

ARGYLL AND BUTE COUNCIL

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REQUEST FOR FURTHER INFORMATION BY WRITTEN SUBMISSIONS

A. Clarification on whether or not pre application discussions were undertaken with the Applicant and whether or not advice in relation to the potential for tree planting and a section 75 legal agreement was discussed.

No pre-app discussions or a report requested. Discussions were had with the agent regarding tree planting/copsing as a form of rounding off. It was advised that this would be unlikely to be accepted as a substantial natural feature under the definition of rounding off in the LDP. A suggestion was made by the agent to officers that a Section 75 may be a solution but no support or encouragement was given by officers either verbally or in the Report of Handling.

Definition

Rounding off – new development positioned largely between substantial building(s) on one side and a substantial ground or natural feature on the other side and arranged such that the local pattern of development terminates at that point.

Text in an email reply from an officer was “Policy doesn’t allow us to artificially create a rounding off site situation to justify making a site appropriate. The use of an agreement for the council to control the land to the north outwith the red line under, for example, section 75 of the Planning (Scotland) act is unlikely to be acceptable and similarly conditions attached to the proposal may not be deemed reasonable or enforceable. Planting trees does not create the required natural feature for rounding off. It would not be a natural or protected feature and could be removed without planning permission.”

B. Clarification on whether or not the proposed tree planting north of the site could be considered rounding off as defined in the Local Development Plan and if the information provided by the Applicant could be considered an active management plan and enable a Section 75 Legal Agreement to restrict the use of the land north of the site to be included as a planning condition.

I do not think the information supplied on site plans as part of the application could be considered as an active Management Plan.

C. Clarification on the size and footprint of the proposed development and the size and footprints of the nearby buildings the proposed development was being compared to (having noted that the Applicant had indicated the proposed development would be 1½ storey and 170sqm including a garage, with a nearby property being 250 sqm, which was different to what had been stated in the report of handling).

The proposed house plot is accepted as 0.17 hectares with the floor area given as 150.7sqm. However, the total length is given as 22.4m and the breadth as 7.5/6.9m. This appears to give a floor area of around 161sqm and is larger than the area stated on the drawing. As the garage is attached to the house the total floor area is deemed the suitable measure. The cottage to the south has been measured at around 145sqm with a converted byre as ancillary accommodation at around 96sqm. The cottage could be converted to one and a half stories, the ancillary building is single storey. The proposed building is around 8m in height to the main roof ridge with dormers and a central feature with full length windows serving two habitable room. It is felt that this scale is greater than one and a half stories.