 2015 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.