

## Appendix 2 - Schedule 4s

Issues 81 - 196

<b>Issue 81</b>	<b>H2004 - Helensburgh East – Helensburgh Golf Club</b>	
<b>Development Plan Reference:</b>	H2004 - Helensburgh East – Helensburgh Golf Club (Schedule 10 page 110, Map Number 52/53)	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Graham Walker (11)  sportsotland (87)  Helensburgh Golf Club / Taylor Wimpey UK Ltd (397)  Dunbritton Housing Association (1058)</p>		
<b>Provision of the development plan to which the issue relates:</b>	H2004 - Helensburgh East – Helensburgh Golf	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Object:</b>  <u>Graham Walker (11)</u></p> <ul style="list-style-type: none"> <li>• Objects to the proposed allocation because of the abundance of wildlife including bats, Greater Spotted Woodpeckers, Foxes, Roe Deer, Sparrow Hawks, Kestrels, and Buzzards.</li> </ul> <p><u>sportsotland (87)</u></p> <ul style="list-style-type: none"> <li>• Paragraph 226 of the SPP states that all outdoor sports facilities, including private and public golf courses, should be identified in the local development plan and sets out the context for the safeguarding of such facilities. The southern part of Helensburgh Golf Course which is included as a housing development site (ref. H2004) and not identified as an open space protected area. This area should be identified as an open space protection area, so that the developer would be required to consider the requirements of SPP and LDP Policy 81 as necessary.</li> </ul> <p><b>Support</b>  <u>Helensburgh Golf Club / Taylor Wimpey UK Ltd (397)</u></p> <ul style="list-style-type: none"> <li>• The continued allocation of the proposed site will support the delivery of substantial private and affordable housing in Helensburgh. The landowner has agreed terms with a housebuilder (Taylor Wimpey UK Ltd) to progress the site. As part of the proposed development, the golf course will be re-configured so that replacement golf holes will be provided. In addition, a new club house is proposed.</li> </ul> <p><u>Dunbritton Housing Association (1058)</u></p> <ul style="list-style-type: none"> <li>• This allocation is currently being assessed by Dunbritton Housing Association and Helensburgh Golf Club in relation to the provision of future affordable housing in the Helensburgh area. The site and allocation for affordable housing is currently noted within Argyll and Bute Council Strategic Housing Investment Plan for future years. The</li> </ul>		

site therefore will play an important part in meeting the future needs and requirements for affordable housing in the area.

**Modifications sought by those submitting representations:**

- Identify the proposed development site as an 'open space protected area' in the LDP Maps. (87)

**Summary of responses (including reasons) by planning authority:**

- The site was identified in the Argyll and Bute Local Development Plan 2015 as an allocation for housing. The area identified as an allocation for housing currently forms part of a golf course in active use and is likely to be of limited value for wildlife. Prior to commencing any development on the site the developer will be required to complete wildlife survey work and provide a scheme of mitigation as appropriate. (11)
- The allocation site is in the ownership of Helensburgh Golf Club, their representation (above) indicates that they have an agreement with a national housing developer to develop the site. This agreement includes for the provision of replacement holes, and a new club house thereby ensuring golf course facilities are maintained.(87)

No modification to the plan is considered necessary.

**Reporter's conclusions:**

**Reporter's recommendations:**

<b>Issue 83</b>	<b>H2010 - Land off Argyll Rd Kilcreggan</b>	
<b>Development Plan Reference:</b>	H2010 - Land off Argyll Rd Kilcreggan: Schedule 10 page 110; Map Number 56	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Hugh Devlin (54)  Julian Isaac (177)  John Auld (411)  Karen Collins (543)  Paul Collins (560)</p>		
<b>Provision of the development plan to which the issue relates:</b>	H2010 - Land off Argyll Rd Kilcreggan	
<b>Planning authority's summary of the representation(s):</b>		
<p><u>Hugh Devlin (54)</u></p> <ul style="list-style-type: none"> <li>Kilcreggan is a small community and lacks the basic amenities for expansion. The proposed site for development on the northern side of Argyll Rd is the source of local flooding due to run off from the fields to the north. Unless adequate remediation is put in place to deal with this ongoing problem building on the site will simply aggravate the existing problem. Barbour Rd is a single track so presumably all site access will be from Argyll Rd. The increased level of traffic and noise will be unacceptable to most residents. The reason we moved here is to get away from this problem and to live in a semi rural, quiet environment. Building more properties will have a serious impact on our right to peaceful enjoyment of our homes.</li> </ul> <p><u>Julian Isaac (177)</u></p> <ul style="list-style-type: none"> <li>The location does not appear suitable for the number of houses proposed. New builds would have little in keeping with the surrounding properties, the roads are in disrepair, and may need widening as well as resurfacing. The amenities in the village will require improvements.</li> </ul> <p><u>John Auld (411);Karen Collins (543);Paul Collins (560)</u></p> <ul style="list-style-type: none"> <li>Support</li> </ul>		
<b>Modifications sought by those submitting representations:</b>		
<ul style="list-style-type: none"> <li>Effective drainage. Widening of Barbour Road to deliver access. You can see from the attached image the problem created by the lack of drainage. This was taken in the summer, in winter it is a virtual bog. (54)(177)</li> <li>Amenity/School investment (177)</li> </ul>		
<b>Summary of responses (including reasons) by planning authority:</b>		
Suitability of Site (54);(177)		

- This allocation at Argyll Road, Kilcreggan, has been identified in the plan as an allocation for a very low density housing development of up to 26 houses on an area which extends to 5 Ha. This density equates to each plot having a frontage on to Argyll Road of circa 25 -30 metres, this representing the typical extent of frontages of the existing development on the south side of Argyll Road.
- Argyll Road will be identified in the mini development brief in the Action Programme which accompanies LDP2 as the road from which access is to be taken. The Councils Road engineers have raised no objections to the use of Argyll Road for this purpose. Access from Barbour Road to the north will be specifically identified as unsuitable.
- Any new housing development will be expected to provide a flood risk assessment and include SUDS drainage systems to ensure that water from the site does not increase flood risk on adjacent land.
- An additional 26 houses on Argyll Road will not generate significant traffic movements, and the low density nature of the allocation will mean that there will be ample space to reflect existing building lines, spacing and nature of development, thereby respecting existing levels of privacy and amenity in the area.
- No modification to the plan is required at this stage.

**Reporter's conclusions:**

**Reporter's recommendations:**

<b>Issue 84</b>	<b>H2012 - Land on School Road (wee field), Kilcreggan</b>	
<b>Development Plan Reference:</b>	H2012 - Land on School Road, Kilcreggan Schedule 10 page 110; Map 55	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Derek Fowlis (622)		
<b>Provision of the development plan to which the issue relates:</b>	H2012 - Land on School Road, Kilcreggan	
<b>Planning authority's summary of the representation(s):</b>		
<u>Derek Fowlis (622)</u> <ul style="list-style-type: none"> <li>I live opposite the said proposed piece of land on school road. The only way I would be in agreement for said proposal is if it was being developed for the elderly. There is a distinct lack of housing for the elderly within the whole of the peninsula. If it is for any other type of housing I shall oppose it in the strongest way possible.</li> </ul>		
<b>Modifications sought by those submitting representations:</b>		
<ul style="list-style-type: none"> <li>None specified.</li> </ul>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<ul style="list-style-type: none"> <li>The proposed Local Development Plan 2 identifies this site as a housing allocation with an estimated capacity of 20 units. As this is more than 8 units policy 67 – Provision of Housing to meet local needs including Affordable Housing would be applicable. The Housing Needs and Demand Assessment for the Helensburgh and Lomond area, indicates that there is a need for additional affordable housing in the area, and as such the site would be expected to provide 5 units as affordable housing. There is also an expectation that all new developments of over 8 units provide a range of house types and sizes, to meet local housing needs and demand. This could include some smaller units which may help meet the needs of older people looking to downsize. The site has been identified on the basis that it is suitable to meet a variety of housing needs, and it is considered unreasonable to restrict housing on this site to specific age groups.</li> <li>No modification to the plan is considered necessary at this stage.</li> </ul>		
<b>Reporter's conclusions:</b>		
<b>Reporter's recommendations:</b>		

<b>Issue 85</b>	<b>H3010 and H3011 – Carradale and Peninver</b>	
<b>Development Plan Reference:</b>	H3010 (Mid Argyll, Kintyre and the Islands Proposals Map Number 84) and H3011 (Mid Argyll, Kintyre and the Islands Proposals Map Number 120)	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Mark Sutherland (7)  J Read (19)  John Mckerral (197)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Housing Allocations	
<b>Planning authority's summary of the representation(s):</b>		
<p><u>Mark Sutherland (7)</u></p> <ul style="list-style-type: none"> <li>• Concerned that if site H3010 is developed this will affect the peaceful location and views.</li> <li>• Feels that local infrastructure will not support the extra traffic in Carradale</li> </ul> <p><u>J Read (19)</u></p> <ul style="list-style-type: none"> <li>• Concerned that if site H3011 is developed he will have less privacy and no view which will have a negative effect on his property value.</li> </ul> <p><u>John Mckerral (197)</u></p> <ul style="list-style-type: none"> <li>• Feels that building in Peninver would not follow the Town Centre First principle</li> <li>• The population in the area is currently falling. A housing site would not add the economic growth that is required.</li> <li>• Believes that there is spare housing stock available in Campbeltown and question the need for further housing provision beyond that.</li> <li>• Feels that an additional 42 houses along the B842 (H3011 and H3010 combined) would put further pressure on road and infrastructure such as water, broadband and transport. There are only four buses per day on this route and none on Sundays and development of these sites would result in increased car usage.</li> <li>• Questions why H3011 was chosen rather than greenfield sites nearer to Campbeltown.</li> <li>• Questions the availability of employment for people being housed on these sites</li> </ul>		
<b>Modifications sought by those submitting representations:</b>		
<ul style="list-style-type: none"> <li>• Remove housing allocation H3010 (197, 7)</li> <li>• Remove housing allocation H3011 (19, 197)</li> <li>• Housing allocations should only be within Campbeltown (197)</li> </ul>		
<b>Summary of responses (including reasons) by planning authority:</b>		

#### Housing allocation H3010 (197, 7)

- View is not a material planning consideration
- The council is required by SPP (CD001, para 119, page 29) to have at least 5 years effective housing land supply (i.e. that which can reasonably be expected to be available for development within the LDP period).
- This allocation is already established as it was in the 2015 LDP as H-AL 14/6 (CD011 map 87) with the same area and also for 22 units.
- Carradale is defined as a Key Rural Settlement which the PLDP2 defines in the glossary (CD049 p 128) as offering “a range of services and (have) some potential for up to medium scale growth”.
- Settlement Strategy 3.3 “seeks to deliver sustainable levels of growth by steering the majority of development to our existing settlements”. Whilst the PLDP2 (CDXXX para 2.17, page 7) aims to direct “larger development to places it can benefit the most number of people” it also aims to “allow our smaller and more economically fragile communities to grow and prosper”.
- The PLDP2 sets out a housing land supply target for the Mid Argyll, Kintyre and the Islands area of 810 units (CD049 page 90). The total estimated capacity for the allocations in the administrative area is 1032. H3010 is for 22 units and therefore considered to be a small allocation in this regard and suitable for a Key Rural Settlement.
- No issues have been raised by Argyll and Bute Roads department in terms of this site.
- There is adopted road access to the site immediately adjacent on the southern boundary as well as from Culcreuch Road.
- There are bus stops within the vicinity of the site on the B879. The West Coast Motors services 445 and 300 connect Carradale to Campbeltown and runs 6 buses into Campbeltown Monday to Friday with 4 returning; and 6 buses into Campbeltown on a Saturday with 3 returning.
- For the year 2020-21 Carradale Primary School has a planning capacity of 64 pupils and currently has only 16 on its role (CD032). It is therefore considered that there is sufficient capacity to serve H3010.
- Scottish Water have not objected to the site although a Growth Project would be required and early engagement to discuss build out rates and establish growth requirements. There is a waste water network in the vicinity of the site however the council are aware that a Drainage Impact Assessment would be required.
- Taking into account the above the infrastructure is considered to be sufficient subject to detailed investigation at planning application stage, therefore no change is proposed to the PLDP2.

#### Housing allocation H3011 (19, 197) and housing allocations in Campbeltown (197)

- View and property value are not material planning considerations
- In terms of privacy, developments would need to meet the requirements of Policy 08 – Sustainable Siting (CD049 page 29) and therefore avoid overshadowing of other properties. The policy gives guidance of minimum 18 metres between habitable rooms but may vary on a case by case basis and take into account other mitigating factors.
- The council is required by SPP (CD011, para 119, page 29) to have at least 5 years effective housing land supply (i.e. that which can reasonably be expected to be available for development within the LDP period).

- This allocation is already established as it was in the 2015 LDP as H-AL 14/7 (CD011 map 123) with the same area and also for 20 units.
- Planning permission in principle 10/01157/PPP was granted for 8 dwellinghouses (including 2 affordable) on part of the site on 24<sup>th</sup> September 2010. The application also included the upgrading of the existing vehicular access and the provision of an adoptable standard estate road. (ADXXXX).
- The Town Centre First Principle is a sequential approach adopted by the PDL2 for uses that generate a significant footfall. These uses include retail, commercial uses, commercial leisure uses, offices, community and cultural facilities and other public buildings (CD049 page 46). The SPP (CD001 para 60, page 18) requires that the planning system should also consider opportunities for promoting residential use within town centres where this fits with local need and demand. The PLDP2 includes 5 housing allocations with Campbeltown (H3007, H3008, H3009, H3012 and H3022) which together have the capacity to provide 179 units (p 113)
- The site is within the village/ minor settlement of Peninver. Settlement Strategy 3.3 of the PLDP2 (page 10) “seeks to deliver sustainable levels of growth by steering the majority of development to our existing settlements”. Whilst the PLDP2 (para 2.17, page 7) aims to direct “larger development to places it can benefit the most number of people” it also aims to “allow our smaller and more economically fragile communities to grow and prosper”.
- The PLDP2 sets out a housing land supply target for the Mid Argyll, Kintyre and the Islands area of 810 units (page 90). The total estimated capacity for the allocations in the administrative area is 1032. H3011 is for 20 units and therefore considered to be a small allocation in this regard and suitable for a Village/Minor Settlement.
- No issues have been raised by ABC Roads Department in terms of this site.
- There is a bus stop within the village. The West Coast Motors services 445 and 300 connect Peninver to Campbeltown and runs 6 buses into Campbeltown Monday to Friday with 4 returning; and 6 buses into Campbeltown on a Saturday with 3 returning.
- Peninver is served by Dalintober Primary School which for the year 2020-21 has a planning capacity of 359 and only 241 pupils on the roll. (CDXXXX) It is therefore considered that there is sufficient capacity to serve H3011.
- Scottish Water have not objected to the site although a Growth Project would be required and early engagement to discuss build out rates and establish growth requirements. There is a waste water network in the vicinity of the site however the council are aware that a Drainage Impact Assessment would be required.
- Highlands and Islands Enterprises (HIE) have led a digital Scotland superfast broadband rollout. Further steps in digital programme are expected to be rolled out by the Scottish Government.
- On the basis of the above, while sites have been selected with the main town of Campbeltown where possible, it is not considered possible to solely provide housing within Campbeltown and therefore sites outwith this, but within smaller established settlements such as Peninver are considered necessary. No change is proposed to the PLDP2.

**Reporter’s conclusions:**

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**Reporter's recommendations:**

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<b>Issue 86</b>	<b>H3013 Ardrishaig – Kilduskland South and H3019 Ardrishaig – Kilduskland North</b>	
<b>Development Plan Reference:</b>	Sites H3013 and H3019 (Chapter 10 Schedules, Page 113; Proposals Maps, Maps 69 and 70	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Hazel Fuller (211) Graham Stewart (296) Moira and Michael Thompson (404)		
<b>Provision of the development plan to which the issue relates:</b>	Allocation of sites H3013 and H3019 for housing	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Drainage</b></p> <p><u>Hazel Fuller (211); Graham Stewart (296); Moira and Michael Thompson (404)</u></p> <ul style="list-style-type: none"> <li>• Increase in surface water runoff which will run down the hill and into the objectors' and other surrounding properties.</li> <li>• Increase in water logging issues on footpath behind objector's house</li> </ul> <p><b>Views</b></p> <p><u>Hazel Fuller (211)</u></p> <ul style="list-style-type: none"> <li>• Loss of views from the "39 Steps" walk footpath</li> </ul> <p><b>Privacy</b></p> <p><u>Hazel Fuller (211); Moira and Michael Thompson (404)</u></p> <ul style="list-style-type: none"> <li>• Loss of privacy to objectors' houses and gardens</li> </ul> <p><b>Roads</b></p> <p><u>Hazel Fuller (211); Graham Stewart (296); Moira and Michael Thompson (404)</u></p> <ul style="list-style-type: none"> <li>• Detrimental impact of additional traffic on Kilduskland Road which has existing safety and usage issues including; existing parking reducing carriageway to a single lane with associated congestion, traffic being forced to use private property, lack of pavement on both sides, lack of suitable pram width of existing pavement, egress from property, crossing the road, speeding drivers, speed limit signs being faded (RD**), increased car and commercial traffic in the summer due to use of swing bridges on the Crinan Canal or when main road is closed, poor state of repair (RD**), use by commercial and delivery vehicles, use by bus services. The road is used by the elderly, infirm, children, animals and horse riders. Increase of traffic on Kilduskland Road would exacerbate the issues and introduce more children needing to access</li> </ul>		

the primary school. The existing primary school is accessed via Kilduskland Road and it is dangerous to build more houses so close to a school without proper access.

- Wider road capacity issues including; single track route from the canal and Oakfield Road and Brae Road which experience on street parking – exacerbated in summer months due to use as alternative route when the canal bridge is raised.
- Lack of suitable footpath route from Kilduskland Road to shops for pram users.

### **Public Investment**

#### Hazel Fuller (211)

- Money would better spent improving existing services to help attract people to purchase existing houses for sale before building new ones

### **Existing Services**

#### Hazel Fuller (211, 296)

- Increased demand for local services some of which are stretched beyond capacity e.g. nursery, childcare provision, health care and services for the elderly.

### **Modifications sought by those submitting representations:**

- Remove H3013 and H3019 from the plan. (211)
- Issues raised cannot be mitigated (296)
- A road structure where new traffic and construction traffic would be taken away from Kilduskland Road. (404)

### **Summary of responses (including reasons) by planning authority:**

#### Site and Planning History

- Housing allocation H3013 is currently housing allocation H-AL 12/20 in the adopted 2015 Local Development Plan (LDP 2015) (CD010, Maps 72 and 73). Prior to which it was also a housing allocation (same reference) in the adopted 2009 Local Plan (CD006, Mid Argyll, Kintyre and Islay Maps Pages 148 and 149). The boundary of H3013 has been amended from H-AL 12/20 to exclude an area of woodland on its eastern side.
- Housing allocation H3019 is currently housing allocation H-AL 12/6 in the adopted 2015 Local Development Plan (LDP 2015) (CD010, Maps 72). Prior to which it was also a housing allocation (same reference) in the adopted 2009 Local Plan (CD006, Mid Argyll, Kintyre and Islay Maps Pages 148 and 149).
- Planning application 10/02112/PP “Site for the erection of 15 dwellinghouses (to include 4 affordable dwellinghouses) and erection of 4 affordable flatted units” was withdrawn on 11<sup>th</sup> March 2013.
- The application boundary is generally within allocation H3013 but does not cover its whole extent.

#### Drainage (211, 296 and 404)

- The topography of H3013 and H3019 is generally of sloping land from west to east.

- PLDP2 Policies 61 and 62 (CD\*\*\*, pages 86 and 87) address Sustainable Drainage Systems and Drainage Impact Assessments. Matters relating to flooding and Flood Risk Assessments are covered by Policies 55 and 57 in PLDP2 (CD\*\*\*, Pages 81-84). It is considered that through these policies the potential impact of drainage from development proposed on the allocations can be adequately assessed at the planning application stage.

#### Privacy (211 and 404)

- There are residential properties on the southern and eastern boundaries of H3013 and the northern and eastern boundaries of H3019.
- H3013 has a site area of 2.1 hectares and an indicated PLDP2 capacity of 35 units which would equate to approximately 16.7 dwellings per hectare. H3019 has a site area of 1.2 hectares and an indicated PLDP2 capacity of 15 units which would equate to approximately 12.5 dwellings per hectare. Whilst the sloping topography is noted it should be possible to design a layout for both allocations that ensures that there would be no significant detrimental impact on nearby residential privacy and amenity. Any development proposals would be assessed through the planning application process and impact on nearby residential amenity would be assessed. As set out in the PLDP2 Written Statement (CD\*\*\*, Page 10-11) “The housing provision numbers are indicative and in appropriate circumstances may be varied at the discretion of the planning authority.” Therefore the housing numbers could be varied to take into account considerations of the impact on nearby residential amenity.

#### Views (211 and 404)

- There is a footpath that generally follows the eastern boundary of both H3013 and H019. Where it meets the tarmac access road in H1013 it becomes Core Path C129 extends southwards into a network of paths which include the “39 Steps Walk”. This network of paths offers various panoramic view points. With the allocations being set the landward side of the path it is not considered that development of either of the allocations would harm landscape views from the path and the wider panoramic view points would remain unaffected.

#### Roads (211 and 404)

- It is likely that both allocations would need to connect to road network at the existing point of access on Kilduskland Road. H3019 would effectively need to take access through H3013.
- The response from the Argyll and Bute Council Roads officer to planning application 10/02112/PP asked for deferment requesting that additional parking for Kilduskland Road be provided.
- Additional plans were received as part of the application process that indicated 3 separate off road parking areas that would have totalled 14 spaces. The plans also indicated two areas for proposed Traffic Regulation Orders. There is no indication on the planning file as to whether these arrangements were acceptable to the Roads officer prior to the application being withdrawn.
- **No objections were received from the Roads officer to the PLDP2 consultation.**
- On the basis that issues surrounding Kilduskland Road parking provision were not resolved within application 10/02112/PP both H3013 and H3019 do not form part of the effective housing supply in the 2020 Housing Land Audit and are not relied upon to meet the 5 year

effective housing land supply. They remain within the established housing supply and this provides the opportunity for the relevant delivery partners to explore potential solutions to the relevant constraints. Progress towards such can be recorded and reported through the Action Programme.

- Similar matters were dealt with through the adopted 2015 Local Development Plan examination process where the Reporter noted that allocation H-AL 12/20 presented an opportunity to improve the parking situation for the residents of Kilduskland Road and that the matters could be assessed at the planning application stage (CD\*\*\*, Pages 308 – 309).
- PLDP2 Policy 41 (CD\*\*\*, Pages 69-70) sets out potential requirements for offsite highway improvements therefore the impact of any proposals on the road network can be adequately assessed through the planning application process.

#### Public Investment (211 and 404)

- The matter of the deployment of public funds is not a matter under the remit of the Local Development Plan process.

#### Existing services (211 and 404)

- Nothing has been raised by consultees to suggest there is an issue with service provision in relation to the delivery of these allocations.

#### Conclusion

- On the basis of the above it is considered no change to PLDP2 is required.

#### **Reporter's conclusions:**

#### **Reporter's recommendations:**

<b>Issue 87</b>	<b>H3015 - Tayvallich</b>	
<b>Development Plan Reference:</b>	Allocation H3015 (Chapter 10 Schedules, Page 113; Proposals Maps, Map 139)	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
John McArthur (213)		
<b>Provision of the development plan to which the issue relates:</b>	Allocation of site H3015 for housing	
<b>Planning authority's summary of the representation(s):</b>		
<p><u>John McArthur (213)</u></p> <ul style="list-style-type: none"> <li>• Oppose further development of the allocation as it is catchment area for run off from the higher surrounding land and has at least two natural springs that are partly damned by extracted building material/topsoil. Further building will accelerate run off and risk downstream flooding.</li> <li>• SEPA/Scottish Water regulations require domestic sewerage to link into the main water treatment system which has not been the case with the existing development. Further housing discharge will overwhelm the small burn across the adjacent meadow.</li> </ul>		
<b>Modifications sought by those submitting representations:</b>		
<ul style="list-style-type: none"> <li>• No further development of H3015 (213).</li> </ul>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p><u>(213)</u></p> <ul style="list-style-type: none"> <li>• Housing allocation H3015 is currently housing allocation H-AL 12/21 in the adopted Argyll and Bute 2015 Local Development Plan (CD010, Map 142). Prior to which it was also a housing allocation (same reference) in the Argyll and Bute 2009 adopted Local Plan (CD006, Page 142).</li> <li>• Planning consent reference 15/00455/PP was granted on 7/4/2015 for "Erection of 3 dwellinghouses, formation of road and upgrading of sewage treatment plant." The plans provided an indicative layout to show how the allocation might provide a total of 13 dwellings.</li> <li>• Two of the approved dwellings have been completed.</li> <li>• The officer's report for 15/00455/PP sets out how the matter of foul drainage was handled via consultation with SEPA and a condition regarding such was attached to the planning consent. The officer's report also indicated that potential future development on H3015 may be required to connect to the public sewer infrastructure in Tayvallich (AD***).</li> </ul>		

- Matters relating to surface water and Sustainable Drainage Systems were also addressed in the officer's report and a condition regarding such was attached to the consent (AD\*\*\*).
- PLDP2 policies 59, 60, 61 and 62 relate to matters of water quality, waste water, Sustainable Drainage Systems and Drainage Impact Assessments (CD049, Pages 85-87).
- On the basis of the PLDP2 policy framework and that matters of foul and surface water drainage have been addressed to date via the planning application process, it is considered that they can be satisfactorily addressed through future planning applications on H3015.
- It is therefore considered that no change to PLDP2 is required.

**Reporter's conclusions:**

**Reporter's recommendations:**

<b>Issue 92</b>	<b>H3023 - Minard</b>	
<b>Development Plan Reference:</b>	Site H3023 (Chapter 10 Schedules, Page 113; Proposals Maps, Map 117 Minard and Craae Point)	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
West Loch Fyne Community Council (380)		
<b>Provision of the development plan to which the issue relates:</b>	Allocation of site H3023 for housing – Providing an effective land supply for new development during the lifetime of the plan	
<b>Planning authority's summary of the representation(s):</b>		
<p><u>West Loch Fyne Community Council (380)</u></p> <ul style="list-style-type: none"> <li>• West Loch Fyne Community Council have concerns regarding the proposed housing development in Minard because the total number of houses far exceed any possible demand for more houses in Minard.</li> <li>• Minard has no shop the school at this time is closed and there are no businesses operating in the area.</li> <li>• The community has serious concerns that the amenities in this village i.e. water and sewage would not support this proposal.</li> <li>• The access route to this site for vehicles as at present it is not clearly defined what route is to be taken. One of the proposed routes is through private land, and may become a problem later on.</li> </ul>		
<b>Modifications sought by those submitting representations:</b>		
<ul style="list-style-type: none"> <li>• West Loch Fyne Community Council would have no concerns if the proposal was for 4 to 6 houses.(380)</li> </ul>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p><u>Planning History (380)</u></p> <ul style="list-style-type: none"> <li>• Site H3023 was originally identified in the Argyll and Bute Local Plan 2009 as H-AL 12/19 for 16 units. There have been a number of applications granted on the site (see Planning History ADXXX). The housing allocation was continued forward into the Adopted Argyll and Bute Local Development Plan 2015 as H-AL 12/19 for 23 units. This site was included in the review at the start of the LDP2 process. 10 units have now been completed (as at March 2019) and the developed area has been removed from the allocation. An area of steeper ground immediately south of the new units, not included in any planning application and affording a backdrop to the church, was also removed. This leaves some 1.4ha of developable land at this location for 12 units, which is considered to be a low density.</li> </ul>		

- The Argyll and Bute Single Outcome Agreement as its key aim seeks to grow the population of Argyll and Bute. This also aligns with the Scottish Government objective to repopulate rural areas. The 12 units contribute to the effective housing land supply (See CDXXX Housing Land Audit) and help fulfil these aims.

Facilities (380)

- Minard was noted as a “Village or Minor Settlement” in both the Adopted Plan and the Proposed Local Development Plan 2 (CDXXX Appendix 2, p135). It has not been noted as a Main Town, Key Settlement or Key Rural Settlement as it does not contain the range of facilities and services found at these locations, such as neighbouring Furnace or Inveraray. It does however have land and infrastructure capacity for a modest scale of future development and is accessible from the Trunk Road.
- Unfortunately due to a falling school roll (pupil numbers reached 0 in October 2018) Minard Primary School had to be mothballed. The Village Shop, which contained a Post Office also closed in April 2018, in part due to declining trade.
- The Plan directs significant growth to the Main Towns and Key Settlements through larger scale allocations but also seeks to maintain and grow our smaller settlements as sustainable places with existing infrastructure. This allocation for 12 units is considered to be of a scale to allow for an appropriate level of sustainable growth during the plan period.

Infrastructure and Access (380)

- The Report of Handling for 14/00596/PP notes that *“The first phase 6 dwellings ref 06/01723/DET has been granted planning permission and the requirements of the first two conditions in that consent have now been implemented; those conditions required the existing Victoria Park private road access from trunk road to the housing allocation site to be upgraded to adoptable standard, and for connections to the Scottish Water infrastructure (water supply and drainage) to be established. Accordingly those conditions are not required to be re-imposed in respect of this second phase of the development.”*
- Scottish Water has raised no objections in relation to this allocation.

Conclusion

- It is considered that no change is required as the allocation contributes to the effective housing land supply and raises no issues in terms of access, over-development, infrastructure or facilities given its scale, location and nature.

**Reporter’s conclusions:**

**Reporter’s recommendations:**

<b>Issue 94</b>	<b>H3028 - Kilmichael Glassary/Bridgend</b>	
<b>Development Plan Reference:</b>	Allocation H3028 (Chapter 10 Schedules, Page 114; Proposals Maps, Map 107)	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Kings Reach Bed and Breakfast and Cottages (25)		
<b>Provision of the development plan to which the issue relates:</b>	Allocation of site H3028 for housing – Providing an effective land supply for new development during the lifetime of the plan	
<b>Planning authority's summary of the representation(s):</b>		
<p><u>Kings Reach Bed and Breakfast and Cottages (25)</u></p> <ul style="list-style-type: none"> <li>• The proposed allocation will negatively impact upon the existing tourism business which comprises of a bed and breakfast in the main house with two self-catering cottages behind it which back directly onto the proposed allocation.</li> <li>• Tourism makes an important contribution to the Argyll and Bute economy and so existing businesses should be protected.</li> <li>• The business is unique in Argyll as it is a vegan B&amp;B, it is marketed as a haven and with the cottages having countryside views.</li> <li>• The proposed allocation will have an adverse impact on the home, business and neighbourhood due to loss of privacy, overlooking, increase in noise and increase in disturbance.</li> <li>• Visual impact of development of the allocation will severely affect the home and business through loss of views and change of outlook from self-catering cottages and main house.</li> <li>• There will be an increase in traffic to the area.</li> <li>• There are no facilities to support 30 more houses.</li> <li>• Potential decrease in bookings and loss of revenue.</li> </ul>		
<b>Modifications sought by those submitting representations:</b>		
<ul style="list-style-type: none"> <li>• Remove allocation H3028 from Local Development Plan 2</li> </ul>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p><u>(25)</u></p> <ul style="list-style-type: none"> <li>• Housing allocation H3028 is currently a Potential Development Area for housing PDA 12/34 in the adopted Argyll and Bute 2015 Local Development Plan (CD011, Map 111). Prior to which it was also a Potential Development Area (same reference) in the Argyll and Bute 2009 adopted Local Plan (CD007, Page 142).</li> <li>• H3028 is situated at the Bridgend part of the PLDP2 identified settlement of Kilmichael Glassary/Bridgend.</li> </ul>		

- The adopted 2015 Local Development Plan includes a housing allocation reference H- AL 12/15 in the Bridgend part of the settlement which was not included in Proposed Local Development Plan 2 due to constraints regarding accessing the site from either Dunadd View or the adjacent A816 and waterlogging of the ground.
- The adopted 2015 LDP also includes a Potential Development Area for housing PDA 12/32 in the Kilmichael Glassary part of the settlement that was not included in PLDP2 due to the topography and landform of the site being considered unlikely to yield a co-ordinated development.
- The PLDP2 schedules indicate a capacity of 30 units for H3028 which with a site area of approximately 2.6HA which would result in a density of around 11.5 dwellings per hectare.
- It is considered that at this density a site layout could be achieved that would result in no significant detrimental impact on residential amenity, including privacy/overlooking, immediate outlook and noise or disturbance to both the objectors B&B dwelling, the associated self-catering properties to its rear and the other residential properties adjoining the site. Any development proposals would be assessed through the planning application process and impact on nearby residential amenity would be assessed. As set out in the PLDP2 Written Statement (CD\*\*\*, Page 10-11) “The housing provision numbers are indicative and in appropriate circumstances may be varied at the discretion of the planning authority.” Therefore the housing numbers could be varied to take into account considerations of the impact on nearby residential amenity.
- The loss of a view is not a material planning consideration in the consideration of the allocation.
- The allocation of the site for housing is not considered to be a bad neighbour use in this location and therefore the objections surrounding the potential loss of business are not material planning considerations.
- The development of the site for 30 dwellings would result in increase in local traffic but given the context of the existing, adjoining residential development it is not considered that this would result in a significant detrimental impact on surrounding amenity.
- The Roads authority in response to the Main Issues Report (when the site was PDA 12/34) commented that; the road would need to be adoptable standard and that pedestrian footways would be required from the site (CD\*\*\*?). Given that the provision of footways and other wider access arrangements have not yet been explored through the planning application process the site has been set within the established supply in the 2020 Housing Land Audit and it does not currently contribute to the 5 year effective supply. Matters of traffic and pedestrian management to and from the site can be detailed through the Action Programme and handled through the planning application process.
- The Kilmichael Glassary/Bridgend settlement contains a primary school (Kilmichael Glassary) and an inn (Bridgend).
- Bridgend is also well located on the A816 transport corridor that links the Main Towns of Lochgilphead and Oban. Lochgilphead and its range of employment, shopping and other facilities is approximately 4 miles away.
- The Bridgend part of the settlement is on a number of bus routes which connect it with Lochgilphead. There are 7 services per day (between 07:05 and 17:10) between Lochgilphead and Bridgend and 6 services per day (between 08:32 and 17:11) in the opposite direction.
- It must be acknowledged that not every settlement in the plan area is served by a comprehensive range of facilities but given the relative proximity of H3028 to the primary school and the inn and the position of Bridgend on the bus and transport corridor it is considered that these factors outweigh the lack of other facilities.
- On the basis of the above it is considered that no change to PLDP2 is required.

<b>Reporter's conclusions:</b>
<b>Reporter's recommendations:</b>

<b>Issue 95</b>	<b>H3029 - Lochgair</b>	
<b>Development Plan Reference:</b>	Site H3029 (Chapter 10 Schedules, Page 114; Proposals Maps Map 112 Lochgair)	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Allan Redpath (12) Fred Bruce Change in Database West Loch Fyne Community Council (380) Carol Braidwood (524)		
<b>Provision of the development plan to which the issue relates:</b>	Allocation of site H3029 for housing – Providing an effective land supply for new development during the lifetime of the plan	
<b>Planning authority's summary of the representation(s):</b>		
<p><u>Allan Redpath (12)</u></p> <ul style="list-style-type: none"> <li>• I object to allocation H3029 Lochgair for a maximum of 26 dwellings.</li> <li>• Lochgair is categorised as a Village/Minor Settlement but the village is split into 2 parts of Upper Lochgair and Lower Lochgair with different demographics. The aspect of the upper Lochgair is predominantly rural.</li> <li>• Chapter 2 Vision and Objectives Broad outcomes - The allocation of this area fails to produce a Successful sustainable place/ Low Carbon place/a natural resilient place or a more connected place. Demonstrated by the absence of commitment from any social housing providers.</li> <li>• Sustainability/Climate Change – Lochgair has few or no facilities (no shop, school, or frequent public transport links). POLICY 08 - Sustainable Siting fails to be met with this allocation.</li> <li>• Biodiversity - The development of this site would fail to protect and enhance biodiversity. The area is currently a habitat for a number of endangered species, including Adders, Pine Martens, and Stoats and other protected species including frogs, toads, Lizards and slow worms.</li> <li>• Placemaking and Chapter 4 High Quality Places - Lochgair is historically a small coastal fishing and agricultural community. The development of mass housing would destroy the character and sense of place associated with Lochgair. It is not understood how off the shelf kit houses can take account of “Placemaking”. The location of this site, a relatively long and narrow strip of land would inevitably result in a ribbon development. Currently the entrance to Lochgair from the south is dominated by Knock Farmhouse and the adjacent Knock Steading. These dwellings in the vernacular style would disappear from view following the development. POLICY 05 - Design and Placemaking fails to be met with this allocation.</li> <li>• Chapter 3 Spatial and Settlement Strategy - Masterplan Areas - The list fails to mention Lochgair despite the proposal which would result in a doubling of the population of Upper Lochgair. It would appear that there is no commitment to following the laid down processes when planning applications are submitted (Masterplan and Landscape and Visual Impact Assessment).</li> <li>• The development fails to avoid disturbing carbon rich soils such as peat.</li> <li>• POLICY 02 - Out-with Settlement Areas fails to be met with this allocation.</li> <li>• POLICY 15 - Supporting the Protection, Conservation and Enhancement of our Historic Built Environment fails to be met with this allocation.</li> <li>• Chapter 5 Diverse and Sustainable Economy - Lochgair is in a Local Landscape area. Given this designation the allocation of land for 26 new build houses directly on the main tourist route into Mid</li> </ul>		

Argyll and beyond would seem inappropriate particularly as any development would inevitably detract from the view of the mature hillside and traditional dwellings within upper Lochgair.

- Chapter 6 Connected Places - Currently the Lochgair to Lochgilphead bus service runs 6 times a day, at times which may not suit many working people. The development of this site will result in a significant increase in vehicle journeys. POLICY 33 Public Transport fails to be met with this allocation
- Chapter 9 High Quality Environment - Lochgair is within a Local Landscape Area. The allocation of 26 houses on site H3029 is at variance with POLICY 71 - Development impact on Local Landscape Areas (LLA).

#### West Loch Fyne Community Council (380)

- West Loch Fyne Community Council object to the proposal to greatly increase the number of houses for the proposed site at Lochgair from the initial plan for 12 houses. In 2015 with no consultation with the local community the numbers increased to 22 houses and in 2019 it is the proposal is to increase this to 26.
- The community strongly feel that this would totally destroy the ethos of the village. The area at present has 16 houses of individual construction adjacent to the proposed site. This proposal would dwarf the site and detract from the appearance of the existing houses.
- The village has no shop no school and no form of industry.
- The proposed area sits in extremely boggy ground
- This site is inhabited by many different flora and fauna.
- At this present time there is no capacity for sewage to be included in the existing facility in Lochgair village.
- Concerns have been raised by the community with regards to the proposed vehicular traffic and footpath access to the site.
- At this time there is no great demand for housing in Lochgair.

#### Carol Braidwood (524)

- I object to the proposed development of housing in Upper Lochgair. The proposed development is too large and would swamp and change the character of Upper Lochgair.
- There are a large number of houses for sale and let in Lochgair and area. This would indicate that there is no unmet demand.
- The proposal would be a further ribbon development detracting from the appearance of the landscape along the A83 corridor.
- 

#### **Modifications sought by those submitting representations:**

- Remove allocation H3029 from the Plan (12)
- Do not exceed the concept of 12 houses (380)

#### **Summary of responses (including reasons) by planning authority:**

##### **Planning History**

- The site H3029 was brought into the Local Plan in 2009 as H-AL 12/16 for 15 units with 25% affordable requirement on 1.66ha (low density).
- Planning Application 10/01847/PP was approved in November 2011 for 10 units and showing a layout for 16 units.
- Following consultation this site was carried forward into Local Development Plan 2015, which promoted an increased density on sites where appropriate. H-AL 12/16 assessed and increased to 24 units at this time, which is a density of 14.5/ha (Medium density).

- At the Call for Sites at PLDP2 the developer requested the site be enlarged by an area of 0.7ha to accommodate a further 12 units. The current site and proposed extension were assessed. The site brought forward in Proposed Local Development Plan 2 has minor boundary revisions and a reduced extension area giving an overall increase of 0.26ha. The site H4029 is now 1.92ha to accommodate 26 units with a density of 13.7/ha (Medium density).

#### Placemaking, Sustainable Development and Housing Numbers (12); (380); (524)

- The aim of the Local Development Plan is to support the growth of the population in Argyll and Bute in line with the Outcome Improvement Plan. Sustainable development is promoted by directing development predominantly to the settlement hierarchy where there is existing infrastructure, facilities and services. The hierarchy has Main Towns, Key Settlements, Key Rural Settlements and Villages and Minor Settlements. The Main Towns contain a range of larger allocations. Settlements were assessed for development capacity, including available land, infrastructure, facilities and services. Lochgair is classed as a Village /Minor Settlement which has developable land, is on a trunk road, a hotel and a village hall but no shop or primary school. The scale and nature of this single allocation for housing is considered to be commensurate to the village capacity and appropriate to provide for growth into the future.
- H3029 allocation contributes to the established housing land supply in this area.
- The allocation carries a requirement for a minimum of 25% affordable.
- The Plan contains policies to promote positive place-making, sustainable siting and good design, including Policy 05 - Design and Placemaking and Policy 08 - Sustainable Siting. All relevant policies will be applied at planning application stage.

#### Sewerage (380)

- Scottish Water has not objected to this site. However, Scottish Water comments have been received regarding future requirements and the Draft Action Programme has amended to include these. CDXXX

#### Access (12) (380)

- H3029 is immediately off the Trunk Road with bus stops either side of the road under 200m away. There is a regular service along this road which is relative to the rural nature of this location. (See ADXXX)
- Transport Scotland has not objected to the site. The Draft Action Programme contains information about vehicular access.(CDXXX)
- Active Travel routes will be dealt with at application stage in accordance with policy 32 Active Travel.

#### Policy 02 Outwith Settlement Areas (12)

- This policy does not apply as the allocation is within settlement in the Proposals Maps.

#### Landscape and Tourism (12)

- The allocation is situated within the West Loch Fyne (Coast) Local Landscape Area within the Settlement of Lochgair as defined on the Proposals Map. The scale and nature of this site have been assessed as appropriate in respect of the Local Landscape Area for

allocation in the Local Development Plan. It is not considered that the scale or nature of development of the Trunk Road within the village will have any significant adverse impact on tourism. Future planning applications will be assessed against all relevant policies.

#### Ribbon Development (12) (524)

- Ribbon development is defined in the Plan glossary as “a line of at least six separate dwellings or other substantial buildings, one plot deep back from, and with curtilages bordering, a road”. The proposed layout in 10/01847/PP does not show ribbon development. There are policies in the Plan which seek to promote good place-making, including Design and Placemaking Principles, Policy 05 Design and Placemaking, Policy 08 Sustainable Siting, Policy 09 Sustainable Design and Policy 10 Design All Development. These policies should promote good design and layout and avoid issues such as ribbon development.

#### Biodiversity (12) (380)

- Argyll and Bute is an area with a rich environmental resource. The allocation is not within nor is it adjacent to any sites designated for nature interest (e.g. SAC, SPA, Ramsar, SSSI, NNR). The site has not been objected to by Nature Scot.
- The Plan contains Policy 73 – Development Impact on Habitats, Species and Biodiversity which provides a robust framework for the assessment of planning applications. (CD XXX). Applications for new developments may also be required to complete a biodiversity checklist. (CDXXXX).

#### Carbon Rich Soils (12)

- H3029 does not contain any peat of category 1 or 2 importance nor any significant depth of peat. Neither Scottish Environment Protection Agency nor Nature Scot have objected to this site. PLDP2 Policy 79 – Protection of Soil and Peat Resources gives a robust framework against which to assess planning applications in relation to the peat and soil resource.

#### Flooding (380)

- Some surface water was evidenced on site during the Review of Sites. Scottish Environment Protection Agency have not objected to this site but have noted that a minor watercourse flows along the site boundary, which could represent a potential flood risk and that a basic Flood Risk Assessment would be required. This requirement has been added to the Draft Action Programme. PLDP2 contains Policy 55 Flooding, which provides a robust framework against which any detailed issues may be assessed.

#### Historic Built Environment

- The site is not within or adjacent to a Conservation Area. The site does not adversely impact upon any Listed Buildings (Grade C Listed Church is over 250m away beyond the hotel and War memorial (not listed) is over 200m away over the Trunk road). The location, scale and proposed use of this site have been assessed, taking into account the Historic Built Environment, in the allocation of this site. Future planning applications will be assessed against all relevant policies. It is noted that Historic Environment Scotland have not objected to the allocation of this site.

Masterplans (12)

- Masterplans are primarily required in areas identified as Strategic Masterplan Areas in the Local Development Plan, e.g. Inveraray for the large scale mixed development with 138 houses and 1.3ha for Business, Tourism and Community Facilities in a Garden and Designed Landscape and adjoining a Conservation Area. H3029 has not been identified as a Strategic Masterplan Area given its scale, location and nature. A Masterplan may be required for allocations identified in the Local Development Plan, where a phased approach to development is being proposed, such that a planning application only covers part of the allocation identified or the issues are complex and potentially impact on a wider area. This would be assessed by the planning authority at pre-application/application stage. Further guidance on requirements for and preparation of Masterplans is included in Technical Note LDP2 TN01: Masterplans. (CDXX)

Conclusion

- H3029 is allocated as part of the effective housing land supply and should be retained.

**Reporter's conclusions:**

**Reporter's recommendations:**

<b>Issue 96</b>	<b>Bunessan</b>	
<b>Development Plan Reference:</b>	Allocation H4004 (Chapter 10 Schedules, Page 118; Proposals Maps, Map 107) Settlement Area, Bunessan (Proposals Maps, Map 107)	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Marilyn Halcrow (199) Emily Wilkins (371)		
<b>Provision of the development plan to which the issue relates:</b>	The extent of housing allocation H4004 and the extent of the Settlement Area and Open Space Protection Area at Bunessan	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>H4004</b></p> <p><u>Marilyn Halcrow (199)</u></p> <ul style="list-style-type: none"> <li>Happy with building in line with the existing properties however the land below, between them and the sea was considered so liable to more land slippage that thousands of willow trees were planted there to stabilise it and these never grew.</li> </ul> <p><u>Emily Wilkins (371)</u></p> <ul style="list-style-type: none"> <li>Supportive of more affordable housing provision in Bunessan but the site is too large. The site should be reduced to the area in blue (RD182) which has been levelled and prepared. The rest of the area is on an unstable slope which has previously suffered from landslip and so is unsuitable for building on. It has now revegetated and provides good scrub habitat for birds and wildlife.</li> </ul> <p><b>Settlement Area, Bunessan</b></p> <p><u>Chris Malpas (41)</u></p> <ul style="list-style-type: none"> <li>The areas marked in red on RD8 are not suitable to be designated as Settlement Areas.</li> <li>The area marked A surrounds the war memorial which is in an elevated position and no development would be appropriate around it.</li> <li>The land on the other side of the tourist area next to the school should be included in this tourist area as it used for access and parking for the Bunessan show.</li> <li>The area marked B is low lying, boggy and is used as common grazing (unknown if rights exist over it). It is inappropriate for development and should be designated as Countryside Area.</li> </ul>		
<b>Modifications sought by those submitting representations:</b>		

#### H4004

- Just allow development on the higher level of the site (199)
- Reduce H4004 to the area outlined in blue on RD182 (371)

#### Settlement Area, Buessan

- Remove the areas demarked in red on RD\*\* from the Settlement Area (41)
- Include the land on the other side of the tourist area next to the school in the tourist area (41)

#### Summary of responses (including reasons) by planning authority:

#### H4004

(199, 371)

- Housing allocation H4004 is currently a housing allocation (same reference) in the adopted Argyll and Bute 2015 Local Development Plan (CD011, Map 82). The adopted LDP Written Statement indicates a capacity of 18 units (CD10, Page 77). Prior to this it was a Potential Development Area for housing (reference PDA 6/10) in the Argyll and Bute 2009 adopted Local Plan (CD007, Page 159) and (CD006, Page 140).
- H4004 as shown in adopted LDP is split between two separate ownerships that divide the site into western and eastern portions.
- On the western section there is extant planning consent for 11 units of which six have completed. The layout approved under the Non-Material Amendment consent 08/01018/NMA reflects the current extant layout (AD\*\*\*).
- The eastern section received outline planning consent 05/00120/OUT on 21/12/2005 (AD\*\*) which has now lapsed.
- As part of the preparations of Proposed Local Development Plan 2 allocation H4004 was reviewed. Given the split ownership it was not considered appropriate to retain the land as single allocation.
- H4004 as shown in PLDP2 has been reduced to just the western portion of the land. It has been further reduced to remove the steeper sections in the more southerly areas which appeared would be more difficult to deliver given the gradient of the land.
- H4004 is indicated to have a capacity of 13 units which, on the basis of delivering the remaining 5 units on the platform adjacent to the existing dwellings would leave a balance of 8 units for the remainder of the allocation and given the sloping nature of H4004 this is considered to represent a proportionate number of units.
- The objections surrounding land stability are matters that can be addressed at the construction and Building Standards stages of the development process. However, the issue can be highlighted as potential constraint through the LDP2 Action Programme.
- Whilst the PLDP2 capacity is considered to represent a suitable level of development for the site the PLDP2 Written Statement (CD\*\*, Page 10-11) sets out that "The housing provision numbers are indicative and in appropriate circumstances may be varied at the discretion of the planning authority." Therefore the housing numbers could be varied to take into account factors such as topography or land stability should these arise.

- Whilst revegetation of H4004 has occurred it still should be possible to create a development layout that provides appropriate green infrastructure and open space and through it opportunities for biodiversity. It is considered that the land currently has only limited biodiversity interest and that as well as suitable green infrastructure provision there is ample surrounding open land to provide habitats for species potentially currently using the land.
- On the eastern portion of H4004 as adopted, the sloping topography was again noted and in addition, given the lack of any extant consent on that part of the site, it was considered that the land concerned was unlikely to deliver significant enough levels of development to warrant retention as an allocation. The land was therefore retained in the Settlement Area for Bunessan where proposals for windfall development could be assessed through PLDP2 Policy 01 (CD049, Page 12).
- On the basis of the above it is considered that no change to PLDP2 is required.

### **Settlement Area, Bunessan**

(41)

- The land relating to area A (RD8) is set in a higher position than the general surrounding land to the west. It is prominent in the landscape when viewed from the A849 to the south west and to the north east, albeit to a lesser extent given the presence of the nearby school building.
- The war memorial situated on this land is not a Listed Building or a Scheduled Monument but it is a local landmark feature. It would likely have been sited in this prominent visual location due to the cultural significance and importance of what it reflects and memorialises.
- The land concerned is within Settlement Area on the PLDP2 Proposals Map. It is not considered that this area, given its largely undeveloped character and lack of recent planning application history, is under significant development pressure. However it is acknowledged that the land being in Settlement Area could, through PLDP2 policy 01, encourage development in close proximity to the memorial. The adjoining Open Space Protection Area does not cover the memorial and so does not offer it any protection.
- It is therefore considered that the visual and cultural importance of this memorial warrants additional protection through LDP2.
- It is considered that the land concerned forms part of the make-up of the settlement of Bunessan as it takes in the memorial which is a landmark that is culturally attached to the wider Settlement and acts as focal point of part of the settlement's history. It is also directly adjacent to the school which is another focal point of the settlement. Therefore rather than amend the Settlement Area to change the land to Countryside Area, as proposed by the objector, it is considered the provision of an additional OSPA for the purpose of protecting the visual and cultural significance of the memorial would be more appropriate. Therefore if the Reporter were so minded then the Council would have no objection to the land marked on AD\*\*\* being covered with an OSPA on Proposals Map 96. OSPAs are covered under PLDP2 Policy 81 (CD\*\*\*, Page 102-103) and it is considered that this will provide suitable protection for the memorial.
- The PLDP2 Written Statement sets out that the existing Open Space Audit will be updated during the lifetime of LDP2 and that further details regarding the Open Space Protection Areas shown on the Proposals maps will be provided through the Open Space technical note which will accompany the plan (CD\*\*\*, Page 103).

- The area indicated by the objector on RD8 to the east of the primary school is a relatively small area of land that provides an opportunity for a limited development opportunity at this eastern part of Bunessan which is characterised by a loose collection of buildings including houses and the school.
- The objector’s request to include the land in the “tourism” area appear to relate to the adjacent Open Space Protection Area. There is a potential confusion on their behalf of the mapping symbology and associated policy. OSPAs are covered under PLDP2 Policy 81 (CD\*\*\*, Page 102-103) and Existing Tourism Uses are covered under PLPD2 Policy 24 (CD\*\*\*, Pages 48-50)
- The extent and nature of the use of the land concerned for the purposes of the annual show is not fully known however given that this would likely be a temporary use it is considered that is predominantly a matter between the land owner and the show organisers. The inclusion of the land within the adjacent OSPA without the full evidence of the nature and extent of any usage is not considered appropriate. It would be more appropriately raised by the objector or any other interested parties at the relevant plan preparation stage of the next development plan and/or any relevant consultation through the aforementioned review of the Open Space Audit. It is therefore considered that the land should remain as Settlement Area and that there is no need for it to be included within in the adjacent OSPA or within a Tourism Infrastructure location.
- The land relating to area B (RD8) is at the north eastern end of the Bunessan Settlement Area and lies between the A849 and an access track that serves some of the loose knit dwellings in this part of the settlement. The land generally slopes gently up from the A849 and is not considered to be particularly low lying. The area is considered to be relatively well contained within the landscape and is seen in the context of the existing nearby development pattern. Therefore it is considered that development proposals could be adequately assessed through PLDP2 Policy 01 (CD\*\*\*, Page 12). The land is not shown to be within any areas on the SEPA Flood Maps and it is considered that matters of ground conditions for this area of land can be adequately dealt with at the appropriate design and construction phases of the development process. On this basis it is considered that no change to PLDP2 is required.

**Reporter’s conclusions:**

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**Reporter’s recommendations:**

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<b>Issue 98</b>	<b>H4007 - Dunbeg 1</b>	
<b>Development Plan Reference:</b>	PLDP2 Housing Allocation H4007 Dunbeg 1, Chapter 10 Schedule p118, Oban Lorn and The Isles Map Book Map 176 and X4002 Mixed Use Allocation (Business and Tourism), Chapter 10 Schedule p122, , Oban Lorn and The Isles Map Book Map 176	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Link Group Ltd (1035) Liam Orr (138) Catherine Winterton (242)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Housing Allocation H4007 and Mixed Use Allocation X4002	
<b>Planning authority's summary of the representation(s):</b>		
<p><u>Link Group Ltd (1035)</u> Link wish to see the Dunbeg allocations extended to include all of the land that they are in the process of bringing forward as Phase 4 and other land they control and wish to see developed at the north eastern end of Phase 3 and along the coastline (see Phase 4 Location Plan attached).</p> <p><u>Liam Orr (138)</u> Supportive of housing and commercial development maintaining population growth and providing jobs.</p> <p><u>Catherine Winterton (242)</u> Negative impact on woodland, marshland, cycle track. Floods badly.</p>		
<b>Modifications sought by those submitting representations:</b>		
<ul style="list-style-type: none"> <li>• Extend housing allocation H4007 and H4015.</li> <li>• Change allocation B4006 to housing.</li> </ul>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p>The Dunbeg development is a strategic development being delivered generally in accordance with the Masterplan approved by the Council (ref ), and the indicative masterplan drawing shown on Map Number 176 of the Oban, Lorn and The Isles Map Book. Its strategic scale and phased development means that it has evolved in precise design and location as a result of iterative design and site investigation work along with a series of public consultation events.</p> <p>LINK are currently developing 300 units on land they refer to as Phase 3. This largely lies within H4007, but the planning consent boundary shows there is some variation of boundaries (planning consent plan). This variation from the precise LDP boundaries is considered an acceptable and pragmatic approach to achieving successful delivery on challenging terrain. LINK</p>		

will have completed 78 units of Phase 3 as of June 2021, and are programmed to complete the 300 units of phase 3 by March 2022. This is entirely affordable housing with Scottish Government funding and was facilitated by road widening improvements to the Kirk Road in Dunbeg which was carried out by Argyll and Bute Council in partnership with Scottish Government utilising Housing Infrastructure Funding and Lorn Arc Tax Incremental Financing.

Further development of Phase 4 has been delayed, partly due to the pandemic, and partly due to the emergence of Site Investigation details which have required a re-evaluation of site locations.

Argyll and Bute Council in partnership with LINK are, as of spring 2021, actively carrying out site investigation and due diligence work to bring forward further development at Dunbeg including the Commercial Area X4002, the proposed half way house roundabout, a potential link road to H4015 and H4015 itself. This development will inevitably progress in phases as funding is identified and available. At May 2021 the Council's Policy and Resources Committee committed significant funds to pursuing due diligence for the roundabout and commercial area in partnership with LINK.

The area of X4002 has been found to lie substantially within a floodplain. As a result, the Council, in partnership with LINK and SEPA are exploring the potential for an alternative location for the proposed commercial area in a location outwith the floodplain.

As and when the details of proposed alternatives are identified, they can be properly assessed through planning applications and consideration given to the merits of any elements which are departures from the PLDP2.

At this stage there is not sufficient detail available to identify new development boundaries with any certainty, nor which have been assessed in detail as acceptable.

Site B4006 is a Business and Industry allocation and forms a key expansion opportunity for the Strategic Economic Investment Location containing SAMS and the European Marine Science Park, and HIE are actively pursuing further development on site at present having invested in upgrading access infrastructure.

### Conclusion

Whilst the Council are actively engaged with facilitating further development at Dunbeg, at this stage it is premature to amend PLDP2 boundaries and no change to the Plan is recommended to the reporter in response to this representation.

### **Reporter's conclusions:**

### **Reporter's recommendations:**

<b>Issue 101</b>	<b>H4015 - Dunbeg 2</b>	
<b>Development Plan Reference:</b>	PLDP2 Housing Allocation H4015, PLDP2 Chapter 10 Schedules p118; Oban Lorn and The Isles Map Book, Map 176	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Mairi Jackson (521) Blaze J Ochman (539) Scottish Natural Heritage (SNH) (596)		
<b>Provision of the development plan to which the issue relates:</b>	Allocation of land for housing on site H4015	
<b>Planning authority's summary of the representation(s):</b>		
<p><u>Mairi Jackson (521)</u> Object to building of social housing in H4015; school and road won't cope.</p> <p><u>Blaze J Ochman (539)</u> New development is taking away green outdoor spaces and is close to original Dunbeg housing.</p> <p><u>Scottish Natural Heritage (596)</u> Minimise impacts on peat adding this issue to be addresses in the action programme.</p>		
<b>Modifications sought by those submitting representations:</b>		
<ul style="list-style-type: none"> <li>• Move proposed H4015 housing further away from existing Dunbeg Housing and allow green connections. (Blaze J Ochman (521)).</li> <li>• No social housing on H4015 (Mairi Jackson (521)).</li> </ul>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<ul style="list-style-type: none"> <li>• Argyll and Bute Council in partnership with Scottish Government through Housing Infrastructure funding, invested approximately £2.5million in upgrading and widening the Kirk Road and Jane Road which leads to the H4007 development. This has provided safe vehicular and pedestrian capacity for the 300 units currently being developed on site H4007. There will be no further housing development at H4007 or H4015 until the link road directly to the A85 trunk road and new roundabout are provided as shown on Map 176 of the PLDP2 Oban Lorn and The Isles Map Book. This is a provision of the consented Dunbeg Masterplan, and a restriction of the planning consent for H4007.</li> <li>• School roll projections and modelling have been carried out in detail by the Argyll and Bute Education Authority. Dunbeg School has had the ability to accommodate demand from the 300 houses developed as part of H4007. Further detailed modelling will be required prior to the consent of any development on H4015. Depending on the timing of such development and the proposed number and mix of units, it is likely that existing educational capacity will be required as previously identified in the Masterplan. The developer will be expected to contribute to the additional capacity if and when the need is identified.</li> <li>• The Masterplan identifies the issues which require to be examined by the developer. The developer is currently working with Argyll and Bute Council in partnership to examine in more detail site investigation issues, and a detailed Peat Study is underway as of Spring 2021.</li> </ul>		

Any development will be expected to avoid, minimise or mitigate its impact on any peat in accordance with guidance from SEPA and Nature Scotland. This will be added as a specific requirement in the Action Programme.

- New development at H4015 is unlikely to be predominantly social rent. Exact mix will be determined in accordance with the Council's housing service and identified need at the time, but it is likely to be a mix of private housing and shared equity.
- Exact layout and location of housing within H4015 will not emerge until further detailed site investigation and design work are complete. However policies within the PLDP2 should adequately protect the amenity of adjacent properties.
- The approved Masterplan set out a detailed framework for the creation of a series of landscape connected places. The exact delivery of this will emerge as each phase evolves. For H4007 currently on site, the core paths and other pedestrian and cycle routes will be extended to provide connectivity, permeability and access to the wider natural landscape. The proposals also include the future provision of a community woodland in accordance with Masterplan aspirations. Argyll and Bute Council is currently working with Scottish Government energy consents unit, SSE, Argyll Countryside Trust, Scottish Forestry and West Highland Housing Association to deliver the community woodland in association with local community groups for their future management. Funding is identified for this project and detailed designs are being worked up.
- The Council's biodiversity officer has been closely involved in the design and layout of the landscaping proposals and the development is seen as an opportunity to diversify and improve the range of habitats available within the application site for the benefit of wildlife. The structural landscaping offers opportunities for enhanced habitat and biodiversity provision.

**Reporter's conclusions:**

The Action Programme will be amended to include specific reference to the need to take account of peat on the site. Other than this it is not suggested there is any need to change the Plan in response to these representations.

**Reporter's recommendations:**

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<b>Issue 102</b>	<b>H4016 - Tobermory 2 and Adjacent Land</b>	
<b>Development Plan Reference:</b>	Site H4016 (Chapter 10 Schedules, Page 118; Proposals Maps, Map 214	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Argyll Properties Scotland Ltd (1016)		
<b>Provision of the development plan to which the issue relates:</b>	The proposed inclusion of land adjacent to H4016 within that allocation	
<b>Planning authority's summary of the representation(s):</b>		
<p><u>Argyll Properties Scotland Ltd (1016)</u></p> <ul style="list-style-type: none"> <li>• Re-allocation of H4016 is supported but its extent should be enlarged to include the additional land to the east shown on RD59 which was categorised as 'amber' (Site 4) in the Main Issues Report.</li> <li>• Tobermory is the main settlement on Mull with best range of services, largest population and highest demand for houses.</li> <li>• For the 10 year plan period housing land should be generously allocated in appropriate locations to support population growth within the western end of the Tobermory – Dalmally Growth Corridor. This will help underpin population growth, sustain existing services and bolster the construction sector.</li> <li>• Implementation of the adjacent land within existing allocation H4014 (under separate ownership) has been slow whereas the allocated land owned by the objector has come forward on conjunction with RSLs over the preceding plan periods. Therefore the land owned by the objector is more likely to be delivered than the adjacent land.</li> <li>• Although the Council's desire to avoid leapfrogging is understood the areas of land concerned are small and contained enough to come forward in phases without short or long term impacts.</li> <li>• Inclusion of the land concerned within PLDP2 Proposal D along with PLDP2 allocations H4014 and H4016 would ensure an integrated and holistic development irrespective individual sequences of phases across H4014 and H4016. The total development achieved would remain within the same containing landscape framework.</li> <li>• Additional allocated housing land with a land owner with a proven track record of delivering housing development at the desired scale increases the likelihood of LDP objectives being realised conversely reliance on land that has been slow to come forward risks them not being realised.</li> <li>• The objector has extant planning consent to develop parts of H4016 and has a scheme designed for 30 housing association units straddling H4016 and the additional land concerned.</li> </ul>		
<b>Modifications sought by those submitting representations:</b>		

- Increase the extent of H4016 to include additional land to the east shown in RD59 (1016)

### Summary of responses (including reasons) by planning authority:

#### 1016

- Allocation H4016 is part of adopted 2015 Local Development Plan (LDP) allocation H4014 (CD010, Map 217). For PLDP2, allocation H4014 was split into two distinct allocations H4014 and H4016 as shown on PLDP2 Proposals Map 214 (CD049, Map 214) so as to reflect the two differing land ownerships. Both of these allocations are covered by Strategic Masterplan Area SM4002. The requirements for masterplans within Strategic Masterplan Areas are set out in Technical Note LDP2 TN01: Masterplans (CD070). The approach taken in PLDP2 recognises the fact that the overall land is within two separate ownerships and may deliver at different timescales and as such allows for more accurate reporting within the Action Programme and Housing Land Audit whilst the provision of the Strategic Masterplan Area recognises the need for a co-ordinated approach to the development of the area. The position taken in PLDP2 strengthens the need for a co-ordinated approach to development over and above the situation of a single allocation in the adopted 2015 LDP.
- The relevant planning history for LDP allocation H4014 has been broken up into the respective ownerships and detailed in the tables below:

Application Reference	Description of Development	Comment	Authority Document Reference
09/01458/PP	Erection of affordable housing (8 dwellinghouses and 12 flats)	All completed circa 2012	
12/02420/PP	Erection of 22 dwellings (comprising 12 flats and 10 dwellinghouses) and associated infrastructure.	Lapsed	
13/02208/PPP	Site for the erection of 5 dwellinghouses	Lapsed	
18/02519/PP	Erection of 2 dwellinghouses and formation of vehicular access	Consented 05/02/2019	
20/00705/PP	Erection of 10 flats for staff accommodation	Pending consideration	

#### Relevant planning history for PLDP2 allocation H4016

Application Reference	Description of Development	Comment	Authority Document Reference
17/00766/PP	Erection of 4 no dwellinghouses and formation of new vehicular access.	Consented 09/06/2017	
19/02258/PP	Erection of dwellinghouse and formation of vehicular access	Withdrawn 23/4/2020	
20/00729/PP	Erection of 5 dwellinghouses and formation of vehicular access	Pending consideration	

#### Relevant planning history PLDP for PLDP2 allocation H4014

- The objector’s comments regarding past delivery of housing are noted however the last completion within this development was circa 2012 despite a number of applications since that date. Prior to that the first phase of the development (outside of the 2015 adopted LDP Allocation H4014) was completed during 2010 to 2012. These areas are shown on **Authority Document \*\***
- With regards to H4014, the lack of development raised by the objector is noted however there is currently the application for 5 dwellings pending consideration which is accompanied by a masterplan for the remainder of the site (**AD\*\***).
- It should also be noted that there has been 6 (**\*\*keep updated\*\***) completions on land directly adjacent to H4014 being land controlled by the owner of H4014. These completions have occurred between 2017 and 2019 comprising of 5 detached dwellings and a terrace of **\*\*** dwellings. These are shown on Authority Document (**AD\*\***).
- Although there has not been recent development on H4016 or H4014 both applications and submission of masterplans indicate help demonstrate development intentions for both sites. As such there is confidence that development is likely to occur on both sites within the LDP2 plan period. Both sites are considered to be effective and free from development constraints such as those described in Planning Advice Note 2/2010 (**CD008, Page 17**). On the basis of the planning and development history for both H4014 and H4016 and the development on the adjacent land in recent years the argument that reliance should not be placed on H4014 and as such additional land should be released to H4016 is not accepted as there remains firm potential for both of these allocations to come forward.
- In addition to H4014 and H4016, PLDP2 also contains another housing allocation for Tobermory, namely H4018 (**CD049, Map 214**) which is an amalgamation of housing allocation H-AL 6/1 and mixed use allocation MU-AL 6/1 in the adopted 2015 LDP (**CD010, Map 217**). The PLDP2 Written Statement indicates a capacity of 30 units for H4018 (**CD049, Page 118**). Planning consent 10/00319/PPP – “Site for the erection of affordable housing (as previously approved under outline planning permission reference 06/02023/OUT)” was granted in 2010 but has since lapsed. However the Council considers the site to be effective and free of development constraints. There is also a PLDP2 mixed use allocation X4003 situated just outside the town (**CD010, Map 215**) with an indicated capacity of 9 units (**CD010, Page 122**).
- It is strongly preferred that delivery to serve takes place during the next plan period on allocations H4014, H4018 and within the existing boundary of H4016. Whilst the Council is confident that development can occur across the sites during the LDP2 plan period it does recognise that the pace and timing of delivery can be affected by a number of factors. It would not be desirable to release land on the very periphery of the town before other land closer to main conurbation has been delivered. It is important that the focus of the Council and its delivery partners remains on delivering the sites carried forward from the 2015 adopted LDP into PLDP2. The release of the additional land could take delivery and demand focus away from the aforementioned sites and risk the creation of an undesirable settlement pattern for the town.
- Whilst the objector mentions a scheme designed for 30 units in association with a housing association. No evidence of this scheme have been submitted with the consultation response. Furthermore the Council’s Strategic Housing Land Investment Plan 2020/21 - 2024/25 within “TABLE 4: Additional Potential Projects for consideration in later years” only indicates 12 units for Tobermory and details no units anticipated for completion for Tobermory in “TABLE 3: SHIP Core Programme - Potential Completions by 2021” (**CD009, Pages 32 and 33**). Whilst the SHIP points to some potential RSL development for Tobermory through to 2024/25 it does not provide any compelling evidence to support the inclusion of the additional land sought in H4016.

- PLDP2 contains a total of 10 allocations for housing and one mixed use allocation for Mull (including one on the neighbouring island of Iona). The total number of units set out in the PLDP2 schedules for these allocations is 289 which would contribute to the 2020-2029 housing land supply target of 1110 units for the Oban, Lorn and the Isles administrative area. These allocations in addition to windfall opportunities are considered to be a generous yet proportionate and sustainable provision for Mull for the plan period and remainder of the 10 year period beyond. The three housing allocations and one mixed use allocation relating to Tobermory have a total capacity listed in the PLDP2 schedules of 129 units which will provide a generous and flexible provision for Tobermory. The site put forward here is therefore not required to meet the housing land supply target.
- The Tobermory Strategic Development Framework detailed at PLDP2 Proposal D (CD049, Pages 19 and 20) is intended to work holistically on the future for Tobermory beyond the LDP2 plan period, taking into account the take-up of the allocations, and examining future strategic issues. The area of land concerned could be raised and discussed within that process and these discussions, dependent on timing, could help inform options to be put forward and taken into consideration during the future process for the formation of the next development plan.
- In conclusion, PLDP2 already contains a generous supply of housing land to maintain a 5 year effective supply and to provide for the 10 year period both for Mull and Tobermory itself. The inclusion of additional allocated housing land at this stage would potentially jeopardise the delivery of the allocations contained in PLDP2 by taking the focus of demand and delivery away from them. Therefore no change to PLDP2 is required.

**Reporter's conclusions:**

**Reporter's recommendations:**

<b>Issue 103</b>	<b>H4017 - Barcaldine</b>	
<b>Development Plan Reference:</b>	Allocation H4017 (Chapter 10 Schedules, Page 118; Proposals Maps, Map 154)	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Douglas Fontaine (251)  James MacKay (277)  Laura Hobbs (312)  Maggie Brotherston (449)  Andrew Holder (450)  Andrew Baines (513)  Ardchattan Community Council (592)  Barcaldine Community Association (1066)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Allocation of site H4017 for housing – Providing an effective land supply for new development during the lifetime of the plan.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Capacity/Number of units</b></p> <p><u>Douglas Fontaine (251), James MacKay (277), Laura Hobbs (312), Maggie Brotherston (449), Andrew Holder (450), Andrew Baines (513), Barcaldine Community Association (1066)</u></p> <ul style="list-style-type: none"> <li>• The PLDP2 capacity of 50 units is too high, it is high density, it would double the size of the village</li> <li>• Need for the numbers proposed is not evident</li> </ul> <p><b>Impact on existing village</b></p> <p><u>Douglas Fontaine (251), James MacKay (277), Laura Hobbs (312), Maggie Brotherston (449), Andrew Holder (450), Barcaldine Community Association (1066)</u></p> <ul style="list-style-type: none"> <li>• Impact on character, appearance, connectivity of Barcaldine which is; rural, low density, quiet, relaxed</li> <li>• Impact on light pollution</li> <li>• Dilution of community</li> <li>• Impact on local wildlife</li> </ul> <p><b>Constraints of existing village</b></p> <p><u>James MacKay (277), Laura Hobbs (312), Maggie Brotherston (449), Andrew Holder (450), Andrew Baines (513) Barcaldine Community Association (1066)</u></p>		

- Barcaldine lacks amenities/infrastructure including; shop, post office, village hall
- Limited employment opportunities
- The bus service serving Barcaldine is inadequate. Lack of bus services for pupils undertaking afterschool activity, or for Oban workers, no interface with evening Glasgow trains and buses in Oban.
- Barcaldine primary school has insufficient capacity for current/potential demand.
- The next nearest school at Lochnell (Benderloch) is believed to be at capacity.

### Site Specific Matters

James MacKay (277), Laura Hobbs (312)

- A raised mound containing a mature oak overlooking the property Lianag is not suitable for development (shown on RD146)
- Low lying saturated ground into which ground water from the bank above the cycle track drains through a culvert is not suitable for development (shown on RD146)
- Site acts as drainage for rainwater from the forest, much of which flows through the objectors (312) garden. Development could cause backlogs of water which cannot drain, could potentially flood the cycle path

### Modifications sought by those submitting representations:

#### Capacity/Number of units

(1066), (251) (277) (312), (449), (450)

- Reduce capacity, various numbers suggested; 15, 10-20, 20, 30

#### Constraints of existing village

277, 312, 450, 513, 592, 1066,

- Include/consider including certain design aspects in LDP2 or the development itself; Provision of a village centre, facilities e.g. shop, village hall, a layout to allow bus turning/circulation, no street lighting/light pollution or appropriate street lighting to avoid light pollution, community garden, allotments, upgrade infrastructure (such as school, road), path connection into/through site, provision of route linking Sustrans route 78 with the bus stop on A828, open space, avoidance of piecemeal intensive development, ensure a masterplan approach.

#### Site Specific Matters

(277), (312)

- No building on the two areas shown on (RD146).
- Ensure drainage channels from the hill behind the site are kept clear and functioning.

### Summary of responses (including reasons) by planning authority:

## **Site History**

- Proposed Local Development Plan 2 Housing allocation H4017 comprises housing allocation H- AL 5/19 and Potential Development Area PDA 5/105 contained in the adopted Argyll and Bute 2015 Local Development Plan (CD010, Map 156). Prior to which it was also the same allocation and Potential Development Area in the Argyll and Bute 2009 adopted Local Plan (CD006, Oban, Lorn and the Isles Maps Page 59).
- Planning consent reference 17/03075/PP was granted for 10 units on 16/03/2018 (AD\*\*\*) and this was subject to a three Non-Material Amendment applications that adjusted layout and boundary treatments. The most recent amended layout can be seen the approved layout plan for 18/02621/NMA (AD\*\*\*). These 10 units have now been completed.
- A further planning consent reference 19/00150/PP was granted for another 10 units on 28/05/2019 (AD\*\*\*) which has been commenced.

## **Capacity/No. of units**

(1066) (251) (277) (312) (449) (450) (513)

- PLDP2 sets out a housing land supply target for the Oban, Lorn and the Isles Administrative area of 1110 units (CD\*\*, Page 90). The total estimated capacity for the allocations in this administrative area is 1378. H4017 makes an important contribution to the supply target.
- The overall site area of H4017 is approximately 4.8 hectares. The PLDP2 capacity of 50 units would represent a density of approximately 10.4 dwellings per hectare which is not considered to be high density in the Argyll and Bute context. The surrounding clusters of development that form parts of the Barcaldine are a variety of densities as shown on the map (AD\*\*\*). The cluster of dwellings immediately adjoining the H4017 to the north west (AD\*\*, Area 1) have a density of approximately 7.7 dwellings per hectare and the cluster adjoining to the south east (AD\*\*, Area 2) have a density of approximately 6.6 dwellings per hectare. The cluster of semi-detached dwellings further to the south east (AD\*\*, Area 3) have a density of approximately 15.4 dwellings per hectare.
- The 20 dwellings already granted consent (including areas of open space and the access road) have a density of roughly 20 dwellings per hectare. This area amounts to roughly 1 hectare. On that basis the remaining area for H4017 would be roughly 3.8 hectares which would equate to around 7.9 dwellings per hectare for the remaining 30 dwellings.
- Whilst the final design for the remainder of the allocation will need to take into account the nature of the site including, inter alia, its shape, landform and ground conditions the overall aforementioned densities for both the entire of H4017 and the part outwith the 20 already approved are considered to represent an appropriate balance of making an efficient use of the land whilst respecting the surrounding context. As set out in the PLDP2 Written Statement (CD\*\*\* Page 10-11) "The housing provision numbers are indicative and in appropriate circumstances may be varied at the discretion of the planning authority." Therefore should circumstances require, the housing numbers could be varied at the detailed planning application stage.

## **Impact on existing village**

(1066) (251) (277) (312) (449) (450)

- PLDP2 contains a robust framework of policies that set out the need for placemaking and good quality, sustainable places, in particular Policies 04-10, (CD\*\*\*, pages 24-30) which will ensure that the character of the settlement are fully considered when assessing future planning applications.
- A development of 50 units would represent significant increase in the number of dwellings in the settlement of Barcaldine. However, given that the settlement is partly made up of a number of clusters of development it is considered that with appropriate layout and design across the allocation that the site would make a positive contribution to the settlement. In merging the current allocation and PDA into a single allocation, PLDP2 acknowledges the need to consider the whole site holistically. Given that 20 units are currently either complete or under construction the remaining capacity of 30 units offers suitable scope for a design that compliments the character, development pattern and nature of the wider settlement and ensures that it acts to integrate with the existing community.
- As with most residential development sites there is potential for an increased level of light pollution from any required street lighting and the properties themselves. However the location of the H4017 does not have a dark sky status and it is considered that the benefits of bringing forward a well-designed and integrated housing allocation outweigh potential impacts from light pollution.
- The Council's biodiversity officer has provided comments regarding H4017 (AD\*\*\*). These comments set out that wildlife interest would mostly be based in the adjacent woodland with the open ground and adjacent, established gardens providing foraging areas and conclude that there is ample habitats to accommodate wildlife and people.

### **Constraints of existing village**

(277) (312) (449) (450) (513) (1066)

- It is acknowledged that there is not a shop or community hall within Barcaldine itself however it also must be acknowledged that not every settlement in the plan area is served by a comprehensive range of community facilities. Barcaldine does benefit from being on the main transport corridor of the A828 and being relative close proximity to employment opportunities and the primary school. It is therefore considered that these benefits outweigh the lack of other facilities.
- There are local employment opportunities in the vicinity of Barcaldine, principally at the Scottish Sea Farms Barcaldine Hatchery and the adjacent Creran Marine which offers boat storage and maintenance. These are located approximately 800m further north on the A828. There is a footpath directly alongside the A828 that runs from these sites to the road end of the B845 (which connects to H4017 some 50m away). Both of these employment sites are also accessible also via cycle route 78 which takes an alternative route from approximately 180m further along the B845 from the existing entrance to H4017, connecting directly opposite the entrance to the employment sites. These routes are shown on map AD\*\*\*. H4017 is therefore well located in relation to these employment opportunities.
- Barcaldine is served by the 005, 405 and 918 bus services which connect the settlement to the town of Oban (AD\*\*\*). The 005 and 405 connect the more local settlements on the A828 corridor with Oban and 918 is a longer distance service connecting Oban to Fort William. The bus stops are located almost adjacent to the road end of B845 that serves H4017. Whilst there is not a post 5pm service from Oban to Barcaldine there a number of services in both directions through the day. Whilst the bus connection does not cater for every requirement the site is still relatively well connected by public transport.

- For the year 2020-21, Barcaldine Primary School has a capacity of 25 pupils and has a 10 on its roll. It is therefore considered that there is sufficient capacity to serve H4017. In addition, Lochnell Primary School at Benderloch which is raised within the objections has a capacity of 147 and 111 on its roll (CD032)
- It is noted that some of the objections relate to a desire to see certain facilities or features included in either/or LDP2 or the development itself. Without sufficient evidence of demand or deliverability it is not considered appropriate for LDP2 to require the provision of particular uses or buildings such as a shop or community hall within the housing allocation itself. The inclusion of the site as a housing allocation would not necessarily preclude the consideration of such buildings or uses if they came forward as ancillary parts of housing proposals. PLDP2, principally through Policies 04-10, (CD\*\*\*, pages 24-30) provides a robust policy framework to consider appropriate green infrastructure, connectivity, active travel and placemaking that takes into account the site and its surrounding context and where necessary, take a masterplanned approach. It is considered that these elements of site content and design can be adequately considered at the planning application stage.
- The Action Programme can be updated at appropriate points to suggest potential incidental facilities and design considerations as and when appropriate information is brought forward. As set out in Policy 64 (CD\*\*\*, pages 91) mini development briefs will be provided for each allocation within in the Action Programme, examples of which can be seen in AD\*\*\*, and these can be used to highlight potential design solutions and placemaking principals.

### Site Specific Matters

(277) (312)

- As set out by the objector there is a raised area containing an oak tree set to the eastern part of H4017. Such site features can be adequately taken into account in the design of any proposals at the planning application stage. The robust policy framework set out in PLDP2 principally through Policies 04-10 (CD\*\*\*, pages 24-30) can assess impacts of proposed developments including their impact on landscape, surrounding context and nearby residential amenity. The inclusion of this area within the site does not necessarily mean that it is appropriate for built development. Site developments of this size require a range of features including open space, green infrastructure and SUDs provision. It is not considered necessary to exclude this area from the allocation when, if necessary and appropriate, it can be utilised for wider site features.
- PLDP2 Policy 77 (CD\*\*\*, pages 99-100) relates to development impact on woodland trees and any potential impact on the oak tree can be adequately assessed though this policy at a planning application stage.
- The SEPA Flood Maps show that there is one very small area of Low Surface Water risk and one very small area of Medium Surface Water Flood Risk shown within the site and also that the site is adjacent to but not within the Medium River Flood Risk Area relating to the nearby watercourse to the north east (AD\*\*\*).
- Planning application 17/03075/PP was referred to the Council Flood Risk Manager. The responses (AD\*\*\* and AD\*\*\*) from the Flood Risk Manager were summarised in the Report of Handling (AD\*\*\*) as follows: "Initial response dated 16/02/18 deferring decision until such time as a Flood Risk Assessment (FRA) is submitted. A FRA was commissioned by the applicant and submitted for consideration resulting in an amended response from the FRM dated 08/03/18 advising no objection to the proposed development subject to a condition requiring the surface water drainage system to be designed in accordance with CIRIA C753

including drainage calculations demonstrating that the post development runoff rate will be equivalent to the pre-development greenfield runoff rate.”

- The 2<sup>nd</sup> response received from the Flood Risk Manager highlights that the FRA indicates that further FRAs might be required for futures phases of development due to the presence of the watercourse to the south of the site. (AD\*\*\*).
- SEPA made no representation regarding H4017 at the PLDP2 consultation.
- PLDP2 Policies 61 and 62 (CD\*\*\*, pages 86 and 87) address Sustainable Drainage Systems and Drainage Impact Assessments. Matters relating to flooding and Flood Risk Assessments are covered by Policies 55 and 57 in PLDP2 (CD\*\*\*, Pages 81-84).
- The requirement for a Flood Risk Assessment for H4017 is specified in the Action Programme (CD\*\*\*)
- Given that flooding and drainage matters have been satisfactorily handled through the planning application process to date it is considered that any relevant flooding and drainage issues can be assessed through the planning application process and any associated Flood Risk Assessment and Drainage Impact Assessments.
- Notwithstanding any future site assessments and/or Flood Risk Assessments, not all areas of the allocation have to be developed and could potentially be utilised as part of the green infrastructure and/or sustainable drainage infrastructure for the overall development.
- Site features such as trees, topography and ground conditions can potentially be included in the Action Programme mini development brief for the site.

#### **Conclusion**

- On the basis of the above it is considered that no change to PLDP2 is required.

#### **Reporter's conclusions:**

#### **Reporter's recommendations:**

<b>Issue 104</b>	<b>Housing Land Kilninver</b>	
<b>Development Plan Reference:</b>	Site H4020 (Chapter 10 Schedules, Page 119; Proposals Maps, Map 191) and Adopted Local Development Plan PDA 5/137	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Alasdair Currie (34)  Samantha Payne (330)  Rhiannedd Kane (415)  Fiona Al-hosani (427)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Allocation of site H4032 for housing and the lack of inclusion of existing adopted Local Development Plan Potential Development Area PDA 5/137 – Providing an effective land supply for new development during the lifetime of the plan.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>H4032</b></p> <p><b>Wildlife</b></p> <p><u>Samantha Payne (330); Rhiannedd Kane (415); Fiona Al-hosani (427)</u></p> <ul style="list-style-type: none"> <li>• The site contains many species of wildlife including; red deer, roe deer, woodpeckers, buzzards, Scandinavian buzzards (nesting), owls, squirrels</li> <li>• Development would have a negative impact on the habitats and wildlife</li> </ul> <p><b>Green Belt and site condition</b></p> <p><u>Rhiannedd Kane (415); Fiona Al-hosani (427)</u></p> <ul style="list-style-type: none"> <li>• The site is in a green belt area</li> <li>• The field has been allowed to degenerate over recent years with a view to development</li> </ul> <p><b>Traffic</b></p> <p><u>Samantha Payne (330); Rhiannedd Kane (415)</u></p> <ul style="list-style-type: none"> <li>• The increase in traffic would not be sustainable</li> <li>• Development will increase traffic on the road between Oban and Kilninver</li> <li>• Air pollution will be increased</li> </ul> <p><b>Visual amenity</b></p> <p><u>Samantha Payne (330)</u></p> <ul style="list-style-type: none"> <li>• Development will spoil view directly in front of objectors property</li> </ul>		

- Development will spoil natural beauty and attraction of the area to tourists

**Flooding**

Rhiannedd Kane (415)

- The site is given to flooding

**Site size and alternative sites**

Rhiannedd Kane (415)

- The site is too small to support 10 houses
- There are many other areas not subject to the issues raised

**PDA 5/137**

Alasdair Currie (34)

- Whilst development has not been explored to date this does not indicate intentions for the near future.
- The field opposite (PLDP2 allocation H4032) has been included in the Proposed Plan and there is no particular reason to remove PDA 5/137.
- The topography of the land has been acknowledged but the majority of the field is on a relatively level plain. It has all the waste drains for the existing dwellings running through it and has a mains water supply within a few meters of the perimeter fence.
- The land could be serviced by the A816 and is contained in the 30mph speed limit. Potential road access to the field from the A816 was explored 7 or 8 years ago and site meeting with a Council Roads engineer took place who had no objection to a bellmouth opening opposite school, finding visibility of the access favourable.
- If PDA 5/137 were included and all development were to proceed the result would be a contained village with the A816 running through it, supporting the local school and all within the existing 30mph speed restriction.

**Modifications sought by those submitting representations:**

**H4032**

- Site to remain undeveloped (330) (415)
- No objection to extension of the school car park into the area as it is currently inadequate (415)

**PDA 5/137**

- PDA 5/137 to be included in Local Development Plan 2

**Summary of responses (including reasons) by planning authority:**

## H4032

- Housing allocation H4020 is currently a Potential Development Area PDA 5/138 in the adopted Argyll and Bute 2015 Local Development Plan (LDP 2015) (CD011, Map 194). Prior to which it was also a Potential Development Area (same reference) in the Argyll and Bute 2009 adopted Local Plan (CD007, Page 79).
- It is a largely flat area of land aside from a small section towards its north eastern edge which starts to rise towards the wooded area beyond
- In retaining PDA 5/138 as allocation H4020 the site boundary was amended to remove a section of the site to its south east separated by ditch/minor watercourse due to the more rising topography and presence of trees within and around its boundary.
- Changes were also made to the nearby Settlement Zone to the north and north west that re-drew the boundary more closely to the developed part of the settlement and to coincide with the allocation boundary thus omitting some undeveloped land that was considered unsuitable to be included due to its rising topography and/or difficulty of access.
- H4020 is considered to be effective and free from development constraints such as those described in Planning Advice Note 2/2010 (CD008, Page 17).
- The site is considered to be in a sustainable location for the area, being located in close proximity to a primary school and adjacent to the bus stop providing transport links to the town Oban (approximately 9 miles away) which acts as the primary service and employment centre for the Oban, Lorn and the Isles Council administrative area.

### Wildlife (330) (415) (427)

- The site is characterised by predominantly flat, open grazing land. It is adjacent to oak woodland which is an Argyll and Bute Biodiversity Action Plan habitat. With regards to the species mentioned by the objectors, most are woodland species with some, such as deer, owls and birds of prey, occasionally opting for open ground however there is ample open ground to accommodate them within the woodland glades and adjacent open fields.
- In amending both the site boundary to the south east and the Settlement Area boundary to the north east, the site and Settlement Area have been stood further off the nearby trees and the habitats they provide.
- PLDP2 Policy 73 (CD\*\*, Pages 96 and 97) provides for both appropriate protection for biodiversity as well as including the potential requirement for the submission of a biodiversity checklist dependent on the development proposed.
- The Biodiversity Technical Note for Planners and Developers (CD\*\*) provides further advice for developers and officers regarding biodiversity considerations.
- Any impact on biodiversity and its habitats either on site or within the trees and woodland adjoining the site can be dealt with adequately through the planning application process where this impact can be assessed alongside how proposals have incorporated biodiversity considerations within the proposal.

### Green Belt and site condition (415) and (427)

- The site is not within the green belt. It is an allocation for housing within PLDP2 and wholly contained within the Settlement Area for Kilninver which is in turn surrounded by Countryside Area (CD\*\*\*, Map 191). The site as PDA 5/138 is within the adopted 2015 LDP Settlement Zone as shown in Proposal Map (CD011, Map 194) and was within the Settlement

Zone when it was the same PDA in 2009 adopted Local Plan (CD007, Page 79). The site or surrounding land is therefore not subject to the green belt policy as set out in PLDP2 policy 02 (CD\*\*\*, pages 12-13)

- The current site condition does not materially affect the planning considerations in relation to the policies in PLDP2. As PDA 5/138 it has had policy support for housing development within two separate development plans dating back to 2009. The Council is not aware of any significant change to the appearance or character of the land in recent years and any such factors have not influenced the position taken in PLDP2.

#### Traffic (330) and (415)

- H4020 has an indicative capacity of 10 units (CD\*\*\*, Page 119). At this scale it is not considered there will be a significant impact on overall traffic flows on the A816 Lochgilphead to Oban road or a significant detrimental impact local or wider air pollution.
- The Roads authority in response to the Main Issues Report (when the site was PDA 5/138) commented that; the site was suitable for housing development, a footway would be required along frontage development on the A816, widening might be required to the A816 and that site roads should be made to adoptable standard (CD\*\*\*)
- The site is there considered to be suitable in terms of overall traffic generation.

#### Visual Amenity

- It is acknowledged that development of H4020 would result in a changed outlook for properties overlooking the site however the loss of a view is not a material planning consideration.
- H4020 has a site area of approximately 0.67 hectares which for 10 dwellings would represent a density of approximately 15 dwellings per hectare. At this density it should be possible to create a site layout that would not have a significant detrimental impact upon the privacy, light and overall amenity of nearby properties.
- The site density would also allow for a layout that would integrate with both the nearby built and natural environment and allow for the incorporation of appropriate green infrastructure to help assimilate the development into its surroundings.
- H4020 is not located within a National Scenic Area or Local Landscape Area and given the relatively modest level of development in what is visually, a generally well contained site, it is not considered that there would be a significant harm on landscape qualities and the tourism value they help provide.
- Any development proposals would be assessed through the planning application process and matters such as impact on nearby residential amenity and landscape impacts would be assessed. As set out in the PLDP2 Written Statement (CD\*\*\*, Page 10-11) "The housing provision numbers are indicative and in appropriate circumstances may be varied at the discretion of the planning authority." Therefore the housing numbers could be varied to take into account any relevant considerations at the time.

#### Flooding (415)

- SEPA made no comment to the PLDP2 consultation regarding H4020. In response to the MIR when the site was PDA 5/138 SEPA commented that; "multiple watercourses through site" and that "Part of this site lies within the 1 in 200 year floodplain. No development should

take place within this area. A watercourse is also adjacent to the site. Flood Risk Assessment required.”

- However the SEPA flood maps do not show any part of the site to be within a river, surface water or coastal flood risk area.
- There is a minor water course on the south eastern boundary of the site. A flood risk assessment would be required to accompany any planning application. It is considered that flood risk for H4020 could be adequately addressed through the planning application process.

#### Site size and alternative sites (415)

- As set out above, given the density of approximately 15 dwellings per hectare it is considered that the site can successfully accommodate 10 dwellings and this density is considered to strike a suitable balance between efficient use of the land and preserving visual and residential amenity.
- The objector has not detailed the location of any alternative sites.
- The sites suggested for inclusion in LDP2 through the call for sites process were detailed in in the Main Issues Report. (CD013, pages 128-229). There were no sites suggested through that process within the A816 corridor in the general locality of Kilninver.
- The 2017 Call for Ideas consultation asked for suggestions of land relating to existing settlements that might be able to accommodate future growth or would be sensitive to future growth after 2020. A summary of these questions and a map showing the general location of the responses was included in the LDP2 Monitoring Report October 2017 (CD\*\*\*, pages 37-38). There were no responses made in relation to the A816 corridor in the general locality of Kilninver.
- There were no new sites in the Kilninver area suggested in response the 2017 Main Issues Report consultation.

#### Conclusion

- On the basis of the above, no change to PLDP2 is required.

#### **PDA 5/137**

- PDA 5/137 is a Potential Development Area in the adopted 2015 Local Development Plan. The Schedules in the Written Statement set out that the intended use is for low density housing with a 25% affordable requirement (CD010, Page 79).
- The Local Development Plan Action Programme (April 2015) sets out for PDA 5/137 that the site is for “Low density high amenity housing development with 25% affordable housing.” It also notes “Check for EPS – otter”. Constraints listed are; water capacity, sewerage capacity, access constraint/road safety issue, nature conservation constraints and that a masterplan/comprehensive approach is required (CD014, Page 170)
- The site was assessed as part of a site assessment process prior to the LDP2 Main Issues Report. The assessments helped inform whether allocations and PDAs contained in the adopted 2015 LDP were to be carried forward to PLDP2. One of the reasons for not carrying forward allocations and PDAs that were unlikely to be developed was that their retention would have a detrimental effect on the planning for the overall provision of infrastructure such as water, sewerage, power and roads by the Council and its partners. This was set out (with regards to allocations) within the MIR (CD013, Pages 19-20). The MIR also stated at

paragraph 2.5 that “the plan also contains “Potential Development Areas”, which have known constraints and further investigation has revealed that some of these sites are unsuitable or undeliverable.” (CD013, Page12).

- Following assessment PDA 5/137 was classified as a ‘red’ site within the MIR (CD, Page 103) meaning that it was not preferred for inclusion in LDP2 for one or more of the reasons stated in the MIR (CD013, Page 45).
- The principal reasons the omission of PDA 5/137 from the MIR and subsequent PLDP2 were that; the PDA is bisected by a significant ravine that all but splits the site into two sections presenting a significant constraint to comprehensive and planned development of the site that is required by the PDA designation and that there had been, and still has been no planning applications made on the site since its inclusion in the adopted 2009 Local Plan.
- Whilst the comments regarding a desire to develop the site from the objector are noted there is no actual firm evidence of a desire to develop the site and there remains no applications for consent.
- The comments regarding the potential access point appear to relate to the area to the north of the ravine which, without what would appear to be significant engineering works, would only give access to one part of the PDA. It remains unclear as to whether an access could be provided to the section of the PDA south of the ravine without conflicting with the existing access and/or potential access to PLDP2 allocation H4032 opposite.
- There is a small section of PDA 5/137 situated to the south east of Park Farm but this contains a number of trees and access would appear to be constrained given that it would likely require the provision of an additional new access to serve a single or small number dwellings directly from A816 which would not likely be acceptable.
- In conclusion delivery of the site is constrained, there is a lack of firm intention to develop the site and inclusion of the site would have a detrimental effect on the planning for the overall provision of infrastructure for the area. On this basis, no change to PLDP2 is required.

**Reporter’s conclusions:**

**Reporter’s recommendations:**

<b>Issue 105</b>	<b>H4022 - Craignure</b>	
<b>Development Plan Reference:</b>	Site H4022 (Chapter 10 Schedules, Page 119; Proposals Maps, Map 168)	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Robert Allen (1047)		
<b>Provision of the development plan to which the issue relates:</b>	Allocation of site H4032 for housing – Provision of food growing space	
<b>Planning authority's summary of the representation(s):</b>		
<p><u>Robert Allen (1047)</u></p> <ul style="list-style-type: none"> <li>• Consideration be taken that H4022 is possibly more favourable agricultural land for Mull.</li> <li>• Table 3.2 Environmental Issues (page 18) - "Very limited proportion of quality agricultural land within A&amp;B".</li> </ul>		
<b>Modifications sought by those submitting representations:</b>		
<ul style="list-style-type: none"> <li>• Retain an area for Community Supported Agriculture e.g. to grow vegetables for Craignure (1047)</li> <li>• Could be integrated with existing/proposed development e.g. allotment, community garden/orchard near hospital, orchard area</li> <li>• Allocation of garden growing area for new development</li> <li>• Need to consider how much land to set aside</li> </ul>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p><u>Provision of food growing space (1047)</u></p> <ul style="list-style-type: none"> <li>• PLDP2 Housing allocation H4022 is situated on a field of improved grassland situated on the north western edge of the settlement of Craignure.</li> <li>• The site is approximately 6.1 hectares and is allocated for 80 units (approximately 7.6 dwellings per hectare).</li> <li>• The site is adjacent to the Mull and Iona Community Hospital and near to the existing "Java" housing development and Isle of Mull Hotel and Spa.</li> <li>• The site is considered to be effective and free from development constraints such as those described in Planning Advice Note 2/2010 (CD008, Page 17).</li> <li>• The location of the proposed allocation is a sustainable one for the island. Craignure has a range of local facilities and employment including a local shop, cafes, pub, hotel, village hall, Mull and Iona Community Hospital and the An Roth and Community Enterprise Centre. Craignure is also the location of the ferry terminal connecting the island to the mainland town of Oban and acts as the transport interchange for the island. The nearest</li> </ul>		

primary school is located in the settlement of Lochdon which is approximately 3 miles away.

- Craignure is within Tobermory to Dalmally growth corridor which is identified in the Settlement Strategy contained within in the PLDP2 Written Statement (CD\*\* Page 10, Para 3.4). The growth corridor contributes to the PLDP2 aspiration to reverse population decline and promote economically driven growth. The provision of H4022 within the transport hub of Craignure helps support the provisions of the growth corridor.
- The proposed capacity of 80 units is an intentionally low density to allow for the provision of suitable open space and green infrastructure and recognises the location of the site at the periphery of the settlement.
- PLDP2 has a strong emphasis on the importance of placemaking including Policy 06 – “Green Infrastructure” (CD\*\* pages 26-27) which requires the demonstration of how green infrastructure has been incorporated into the development with paragraph 4.6 setting out that Green Infrastructure can provide “...opportunities for local food growing through allotments and community gardens.”
- Policy 06 also sets out at bullet number 3 that the open space requirements set out in Policy 68 – “Housing Greenspace” need to be incorporated into the design.
- Policy 68 – “Housing Greenspace” sets out the requirements for communal casual open space for proposals of 10 units or more. Paragraph 8.6 sets out that this may include community growing space (CD\*\*, page 92).
- The Action Programme (CD\*\*) sets out that allocations for 10 or more units should consider the provision of food growing space.
- The PLDP2 Written Statement sets out that technical guidance will be developed to provide a tool for developers and decision makers when determining green infrastructure requirements (CD\*\*, page 27).
- The Council operates an allotment waiting list which could form part of the evidence base for such considerations.
- Through these mechanisms it would be at the point of a planning application being prepared and made that any inclusion of food growing areas within the development could be fully considered.
- On the basis of the site density, policy framework and detailing in the Action Programme the Council considers that no change to the plan is required to ensure that the provision of food growing space is duly considered at the appropriate time in the development process.

**Reporter’s conclusions:**

**Reporter’s recommendations:**

<b>Issue 106</b>	<b>Proposed Open Space Protection Area - Kilmelford</b>	
<b>Development Plan Reference:</b>	Land adjacent to Open Space Protection Area (Proposals Map, Map 189)	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Linda Mackinnnon (9)		
<b>Provision of the development plan to which the issue relates:</b>	Extension of an Open Space Protection Areas as shown on Proposals Map 189	
<b>Planning authority's summary of the representation(s):</b>		
<p><u>Linda Mackinnnon (9)</u></p> <ul style="list-style-type: none"> <li>The whole of the field opposite Culfail Cottages should be an Open Space Protection area rather than the just the part proposed. It is important as other areas of the village are being built on.</li> </ul>		
<b>Modifications sought by those submitting representations:</b>		
<ul style="list-style-type: none"> <li>Increase the Open Space Protection area to cover the whole field.</li> </ul>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p><u>(9)</u></p> <ul style="list-style-type: none"> <li>The Open Space Protection Area referred to is set to the east of A816 as shown on PLDP2 Proposals map 189. It covers the southern part of a wider field that extends northwards towards the church and also to the north east where the topography begins to rise more steeply. The OSPA boundary does not follow a physical boundary to its northern edge and much of the remaining field shares similar physical and visual characteristics to the OSPA itself.</li> <li>The policy for OSPAs is set out in PLDP2 Policy 81 (CD***, Pages 102 and 103). The explanatory text at bullet no. 4 sets out that OSPAs can include non-accessible areas that provide visual amenity functions. The OSPA concerned here would fall within that 4<sup>th</sup> bullet.</li> <li>The 2017 "Call for Ideas" consultation which informed the preparation of the LDP2 Main Issues Report asked a specific question as to whether there were areas additional areas to those contained in the adopted Local Development Plan that required safeguarding as Open Space. No response was received regarding the land concerned.</li> <li>PLDP2 Proposals Map 189 (CD**, Map 189) shows the remaining field outside of the OSPA falling within Countryside Area and a Local Landscape Area. Countryside Areas are principally covered under PLDP2 Policy 02 (CD**, Pages 12-13). Local Landscape Areas are covered under PLDP2 Policy 71 (CD**, Page 95). The policy approach of Policy 02 which includes the requirement for the submission of a Landscape and Visual Impact Assessment for any</li> </ul>		

proposals for development on the land alongside the requirements of Policy 71 would provide a suitably robust framework for assessing any development proposals.

- The accompanying policy text for Policy 81 sets out that the Open Space Audit will be updated during the lifetime of the Local Development Plan and this would provide an appropriate opportunity for assessing this OSPA and this in turn would feed into the preparation of the next development plan where the future of the OSPA and the land concerned here can be subject to appropriate public engagement.
- On the basis that there is a robust policy framework to assess development proposals on the land concerned and a suitable vehicle to assess the OSPA through the Open Space Audit no change is required to PLDP2.

**Reporter's conclusions:**

**Reporter's recommendations:**

<b>Issue 108</b>	<b>H4025 - North Connel</b>	
<b>Development Plan Reference:</b>	Site H4025 and H4027 (Chapter 10 Schedules, Page 119; Proposals Maps, Map 197)	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Duncan Durbin (97) Donald Campbell (234)		
<b>Provision of the development plan to which the issue relates:</b>	Allocation of site H4025 and H4027 for housing	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>H4025 and H4027</b></p> <p><u>Duncan Durbin (97)</u></p> <ul style="list-style-type: none"> <li>It is understood that the Council supported gap sites where ribbon development is proposed to promote a rural feel. H4025 and nearby H4027 seem to anticipate continuous ribbon development. The sites are not sympathetic to the current land usage.</li> </ul> <p><b>H4025</b></p> <p><u>Duncan Durbin (97)</u></p> <ul style="list-style-type: none"> <li>The Council are departing from their objectives in identifying H4025.</li> <li>H4025 backs onto Achnacree Moss which is a SSSI</li> <li>There are pockets of woodland within the site</li> <li>There is no screening between the objector's eastern boundary line and the proposed site. Development would lead to overshadowing and loss of privacy.</li> <li>No mitigation against noise disturbance which could continue over a number of years.</li> <li>The adjacent public road is single carriageway, extremely busy with light and commercial vehicles including tippers to the nearby quarry. The road is used by pedestrians and cyclists. It is too narrow, has insufficient passing places and is already over capacity. Safety will be impacted.</li> <li>Water and sewerage services are already stretched with many existing local septic tanks not operating efficiently. Further properties will cause additional problems.</li> </ul> <p><u>Donald Campbell (234)</u></p> <ul style="list-style-type: none"> <li>Supports inclusion of H4025 but would like the small triangle of land to the north east included as this would allow the best means of access to the site and is bounded to the north side by a ditch (RD118).</li> </ul>		
<b>Modifications sought by those submitting representations:</b>		

- No modification stated (97)
- Include the small triangle of land to the north east of H4025 within the site. (234)

### Summary of responses (including reasons) by planning authority:

#### H4025 and H4027 (97)

- H4027 is a housing allocation (H-AL 5/16) that has been carried forward from the adopted 2015 Local Development Plan (CD\*\*, Map 200). The site benefits from planning consent 07/00640/DET (AD\*\*) and the associated extension of implementation of time period granted under 13/01780/PP (AD\*\*). The consent was confirmed as extant by Certificate of Lawfulness 15/01064/CLAWU (AD\*\*). Given its inclusion in the adopted 2015 LDP and approval through the planning application process the site is considered to be part of the effective land supply.
- In including H4027 in PLDP2 some adjustments were made to allocation boundary, in part to remove the land to the western side, the majority of which was not part of the approved layout from 07/00640/DET (AD\*\*) (aside from one plot at the north western extremity which it was not practicably possible to draw into the revised allocation boundary). The land removed from the allocation on the western side is set at a noticeably higher level of what is a split level area of land and upon review of the allocation it was considered that development beyond the one plot approved under 07/00640/DET (AD\*\*) on this higher portion of the allocation would be undesirable and potentially unachievable due to the topography.
- H4025 is a housing allocation that is currently a Potential Development Area (PDA 5/75) in the adopted 2015 LDP (CD011, Maps 200 and 201). The Action Programme that accompanied the plan identified constraints to include multiple ownership, water capacity, sewerage capacity, access/road safety and requirement for masterplan/comprehensive approach (CD014, Page 165).
- It is recognised that certain constraints potentially remain for site and as such it is not currently contended that the site will form part of the 5 year effective supply (CD HLA). Progress towards delivery of the site can be monitored through the Action Programme and Housing Land Audit.
- The Settlement Areas shown on PLDP2 Proposals Maps 197 that make up North Connel on the western side of the A828 are separated by the Countryside Areas in order to prevent settlements merging and forming a continuous ribbon of development. The provision of allocations H4025 and H4027 make no significant change over the position set out within the adopted 2015 LDP and in fact due to amendments to the site boundaries would actually slightly reduce the developable areas. The gaps between the defined Settlement Areas as shown on Proposals Maps 197 and 198 remain and these are considered suitable and appropriate in maintaining the linear but fragmented settlement pattern in this area. The provision of the two allocations would complement and not undermine the clustered patterns of development in their respective parts of North Connel.
- On this basis no changes to allocations H4025 and H4027 are required.

#### H4025 (97)

- The provision of H4025 positively contributes to stated objectives of PLDP2, in particular “Homes for People” by providing one of the allocations that will contribute to the provision of a range of homes (CD\*\*, Page 6) and through its location within an established settlement

would contribute to other objectives such as High Quality Places and Connected Places (CD\*\*) (Pages 5 and 6).

- The site is in close proximity to the Moss of Achnacree which is an area of blanket bog located predominantly to the west and divided by the A826. It was proposed as a candidate SSSI during the time of the Countryside Commission but fell short of the designation criteria, mainly due to the historical management in terms of peat extraction and drainage as part of land reclamation objectives. It is not a SSSI and is not subject to any other statutory designations or local nature designations. H4025 is not part of the Moss and is characterised by improved land for grazing. Development of the site would not have a significant detrimental impact on the Moss. Scottish Natural Heritage made no comment to the PLDP2 consultation regarding the site.
- There are trees at the peripheries of the site, these include a linear planting of conifers planted as a shelter belt to afford shelter to the reclaimed land and a small group of conifers which are either planted or natural regeneration. It is considered that a satisfactory layout could be achieved without any detrimental impact upon the trees. Any potential impact could be adequately assessed at the planning application stage, primarily through PLDP2 Policy 77 (CD\*\*, Pages 98-100).
- There are existing residential properties to the south and to the west of H4025. A satisfactory layout could be achieved to ensure no significant detrimental impact upon light, privacy or other amenities of nearby properties. These matters could be adequately assessed during the planning application process. Any impact from noise during construction would be a matter for the relevant Environmental Health section of the Council.
- The Roads authority have only noted potential visibility issues with regards to the site (AD\*\*). No matters regarding road capacity issues have been raised. This access matter would be explored and tested through the planning application process. Although the potential to provide a suitable access has not yet been demonstrated, the site is within the 30pmh speed limit and so it's inclusion as an allocation and the identification of the potential constraint in the Action Programme (CD\*\*) is considered appropriate.
- Scottish Water made no comment to the PLDP2 consultation regarding H4025. In their comments to the Main Issues Report (when the site was detailed as LDP Potential Development Area PDA 5/75) Scottish Water commented that capacity was available at the Tullich Water Treatment work, dependent on numbers, that early engagement was required and that they were carrying out a strategic water network impact assessment for the Oban area. With regards to waste water, they commented that the site was served by Blackcroft Connel Sceptic tank and that a growth project was required. Early engagement was sought to determine whether further waste network studies were required. (AD\*\*) On this basis matters regarding water supply and waste water can be adequately dealt with through the pre-application and planning application process.
- SEPA made no comment to the PLDP2 consultation regarding H4025. In response to the Main Issues Report they noted the presence of a minor watercourse on the site boundary and that a Flood Risk Assessment would be required (AD\*\*). It is considered that this matter could be adequately addressed through the planning application process.
- On the basis of the above no change to allocation H4025 is required.

#### H4025 (234)

- In carrying forward the PDA into an allocation the boundary amendments were made and these included the removal of a triangular shaped piece of land, subject of this objection, to the north east of the site.

- This triangular area to the north east features a group of mature trees of varying species that make a positive contribution to the character and appearance of the area. The boundary of H4025 was deliberately drawn this way and the omitted land changed from adopted LDP Settlement Zone to PLDP2 Countryside Area to exclude this area of trees from the allocation in order to help ensure their retention (CD011, Maps 200 and 201 and CD\*\*\* Maps 197 and 198). Access to the site would need to be assessed at the area of the site fronting the road to the southern end of H4025 as part of the preparation for a planning application.
- Should access not be possible at this location then access via the land subject of this objection could still be considered as part of a wider proposal for development of the allocation through the relevant PLDP2 policies.
- On this basis no change to H4025 is required.

**Reporter's conclusions:**

**Reporter's recommendations:**

<b>Issue 110</b>	<b>H4032 - Lochdon - South</b>	
<b>Development Plan Reference:</b>	Site H4032 (Chapter 10 Schedules, Page 119; Proposals Maps, Map 195)	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Scott Geddes (5)		
<b>Provision of the development plan to which the issue relates:</b>	Allocation of site H4032 for housing – Providing an effective land supply for new development during the lifetime of the plan.	
<b>Planning authority's summary of the representation(s):</b>		
<p><u>Scott Geddes (5)</u></p> <ul style="list-style-type: none"> <li>• Objection to the housing allocation H4032</li> <li>• There are enough people on Mull to sustain the island and the island is becoming overrun without the required infrastructure</li> <li>• Loss of quietness within rural location and effect on quality of life from development of the site and as well as in Craignure</li> </ul>		
<b>Modifications sought by those submitting representations:</b>		
<ul style="list-style-type: none"> <li>• Leave Mull as it is (5)</li> </ul>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p><u>Objection to housing allocation (5)</u></p> <ul style="list-style-type: none"> <li>• Housing allocation H4032 is currently a Potential Development Area PDA 6/42 in the adopted 2015 Local Development Plan (LDP 2015) (CD011, Map 198). Prior to which it was also a Potential Development Area (same reference) in the adopted 2009 Local Plan (CD007, Page 155).</li> <li>• H4032 has previously been granted Planning Permission in Principal for 7 houses (reference 12/02495/PPP) (AD***). This consent was granted on 17/1/2013 and expired on 17/1/2016 (AD***). The principal of development on this site has therefore been established through its inclusion in two development plans and by prior granting of PPP consent.</li> <li>• Other key changes between the adopted 2015 Local and Development Plan and Proposed Local Development Plan 2 (PLDP2) for the settlement of Lochdon are that the existing LDP housing allocation H-AL 6/5 (CD007, Page 155) has not been carried forward into PLDP2 but the land has been retained as Settlement Area. This site has recently been completed with 14 units delivered by a registered social landlord in September 2019 and is not expected to deliver any further units. The existing PDA, PDA 6/41, (CD007, Page 155) has not been retained and its underlying Settlement Zone has been turned to Countryside Area. This was following assessment by the Local Planning Authority which revealed a number of potentially</li> </ul>		

overriding constraints to development such as access and topography. Whilst some of this PDA is of a relatively level topography it is considered that accessing and delivering that section would likely be more constrained than that of the site H4032 under consideration here.

- The inclusion of the site as H4032 in PLDP2 is on the basis that the aforementioned allocation and PDA have not been carried forward leaving H4032 as the principal development opportunity for housing in Lochdon for the plan period. The provision of H4032 in Lochdon within PLDP2 as well as opportunities for windfall development are a proportionate response to development needs for the plan period.
- The site is considered to be effective and free from development constraints such as those described in Planning Advice Note 2/2010 (CD008, Page 17).
- The location of the proposed allocation is a sustainable one for the island. It is approximately 3 miles from the settlement of Craignure which has a range of local facilities and employment including a local shop, cafes, pub, hotel, village hall, Mull and Iona Community Hospital and the An Roth and Community Enterprise Centre. Craignure is also the location of the ferry terminal connecting the island to the mainland town of Oban and acts as the transport interchange for the island. Lochdon is served by the bus service connecting Craignure to Fionnphort. Lochdonhead Primary School is adjacent to the site.
- Lochdon is on the periphery of the Tobermory to Dalmally growth corridor which is identified in the Settlement Strategy contained within in the PLDP2 Written Statement (CD\*\*\*Page 10, Para 3.4). The growth corridor contributes to the PLDP2 aspiration to reverse population decline and promote economically driven growth. The provision of H4032 in a location with good connectivity to the transport hub of Craignure helps support the provisions of the growth corridor.
- Given some of the similar characteristics of H4032 to the recently developed LDP 2015 allocation H-AL 6/5, which has delivered 14 units, the site could potentially accommodate more than the 7 units previously approved under 12/02495/PPP (AD\*\*\*). It is acknowledged that the development of the site would represent a change in circumstances for nearby residential properties, however it is considered that the PLDP2 capacity of 14 units (approximately 10 dwellings per hectare) could allow a suitable layout and design to be achieved so that there would be no significant impact to nearby residential amenity. Map AD\*\*\* shows nearby residential properties in relation to the site. Any development proposals would be assessed through the planning application process and impact on nearby residential amenity would be assessed. As set out in the PLDP2 Written Statement (CD\*\*\*, Page 10-11) “The housing provision numbers are indicative and in appropriate circumstances may be varied at the discretion of the planning authority.” Therefore the housing numbers could be varied to take into account considerations of the impact on nearby residential amenity.
- The Council therefore recommends no modification to the proposed LDP.

#### Wider Mull development impacts – quality of life and infrastructure (5)

- PLDP2 contains a total of 10 allocations for housing and one mixed use allocation for Mull (including one on the neighbouring island of Iona). The total number of units set out in the PLDP2 schedules for these allocations is 289 which would contribute to the 2020-2029 housing land supply target for the Oban, Lorn and the Isles administrative area of 1110 units. These allocations in addition to windfall opportunities are considered to be a generous yet proportionate and sustainable provision for Mull for the plan period and the 10 year period beyond.

- PLDP2 contains two Business and Industry allocations for Mull providing a total site area of 9.1ha of land.
- The provision for development in PLDP2 is intended to support growth in the identified growth corridor and across the wider island which is identified in the PLDP2 Written Statement as an Economically Fragile Area (CD\*\* Pages 41-44 and 47). This supports vision of the PLDP2 as set out in the Written Statement (CD\*\* Pages 4-5).
- Key Agencies and infrastructure providers have been consulted throughout the Local Development Plan 2 process including pre Local Development Plan 2 Main Issues Report evidence gathering and the Main Issues Report itself. There are not considered to be any overriding infrastructure constraints for the development approach taken in PLDP2 for the island.
- It should be acknowledged that the number of people on the island varies with the tourism season. Whilst busier periods may cause additional pressure on local services including the road network and increase the sense of busyness on the island, it is not considered that the level of development provision set out in PLDP2 and any resulting increase in resident population resulting from this would cause a significant adverse effect on the quality of life on the island as a whole over and above the existing situation.
- On the basis of the above, the Council recommends no modification to the proposed LDP.

**Reporter's conclusions:**

**Reporter's recommendations:**

<b>Issue 112</b>	<b>H4037 - Taynuilt</b>	
<b>Development Plan Reference:</b>	Site H4037(Chapter 10 Schedules, Page 119; Proposals Maps, Map 213)	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Airds Bay Estate (1000)		
<b>Provision of the development plan to which the issue relates:</b>	Allocation of site H4037 for housing – Providing an effective land supply for new development during the lifetime of the plan.	
<b>Planning authority’s summary of the representation(s):</b>		
<p><u>Airds Bay Estate (1000)</u></p> <ul style="list-style-type: none"> <li>• Support the continued identification of this site.</li> <li>• Object to the number of housing units indicated in the Schedule. 13 homes is considered to be too low a number.</li> <li>• Planning History - The site was designated in the Adopted 2015 Local Development Plan as a Potential Development Area (PDA4004), it has no consent and does not feature in the Housing Land Audit. Therefore, we are unable to understand the Council’s estimation of capacity.</li> <li>• Environmental Assessment - The Strategic Environmental Assessment (SEA) conclusions are noted as “neutral” or “no significant effect” except for an “uncertain” for “Cultural Heritage” related to a Scheduled Monument. A previous Ecological Survey found no European Protected Species or other protected species that would be affected by the site. development, which supports some of the SEA findings.</li> <li>• Development Potential - Scottish Natural Heritage comments regarding the need for the Action Programme mini development brief to consider woodland related issues are noted. An extract of the information in the LDP1 Action Programme is provided to show the mini brief. The LDP2 Action Programme provides some notes and information on constraints rather than a “mini development brief”. LDP2 Action Programme provides less information than LDP1 Action Programme.</li> <li>• Access – There is no longer an “Access Constraint/Road Safety Issue” with an agreement having been reached with the Council about rights for access. The Concept Development Framework (RD285) demonstrates that a development of approximately 20+ homes is possible.</li> <li>• Community benefit – Potential to resolve existing deficiencies (drop off point for the Primary School) through this development subject to a viable development scale being achieved.</li> <li>• Density of development - The Concept Layout (RD285) identifies approximately 2.32 acres (0.94ha) net developable area. The indicated 13 homes gives a very low density for a greenfield site in a sustainable location with sustainable travel options in close proximity. 20 homes gives a low density of 9 homes per acre (21 homes per hectare). We believe this can be accommodated within the site whilst not affecting features of importance.</li> <li>• Spatial Strategy – Taynuilt is a Key Settlement in the Tobermory to Dalmally Growth Corridor. Suppressing allocations of land in locations within the corridor is not appropriate. More should</li> </ul>		

be made of opportunities that are identified there to assist in reversing population decline and to promote economic activity. Taynuilt benefits from a train station and regular bus service to allow for sustainable travel choices. The site is well located in respect of foot and cycle paths (walking distance to the primary school, high street and train station).

- Indicative Capacity – It is helpful that the Proposed Plan at (para 3.7) states that *“the schedules provide an indication of the number of homes that may be accommodated on the housing allocations ... may be varied at the discretion of the planning authority”*. We believe that the indicative capacity of this very large site should be set at 20 with discretion being applied in excess of that on receipt of a detailed design.

#### **Modifications sought by those submitting representations:**

- Change the allocation H4037 from 13 homes to an indicative 20 homes. (1000)

#### **Summary of responses (including reasons) by planning authority:**

##### Site Numbers (1000)

- The Plan indicates a capacity for 13 units at H4037. This number is based on i) size of the site; ii) configuration of the site, iii) topography and site conditions, iv) consideration of placemaking including appropriate density for the village at this location. The site is 3.28 ha gross but the access and other site constraints considerably reduce the developable area. The Concept layout as drawn up by the developer shows a developable area of 0.94ha, however, this includes an area outwith the allocation and within an area shown on the Ancient Woodland Inventory. The developable area within the site is around 0.7ha giving a density of 18/ha which is medium density in an Argyll and Bute context. It is considered inappropriate to raise the number to 20 units with the view to varying this even higher as this would promote a relatively high density development.
- The Plan allows for the variation of the number of units set out in Schedule 10. Paragraph 3.7 states *“The housing provision numbers are indicative and in appropriate circumstances may be varied at the discretion of the planning authority”*.

##### Site Access (1000)

- Access to the site is from the Trunk Road and also involves access to the cemetery. It is understood there is no legal agreement in place in respect of the access.

##### Draft Action Programme (1000)

- The Action Programme is currently in draft form and will be finalised within 3 months of Adoption of the Plan.

##### Ancient Woodland (1000)

- The site has been subject to a previous Examination requesting the boundary moved further north in to the AWI area.(CDXXX)
- There are mature trees near the boundary of the site within the AWI area that may be impacted if the boundary were moved north. These also have the potential to provide a seed source for natural regeneration within the AWI area.

Spatial Strategy (1000)

- It is considered that the allocation of H4037 for 13 units supports the Spatial Strategy and meets with the requirements for Housing Land Supply.

Conclusion

It is considered that no change to the Plan is required.

**Reporter's conclusions:**

**Reporter's recommendations:**

<b>Issue 114</b>	<b>Kingarth Map Number 26</b>	
<b>Development Plan Reference:</b>	Map Number 26 Kingarth and Kilchattan	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
David Eaglesham (50) Mount Stuart Trust (434)		
<b>Provision of the development plan to which the issue relates:</b>	Map Number 26 Kingarth and Kilchattan	
<b>Planning authority's summary of the representation(s):</b>		
<p><u>David Eaglesham (50)</u></p> <ul style="list-style-type: none"> <li>On Bute and Cowal Map 26, I think you'll find that planning permission has already been granted to extend Kingarth Quarry to the south of the M1001 "allocation". In fact, most of M1001 should now be required to be restored to agriculture, having been exhausted of sand and gravel extraction.</li> </ul> <p><u>Mount Stuart Trust (434)</u></p> <ul style="list-style-type: none"> <li>Map 26 Kingarth &amp; Kilchattan OBJECT -The Settlement Area boundary surrounding Langalchorad Farm at Kingarth is incorrect as it does not include the full extent of the current farm buildings and immediate gardens/paddock and should be extended to include these in line with the approach taken across the proposals maps.</li> </ul>		
<b>Modifications sought by those submitting representations:</b>		
<ul style="list-style-type: none"> <li>It is rather pointless to designate as an allocation a quarry "proposal" for which planning permission has already been granted but the LDP "allocation" for M1001 should be extended to the south to match the extant permission. Most of the designated M1001 should now be deleted as a mineral allocation and be required to be restored to agriculture. (50)</li> <li>The settlement area boundary should be extended to the rear and side in line with other settlement patterns in the proposals maps. The full extent for inclusion is set out in Figure 2. It is likely that this site may come forward for future redevelopment and any errors in the settlement boundary will hinder the extent and viability of proposals. (434)</li> </ul>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p><u>Mapping of Allocation M1001 boundaries (50)</u></p> <ul style="list-style-type: none"> <li>The Local Development Plan 2 allocations for Minerals, shown on the proposals maps correspond to those areas with planning consent for mineral extraction. This site has a long</li> </ul>		

planning history (see 00/00604/MIN,- expired 29 Aug 2010- letters from David Eaglesham re expiry/enforcement/new application etc in 2014 04/01424/MIN – expired 29 Aug 2011)The objector refers to the quarry extending south, as was indicated in a screening request submitted in 2014. Subsequent to this request an application (17/02586/MIN) was made in 2017 to continue the winning and working of sand and gravel along with a proposed extension to the working area. This application received consent on 4<sup>th</sup> June 2019 for a period of 20 years, and includes conditions to secure an appropriate level of restoration as wildlife habitat. The minerals allocation corresponds to the consented area.

Settlement Boundary at Langalchorad Farm (434)

- The settlement boundary at Langalchorad Farm has not been altered since it was originally identified in the 2009 Argyll and Bute Local Plan (CD XXX). It includes the farm house and the more traditional farm buildings associated with it, but excludes the site of a demolished building to the north and a single storey block and corrugated sheet roofed building to the immediate east of the eastern access to the farm.
- The current settlement boundary would allow for the redevelopment of the main farm cluster, but it is accepted that the provision of curtilage would also require to be considered, and that this could be included within the area indicated on production RD202, should the reporter be minded to recommend such a modification.

**Reporter's conclusions:**

**Reporter's recommendations:**

<b>Issue 118</b>	<b>M4006 - Benderloch – Culcharron and P4020 – Culcharron Quarry – Benderloch</b>	
<b>Development Plan Reference:</b>	Allocation M4006 and Potential Development Area P4020 (Chapter 10 Schedules, Page 120; Proposals Maps, Maps 156 and 193)	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>John Maxwell (75)  Barcaldine Castle (86)  Sid Mattison (135)  Clare Mattison (147)  Paul Mattison (149)  Lesley Ann Mattison (150)  S.N Mattison (151)  David Orr (155)  Patrick Howe (204)  Andrew Mattison (215)  Douglas Fontaine (251)  Roderick Campbell (267)  Mairi Stones (321)  David Stones (323)  Achalic Farming Partnership (335)  Mrs Gage (373)  Maggie Brotherston (449)  Andrew Holder (450)  Jessie Wormell (509)  Ardchattan Community Council (592)  Barcaldine Community Association (1066)</p>		
<b>Provision of the development plan to which the issue relates:</b>	The extent of Minerals allocation M4006 and the inclusion of Potential Development Area P4020.	
<b>Planning authority’s summary of the representation(s):</b>		
<p><b>M4006</b></p> <p><b>Proximity to Settlements/Local Services/Amenity</b></p> <p><u>Roderick Campbell (267); Mrs Gage (373)</u></p> <ul style="list-style-type: none"> <li>• Objections and concerns expressed that the proposed allocation is too near the school, beaches, tourism, the “village” and Benderloch.</li> </ul> <p><b>Local Development Plan/Planning Consent boundary/Planning Consent matters</b></p> <p><u>Roderick Campbell (267); David Stones (323); Maggie Brotherston (449); Andrew Holder (450)</u></p> <ul style="list-style-type: none"> <li>• Quarry goes beyond the original boundary so shouldn’t be enlarged</li> </ul>		

- Quarry goes beyond Local Development Plan allocation boundary
- A planning application should be made for the changes
- Rather than expand a review of operations should be carried out

### **Need and Demand**

David Stones (323); Maggie Brotherston (449); Ardchattan Community Council (592)

- No indication as to why the expansion is required
- The LDP states a 15+ year lifespan and the ROMP states an expected lifetime of 17 years
- Quarry is not in demand so need to expand is questioned
- The quarry is behind schedule so there is no need for expansion

### **Restoration**

Roderick Campbell (267); Mairi Stones (321); Ardchattan Community Council (592)

- When quarry was consented it was the intention that quarry would cease entirely at the end of the consented period and the site restored
- Increase in boundary would open areas to extraction that should be protected and restored.
- Risks that the restoration would not happen as planned
- Concerns over restoration to date including decision not to plant trees

### **Wildlife/Habitats**

Mairi Stones (321); David Stones (323); Maggie Brotherston (449); Andrew Holder (450); Jessie Wormell (509)

- Potential impact on badgers
- Habitat loss for protected species.
- A habitat survey has not been conducted on the additional allocated areas where squirrels have been seen along with evidence of badgers and otters.
- Area is being overdeveloped and will devastate local ecosystem. Wildlife will be forced out.
- Potential for disturbance to wildlife from noise and closer proximity to Lochan Dubh
- It is an important site for flora and fauna
- Allocation now includes ancient oak trees

### **Peat/Climate Change**

Mairi Stones (321); David Stones (323); Maggie Brotherston (449); Andrew Holder (450); Jessie Wormell (509)

- Much of additionally allocated area is modified peat bog
- There is peat bog to the north of Lochan Dubh
- Peat is a carbon sink and should not be disturbed for climate change reasons
- Concerns over how the existing extracted peat has been stored
- Stored peat will still release carbon
- There might not be minerals under the peat bog areas

### **Archaeology**

David Orr (155); Mairi Stones (321); David Stones (323)

- Concerns as to whether existing archaeological conditions have been met and therefore additional allocated area should not be allowed.
- Additional allocated area would bring disturbance of ground even closer to prehistoric features.
- North east boundary of allocation should be moved 150m to the south west to protect the standing stone.

### **Water Environment/Pollution**

Mairi Stones (321); David Stones (323)

- Increased potential impact on ground water and Lochan Dubh as allocated area would extend to edge of loch.
- Concerns over potential for pollution.

### **Residential Amenity**

David Orr (155); Mairi Stones (321); David Stones (323); Mrs Gage (373); Maggie Brotherton (449)

- Potential for noise and dust disturbance to residential areas by bringing quarrying in closer proximity.
- The north eastern boundary should be moved at least 150m to the south west to protect the amenity of the residents of Letterwalton.

### **Visual Amenity**

Douglas Fontaine (251); Barcaldine Community Association (1066)

- It is an area of outstanding beauty, rich in flora and fauna, on a main tourist route and visible from the road and so not suitable for development.

### **Status of Land**

Andrew Holder (450)

- If the quarry proves not viable it should be treated as a greenfield site and not a brownfield housing site. Concerns of potential piecemeal planning consents and the potential for the LDP to set a precedent leading to over development of the site.

### **P4020**

### **Inappropriate Site**

John Maxwell (75); Barcaldine Castle (86); Sid Mattison (135); Clare Mattison (147); Paul Mattison (149); Lesley Ann Mattison (150); S.N Mattison (151); Patrick Howe (204); Andrew Mattison (215); Roderick Campbell (267); Mairi Stones (321); David Stones (323); Jessie Wormell (509); Ardchattan Community Council (592)

- The quarry is time limited/location specific whereas storage and distribution is not.
- Conditions require the restoration of the quarry site which does not accord with a Class 6 site.
- Proposal will introduce a permanent industrial development in a rural location, especially after restoration has occurred.

- The site is greenfield and not brownfield.
- At the 2009 Local Plan enquiry allocation BI-AL 5/11 was rejected by the Reporter. The Reporter set out that land should only be a quarry and should be restored.
- Other planning applications have been resisted.
- The area is popular for tourism and recreation and enjoyed by residents.
- The proximity of the site to Benderloch.

### **Lack of Justification**

Sid Mattison (135); Clare Mattison (147); Paul Mattison (149); Lesley Ann Mattison (150); S.N Mattison (151); Andrew Mattison (215)

- No justification for the site has been published
- The quarry restoration requires the removal of the access so justification on the basis of transport links cannot be made.
- The landowner's haulage business opposite the site cannot justify the proposal.
- The proposal will not generate significant employment.
- The Review of Minerals Permission seeks to loosen the original planning consent to justify the PDA.

### **Visual and landscape Impacts**

Sid Mattison (135); Clare Mattison (147); Paul Mattison (149); Lesley Ann Mattison (150); S.N Mattison (151); Andrew Mattison (215); Douglas Fontaine (251); Barcaldine Community Association (1066)

- It is an area of outstanding beauty, rich in flora and fauna, on a main tourist route and visible from the road and so not suitable for development.
- Permanent, visual and landscape impacts of lorry parking and industrial buildings.
- Incongruous within open countryside setting.
- The quarry is below ground level and screened, the proposed site would be above ground level.
- Tree screening would need to be removed opening up views of the site.

### **Alternative Locations**

Libby Anderson (17); Sid Mattison (135); Clare Mattison (147); Patrick Howe (204); Mairi Stones (321); David Stones (323); Maggie Brotherston (449); Andrew Holder (450)

- Alternative locations exist, namely: B4007, B4001, B4002, B4007, P4015, B4009, P4026, P4027, P4029 and other existing consented locations.

### **Further Expansion**

Clare Mattison (147); Paul Mattison (149); Lesley Ann Mattison (150); S.N Mattison (151)

- The proposed PDA would introduce pressure for further expansion resulting in further industrialisation in proximity to growing village, primary school, national landmarks, cultural heritage, SSSI, NSA, tourist/recreation area.
- The ROMP proposals will degrade the requirements for final restoration and therefore make industrial use easier.

- Potential future pressure for housing.

### **Increase in HGV Traffic**

Clare Mattison (147); Paul Mattison (149); Lesley Ann Mattison (150); S.N Mattison (151)

- Potential impacts of increase HGV traffic on primary school and cycle path that crosses the site access.
- There are existing impacts from noise and dust.
- Lack of trunk road capacity.

### **Environmental Impacts**

Sid Mattison (135); Clare Mattison (147); Paul Mattison (149); Lesley Ann Mattison (150); S.N Mattison (151); Andrew Mattison (215); David Stones (323); Maggie Brotherston (449); Andrew Holder (450)

- Permanent environmental impacts.
- Impacts on cultural heritage.
- Archaeological interests have not been investigated and previous requirements not been complied with.
- Surface water run-off.
- Water table would be contaminated no matter how well policed.
- Loss of trees.
- Loss of peat soil.
- Impacts on climate change.
- Impacts on biodiversity/habitats.
- Increase in pollution.
- Concerns with the nature of the quarry restoration to date.
- Potential incremental leap to industrialisation and the resulting impacts on ecology and habitats that need protection.

### **PLDP2 Policy**

Sid Mattison (135); Andrew Mattison (215)

- The proposal does not accord with PLDP2 at section 2.10 (High Quality Places), Policy 02 – Countryside Areas, Policy 22 – Economic Development Part B iii).

### **Impact on Existing Business**

Barcaldine Castle (86)

- Impact on tourism and wedding business in the vicinity which is selected by guests due to the peace, tranquillity of the area.

### **Variation of Use Classes**

Achalic Farming Partnership (335)

- The site promoter sets out support for the site based on a number reasons and requests modification of the specified uses to Class 4, 5 and 6 to allow greater flexibility in the delivery and occupation of the site.

#### **Modifications sought by those submitting representations:**

##### **M4006**

- Adopted Local Development Plan allocation boundary should be retained. (323) (592)
- Re-instate Local Development Plan allocation boundary in line with extraction consent (321)
- No expansion of the quarry (449) (450)
- Reduce scale of development severely (450)
- Move the proposed north eastern boundary of the area approximately 150m in a south east direction
- Proposed allocation boundary should be kept well away of the ancient oak woodland and badger sett and from the edge of Lochan Dubh. Any areas of deep peat bog habitat should be excluded. (509)
- Designate the proposed additional area as a Special Area of Conservation (449) (450)

##### **P4020**

- Delete P4020 from LDP2 (75, 86, 135, 147, 149, 150, 151, 204, 215, 321, 323, 450, 592)
- Adhere to originally agreed proposals and boundaries (267)
- Re-instate the area as a greenfield site (449)

#### **Summary of responses (including reasons) by planning authority:**

##### **M4006**

(155) (251) (321) (323) (373) (449) (450) (509) (592) (1066)

- A smaller part of Proposed Local Development Plan 2 minerals allocation M4006 (CD049, Map 156 and 193) is currently minerals allocation MIN-AL 5/1 in the adopted 2015 adopted Local Development Plan (CD010, Maps 159 and 196) prior to which it was a minerals allocation (same reference) in the 2009 adopted Local Plan (CD006, Oban, Lorn & the Isles Proposals Maps, Page 60), albeit with a smaller boundary extent.
- Planning consent (reference 03/00238/MIN) was granted on the land for “Extraction of Sand and Gravel” (AD\*\*\*) on 6/4/2004. This consent has been implemented and the quarry is active.
- Planning consent was granted (reference 19/00765/MIN) on 3/4/2019 for Periodic Review of Mineral Planning Permission (Determination of conditions to which Mineral Permission is to be subject - ROMP First Review) for Sand and Gravel Extraction Works - Previous Reference: 03/00238/MIN.
- The extent of the 2009 Local Plan allocation broadly reflects extraction phases 1, 2 and 3 as shown in the Method of Working plan contained in the Environmental Statement that accompanied 03/00238/MIN and the extent of the adopted LDP allocation MIN-AL 5/1 reflects phases 1, 2, 3, 4A, 4B and 4C (AD\*\*\*).

- The PLDP2 allocation boundary reflects the entire 03/00238/MIN red line site boundary which takes in all of the above phases as well as phase 5 and also wider areas, much of which, are shown as retained forestry plantation on the Method of Working Plan (AD\*\*\*).
- The documents submitted with the ROMP application show the same red edge site boundary as well as a revised phasing scheme and details of the woodland cover following the felling that has occurred (AD\*\*\*).
- The extent of the PLDP2 boundary for M4006 only reflects the area of the red line boundaries to 03/00238/MIN and 19/00765/MIN and does not introduce any additional areas beyond these. As well as the areas consented for extraction, these red line areas contain the aforementioned wider areas of remaining and felled tree cover. The areas consented for mineral extraction only form part of the M4006 boundary and are clearly set out in the planning consent documents (AD\*\*\*). The extent of the M4006 boundary does not confer planning consent for further extraction beyond what has already been approved.
- Any future mineral extraction beyond what has already been approved would require planning consent and any future planning applications would be assessed against PLDP2 Policy 31 – Minerals (CD049, Pages 57-58). This policy addresses matters such as the need for extraction as well as potential impacts from development. It also sets out the need for EIA screening and potential submission of an EIA where appropriate.
- It is therefore considered that the matters raised by the objectors would be adequately handled through the planning application process through Policy 31 and other relevant wider PLDP2 policies including, inter alia, Policy 08 – Sustainable Siting, Policy 14 – Bad Neighbour Development, Policy 21 – Sites of Archaeological Importance, Policy 39 – Construction Standards for Private Access, Policy 59 – Water Quality and the Environment, Policy 70 - Development Impact on National Scenic Areas (NSA's), Policy 73 – Development Impact on Habitats, Species and Biodiversity, Policy 77 – Forestry, Woodland and Trees, Policy 78 – Woodland Removal, Policy 79 – Protection of Soil and Peat Resources.
- A range of matters where raised by objectors that sought to change matters relating to the existing land and operations including; re-instatement of peat bog, restoration of the site including tree planting, and closure of the access upon cessation of the quarry. These are matters outside of the remit Local Development Plan process and in some cases relate to existing planning consent and its associated conditions.
- It is therefore considered that no change to PLDP2 is required.

## **P4020**

### Background Information

- Proposed Local Development Plan 2 Potential Development Area P4020 was submitted through the 2016 Call for Sites process (AD\*\*\*).
- It was included as an 'amber' site in the 2017 Main Issues Report meaning that it needed further consideration (CD013, Pages 128 and 199).

Inappropriate Site (75) (86) (135) (147) (149) (150) (151) (204) (215) (267) (321) (323) (509) (592)

- It is acknowledged that the quarry is time limited by virtue of the conditions attached to 03/00238/MIN (AD\*\*\*) and that the proposed uses would likely become a permanent development with that the section of the quarry not being restored in a similar manner to

the remainder of the quarry. However, it is considered that for the reasons set out below that there are material reasons to include the site as Potential Development Area.

- The site has been included as a Potential Development Area and not an allocation as there are a number of potential constraints that need to be resolved. The PLDP2 Written Statement sets out that “PDAs are areas where specific development opportunities may be supported through the life of the plan subject to those constraints identified in the schedules of the PDA’s being successfully addressed.” It also sets out that mini briefs in the Action Programme identify the constraints that need to be resolved. (CD049, Page 11)
- The Action Programme mini brief for P4020 (CD\*\*\*) will set out that evidence of phasing of the quarry extraction to facilitate development will be required. Whilst this remains a noted constraint on the site, it is set out in the officer’s report for 19/00765/MIN that the re-phasing does not require planning consent in itself and the supporting information illustrates a re-phasing that would see the P4020 site extracted in the first two of four phases (AD\*\*\*) .
- Restoration of the quarry and its integration with the proposed Class 6 uses will also be noted within the Action Programme constraints (CD\*\*\*) . A restoration scheme has been approved as part of the conditions to 19/00765/MIN which indicates restoration of the P4020 area (AD\*\*\*) . A formal planning process will therefore be required to propose a revised restoration scheme to take into account any proposed development on the site. This would be a matter to be addressed in or around the time of any planning application. The Action Programme will set out the need for high quality landscaping of P4020 that will compliment and integrate with the restoration of the remaining quarry.
- The Environmental Impact Assessment Report for 19/00765/MIN at section 3.4 sets out that the extraction time frame for P4020 (phases 1 and 2) will not potentially have resulted in its full extraction within the lifetime of PLDP2 (AD\*\*\*) however it’s inclusion at this stage as a PDA provides the landowner and development partners opportunity to explore and progress work towards addressing constraints and site delivery options.
- There are a number of residential properties set in the surrounding area, the nearest of these being Hawthorn circa 640m to the west, Culcharron circa 390m to the east, Letterwalton House circa 1580m to the north east and Lus Cuehulainn circa 760m to north
- Planning consent 03/00238/MIN contains a condition (no.29) that sets maximum noise levels for the quarry operations and periodic noise monitoring reports have been submitted. The officer’s report for 19/00765/MIN sets out that the Environmental Health consultation response advised that they were satisfied for the original condition to remain.
- As part of the preparations for PLDP2 Environmental Health were engaged regarding potential noise issues from potential storage and distribution uses at the site. The advice received set out that the changes between the existing and proposed uses would be quite significant and that whilst the distances to the nearest noise receptors was quite significant for noise to attenuate over it would depend on the actual use of the land. The responding officer considered that given the distance between the site and the properties that a planning application could give an opportunity for relevant noise assessments to be completed (AD\*\*\*) .
- The PDA status of the site and a notation of potential noise impacts in the Action Programme reflects that noise impacts need to be considered as part of any development proposals.
- The land raised by the objectors relating to BI-AL 5/11 was considered at the 2009 Local Plan enquiry. It was a site included as a modification to the Finalised Draft Local Plan and was set approximately adjacent to where P4020 has been proposed and therefore is not the same site. BI-AL 5/11 was substantially set outside the quarry boundary and within the existing screening tree belt. On the basis that P4020 would be set at the resulting finished ground

level following quarry extraction the topographical considerations for both sites are substantially different and not directly comparable.

- The land raised by objectors regarding a proposed boat building premises was the subject of planning application 16/02281/PP “Erection of boat builders shed with associated yard”. The proposed site was adjacent to but outside the quarry boundary. The application was withdrawn. (AD\*\*\*)
- Specific matters such as visual amenity are addressed below but given that the site has been included as a PDA and not an allocation and that its constraints will be set out in and can be updated through the Action Programme it is considered that the site has the potential to be developed for Class 6 uses without significant detriment to the surrounding area and nearby settlements and that the principal of Class 6 use on this site is therefore not inappropriate.

#### Lack of Justification (135) (147) (149) (150) (151) (215)

- Planning consent 19/00765/MIN included condition 27 which requires restoration in accordance with the plans as approved by the consent and its accompanying EIA report. Those details do not show any restoration for the site access road with the EIA report stating at paragraph 3.5 that it is proposed to retain the existing access for estate access (AD\*\*\*)
- The presence of this access does form part of the justification for the site as it provides access to the A82 Trunk Road on a section that is relatively long and straight. Whilst the final appropriateness of the access point would be a matter for any planning application it does appear possible to form a suitable access at this point.
- The site promotor put forward a range of supporting information at the Call for Sites stage which was taken into account and this included, commercially sensitive, information regarding demand.
- Until the site becomes developed it is not possible to quantify exactly the number of jobs that would be accommodated on the site however the development would have a positive economic impact through either job creation of new businesses locating to the site or potential opportunity for expansion of existing business elsewhere. Class 6 uses may not be as intensive employers as other business uses however they offer important services and support to the wider economy.
- The ROMP application process and the Development Plan process are separate from each other. Whilst matters addressed in the ROMP can form material considerations for the development plan for they remain separate planning processes.

#### Visual and Landscape Impacts (135) (147) (149) (150) (151) (215) (251) (1066)

- There is a substantial broadleaf tree belt between the quarry and the A82 which is the closest road to the site. This tree belt is considered would provide substantial screening of the site from the A82.
- The submitted details of the proposed site indicate that the Class 6 uses would follow on from the completion of extraction (AD\*\*\*) . The extraction would see a finished excavation base of 14m AOD (reduced from 19m AOD) (AD\*\*\*, levels plan). With the adjoining ground to the east remaining at the higher level there would be a screening benefit with the opportunity for elements of the end uses to be screened by this landform. The amount of screening afforded by level differences would be dependent on the proposed ground level and the heights of any proposed buildings or other structures but these could be assessed at the planning application stage.

- The development of the site would require revised quarry restoration and woodland management plans to take into account the proposed development site. These would need to then be assessed alongside landscaping proposals submitted as part of any planning application. The Action Programme will set out the need for high quality landscaping of P4020 that will integrate with the restoration of the remaining quarry.
- There is the potential for some longer distance views of the proposed site from public roads or private properties that surround the site but it is considered that these would likely be broken up by a combination of the resulting ground levels and restoration regenerative growth.
- All the potential landscape impacts could be fully assessed at the point of any planning application(s) where aforementioned revised schemes and landscaping proposals can be fully assessed against the restoration and woodland management situation on the ground.

#### Alternative Locations (17) (135) (147) (204) (321) (323) (449) (450)

- PLDP2 contains a number of Business and Industry Allocations and Potential Development Areas for Oban, Lorn and the Isles which are detailed in the Schedules with the Written Statement (CD049 Pages 117, 120 and 121). The allocations provide a marketable supply of such land and, as set out above, the PDAs are areas where development opportunities could be supported where constraints can be overcome. SPP sets out that local development plans should allocate a range of sites for business (CD001, Page 26). The proposed site is a PDA meaning that it is not relied upon to contribute to the marketable supply of business and industry land however it does contribute to the range of potential sites that PLDP2 contains across the Oban, Lorn and the Isles Area. These provide a varied range for potential future take up.
- The location of P4020 on the A82 provides for good access to the A82 and A85 trunk road networks which connect the area to the north and the east respectively and this complements the proposed Class 6 usage of the site.

#### Further Expansion (147) (149) (150) (151)

- P4020 is proposed for a specific part of the M4006. Any further use of M4006 for other development uses would be a matter for the relevant development plan and/or planning application processes which would take into account a wide range of material planning considerations.
- The Action Programme will detail the need for close co-ordination of landscaping proposals and minerals site restoration and it is therefore considered that inclusion of P4020 will not create an undue precedent or pressure for further development across M4006.
- The ROMP sets out a plan for restoration of M4006 and whether the methodology of this or any future restoration plan differs from that originally contained in 03/00238/MIN it will still involve a restoration scheme to the satisfaction of the planning authority. It is therefore not considered that the revised restoration plans contained in 19/00765/MIN provide any additional justification for P4020 or any other future proposals.

#### Increase in HGV Traffic (147) (149) (150) (151)

- Transport Scotland have raised no objections to the site. There is a substantial access to the A82 that already serves the quarry. The suitability of the access and impact on the road

network and cycle path that crosses the access could be adequately assessed at the point of any planning application(s).

- Any existing impacts of dust and noise relating to vehicle movements from the current quarry operations are not matters for the LDP2 process. Such matters resulting from proposed developments on P4020 could be adequately addressed at the planning application stage.

#### Environmental Impacts (135) (147) (149) (150) (151) (215) (323) (449) (450)

- Certain matters raised by objectors relate to aspects of the existing quarry operations. The site of P4020 would need to be have been extracted prior to any development taking place and as such matters relating to loss of trees, loss of peat soil and archaeological interests more relate to the quarry operations involved with this. Given that it is proposed to locate the Class 6 uses within the extracted area it is not considered there would be significant impact on these matters and any such considerations could be adequately handled at the planning application stage.
- Potential impacts on nearby habitats and biodiversity could be adequately assessed through the planning application process and such potential constraints will be noted in the Action Programme. As set out above, it is not considered that the inclusion of P4020 sets of a precedent for further development on the wider M4006 allocation but notwithstanding this, the impacts on habitats and biodiversity could be assessed at the appropriate point should any such proposals be made.
- Matters relating to potential pollution and contamination of the water table from Class 6 uses could be addressed at the planning application stage. The section drawings contained in the Environmental Impact Assessment Report for 03/00238/MIN (AD\*\*\*) show the proximity of the water table to the finished excavation base. Potential pollution and ground condition constraints will be noted in the Action Programme.
- Parts of P4020 are shown on the SEPA flood maps for surface water flooding. Given that the site is to be first extracted it is considered that such matters can be adequately dealt with at the planning application stage.
- Whilst any development of a site for Class 6 uses would have some impact on climate change the site here does benefit from being well placed on the trunk road network to facilitate relatively easy access to wider locations and is on a public transport and cycle route corridor. The impacts relating to climate impact in terms of any peat disturbance will have mainly been felt during the extraction phase. Whilst the site will not be fully restored and regenerated there is scope for additional planting through the landscaping scheme and the restoration programme will need to address how any excavated peat intended to be restored on P4020 can be retained and used elsewhere on the restoration site.
- The nature of the quarry restoration to date is not a matter than can be addressed through the development plan process.
- Whilst, as set out above the environmental impacts could be adequately assessed at the planning application stage, the general permanent impact of not restoring the area of P4020 as per the requirements of 19/00765/MIN is considered to be outweighed by the benefit of bringing forward Class 6 uses on a well located site that still offers potential for landscaping/green infrastructure in co-ordination with adjoining restoration.

#### PLDP2 Policy (135) (215)

- The assessment and provision of allocation and PDA sites are processes within the preparation of PLDP2 that take into account a range of factors. The policies contained within the PLDP2 Written Statement are for the purposes of assessing proposals that come forward within the plan period.

#### Impact on Existing Business (86)

- The potential impact upon other businesses is not a material planning consideration.

#### Variation of Use Classes (335)

- The site was put forward through the Call for Sites process and publicised through the Main Issues Report for storage and distribution uses. It has been assessed by the Council and consultees throughout the process for these uses. It is considered that it would be inappropriate to vary the use classes to Class 4 and Class 5 at this late stage in the development process.
- PLDP2 makes provision through allocations and PDAs for a range of sites across Oban, Lorn and the Isles for Class 4 and 5 uses (CD049 Pages 117, 120 and 121) and therefore the provision of these uses on P4020 is not considered necessary.

#### Conclusion

- For the reasons set out above it is considered that no change to PLDP2 is required.

#### **Reporter's conclusions:**

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#### **Reporter's recommendations:**

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<b>Issue 119</b>	<b>M4007 – Fionnphort, Mull</b>	
<b>Development Plan Reference:</b>	Schedule 10: Minerals allocations M4007 (page 120); Map number 181 Fionnphort	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Historic Environment Scotland (HES) (136)		
<b>Provision of the development plan to which the issue relates:</b>	Schedule 10: Minerals allocations M4007 (page 120); Map number 181 Fionnphort	
<b>Planning authority's summary of the representation(s):</b>		
<p><u>Historic Environment Scotland (HES) (136)</u></p> <ul style="list-style-type: none"> <li>• This allocation lies within the designated area of Tormore Quarry – scheduled monument number 13716. The monument comprises the remains of Tormore Quarry on the Ross of Mull, consisting of: the lower quarry and associated spoil heaps; granite-surfaced trackways; a granite staircase; a former blacksmith workshop and granite pier; and metal machinery and equipment.</li> <li>• The monument was scheduled in June 2019 in recognition of its significant contribution to our understanding of industrial sites and trade in Scotland during the 19th century. Both the landowner and the local authority indicated that they were content with the proposed scheduling.</li> <li>• The supplied information suggests that a substantial part of the monument would be incorporated into the proposed mineral extraction area. This would result in significant adverse impacts on both the physical remains of the quarry and its setting.</li> <li>• There are no exclusions to the scheduling for this monument. Any works within the scheduled area would therefore require scheduled monument consent (SMC) from us before being undertaken. SMC is separate and without prejudice to the planning process. We would be very unlikely to grant SMC for quarrying proposals that impact on the monument. It is likely that we would object to any planning applications for mineral extraction within the scheduled area.</li> <li>• We would also expect to be consulted on proposals that may impact on the setting of the monument. Considering the probable impacts of mineral extraction, it is likely that any such activity in the vicinity of the monument would represent a significant adverse impact on the setting of the quarry. We would therefore raise significant concerns over any such proposals.</li> </ul>		
<b>Modifications sought by those submitting representations:</b>		
<ul style="list-style-type: none"> <li>• Remove allocation M4007 from the spatial strategy. (136)</li> </ul>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<u>Removal of Allocation M4007 (136)</u>		

- The allocation M4007 is a carry forward of an allocation from the 2015 plan (MIN –AL 6/3). This allocation reflects a planning consent granted in 1992 for the re-opening of the quarry in order to extract specialist dimension stone for decorative use in the Houses of Parliament at Westminster. Given the very specialist nature of the stone, it doesn't contribute to the required supply of aggregates for building.
- Recognising the sites designation as a scheduled monument in June 2019, the Council would agree that it should no longer be included as a minerals allocation on Map 181 or identified in the Schedules to the LDP, and would be happy to modify the plan accordingly should the Reporter recommend this.

**Reporter's conclusions:**

**Reporter's recommendations:**

<b>Issue 120</b>	<b>P1001 – North Bute</b>	
<b>Development Plan Reference:</b>	Proposals Maps, Map 35 and Bute and Cowal Map Sheet	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
David Eaglesham (50) Mount Stuart Trust (434)		
<b>Provision of the development plan to which the issue relates:</b>	Inclusion of P1001 in Local Development Plan 2. Inclusion of Strategic Masterplan Area SM001 in Local Development Plan 2. Extent of Strategic Masterplan Area SM001 in Local Development Plan 2.	
<b>Planning authority's summary of the representation(s):</b>		
<p><u>David Eaglesham (50)</u></p> <ul style="list-style-type: none"> <li>This site is shown as "Potential site for tourism/recreation". The underlying designation is Countryside Zone. Any Tourism or Recreation development can adequately assessed under Policy 02A: Countryside Areas.</li> <li>There is therefore no need to identify this site within LDP2.</li> <li>It is unclear why of all the forestry in the area, the area of forest in the Kyles of Bute National Forest merits a Strategic Masterplan. The forest needs to be managed for commercial and ecological purposes but so does every forest.</li> </ul> <p><u>Mount Stuart Trust (434)</u></p> <ul style="list-style-type: none"> <li>Support the PDA and Strategic Masterplan Area but object that the Strategic Masterplan Area does not designate the proposed MST timber ramp and supporting infrastructure which is vital to the ongoing success of the forestry industry on the Isle of Bute and to compliment the objectives of the strategic masterplan area for North Bute.</li> </ul>		
<b>Modifications sought by those submitting representations:</b>		
<ul style="list-style-type: none"> <li>Delete P1001. (50)</li> <li>Delete SM001 (50)</li> <li>This map should include the proposed MST timber ramp as shown on RD201. (434)</li> </ul>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p><u>(50)</u></p> <ul style="list-style-type: none"> <li>The Proposed Local Development Plan 2 Written Statement sets out that Potential Development Areas are areas where development opportunities maybe supported subject to identified constraints being overcome (CD049, Page 11, Paragraph 3.8).</li> <li>P1001 is identified in for tourism/recreation (CD049, Page 108). P1001 occupies an area identified as the Central Development Area in the Bute Forest : Masterplan (reference 16/01206/MPLAN) (AD***, Page **) which was submitted alongside planning application</li> </ul>		

16/01164/PP for “Erection of cafe with external deck, formation of camping facilities including 6 glamping pods with associated external decks, communal dining area, installation of sewage treatment plant and formation of new vehicular access.” (AD\*\*\*) both of which were approved on 22<sup>nd</sup> June 2016.

- Whilst proposals could be determined under PLDP2 Policy 02 (CD049, Pages 10 and 12-13) the identification of the land as a PDA provides more certainty for development proposals for this location, reflects the aspirations contained in approved masterplan and allows for constraints to be identified through the Action Programme (CD\*\*\*). It is considered that this is a more appropriate approach for the land and therefore no change to PLDP2 is required.

(50, 434)

- The Strategic Masterplan Area broadly covers the two areas of woodland that feature in the aforementioned Bute Forest : Masterplan (AD\*\*, Page \*\*). In the round, this masterplan generally addresses aspirations for the woodlands themselves rather than wider development sites. The inclusion of the area as Strategic Masterplan Area (SM001) helps to identify the need for a continued co-ordinated approach to any development in the area and is considered an appropriate approach given the community land ownership and the desire to pursue a range of projects. The existing and any subsequent approved masterplans can also be given appropriate weight within the decision making process.
- The site shown for the proposed timber ramp is somewhat removed from the identified masterplan area and to incorporate it within this area on the proposals maps would involve taking in wider tracts of land that do not appear to form part of the plans set out within masterplan.
- PLDP2 Policy 42 relates to safeguarding as well as new proposals for piers, ports harbours and sets out particular requirements for new facilities. Given the requirements of this policy and the very limited information regarding the proposed facility it is not considered appropriate to include the location within the Strategic Masterplan Area as this stage. The location shown on RD201 is within the Countryside Area where PLDP2 Policy 02 would allow consideration of such proposals through, in all but a limited number of situations, the submission of a landscape and visual impact assessment.
- On the basis of the above no change is required to PLDP2.

**Reporter’s conclusions:**

**Reporter’s recommendations:**

<b>Issue 121</b>	<b>P1003 – Glendaruel</b>	
<b>Development Plan Reference:</b>	Map Number 8 – Clachan of Glendaruel, Schedule 10: Bute and Cowal; Potential Development Areas( Page 108)	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
David Eaglesham (50)		
<b>Provision of the development plan to which the issue relates:</b>	Schedule 10: Bute and Cowal; Potential Development Areas; P1003 - Glendaruel	
<b>Planning authority's summary of the representation(s):</b>		
<p><u>David Eaglesham (50)</u></p> <ul style="list-style-type: none"> <li>• There are countless areas of forestry throughout Argyll and Bute where forest crofts or similar might be considered worthy of support under:- Policy 53 – Crofting Townships.</li> <li>• There is no rationale expressed in the LDP2 as to why P1003 has been selected. Any proposal for a forest croft or enterprise centre (whatever that may be) can adequately be considered, with appropriate justification, against Policy 53.</li> </ul>		
<b>Modifications sought by those submitting representations:</b>		
<ul style="list-style-type: none"> <li>• Delete P1003 from the Local Plan. (50)</li> </ul>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p><u>Potential Development Area P1003- Glendaruel (50)</u></p> <ul style="list-style-type: none"> <li>• The Potential Development Area P1003, at Glendaruel has been identified for potential forest crofts and/or an enterprise centre following a request from the Colintrave and Glendaruel Development Trust. The trust have ownership of the Stronafian Forest and have produced a development plan which includes the Argyll and Bute Local Development Plan Potential Development Area within it.</li> <li>• The PDA has been carried over from the 2015 plan, its inclusion helps indicate the LDP2's continued support for the efforts of the community development trust to develop the area, and the Draft Action Programme which accompanies the LDP, provides an indication of the various factors which will require to be taken into consideration when developing proposals for development (PD XXX page 54).</li> <li>• The Draft Action Programme also recognises that there may be aspirations by the community to develop a Community Plan/Local Place Plan, during the lifetime of LDP 2.</li> <li>• It is therefore considered appropriate to retain this area as a Potential Development area in LDP2.</li> </ul>		

**Reporter's conclusions:**

**Reporter's recommendations:**

<b>Issue 123</b>	<b>Ardyne</b>	
<b>Development Plan Reference:</b>	Area for Action A1006 and Potential Development Area P1007 (Chapter 10 Schedules, Pages 106 and 108; Proposals Maps, Map 3)	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
David Eaglesham (50)		
<b>Provision of the development plan to which the issue relates:</b>	The extent of Potential Development Area P1007 and the inclusion of Area For Action A1006 in Local Development Plan 2.	
<b>Planning authority's summary of the representation(s):</b>		
<p><u>David Eaglesham (50)</u></p> <ul style="list-style-type: none"> <li>• P1007 is described as "Mixed use - tourism/business/leisure/housing/marine/ aquaculture related". It is a fantasy on the extent shown on the Bute &amp; Cowal Map 3. It is inherited from previous Local Plans and there has never been any serious interest in development of this scale.</li> <li>• A1006 has been inherited from previous Local Plans. There is no prospect of development other than on the site of the former Ardyne construction yard.</li> </ul>		
<b>Modifications sought by those submitting representations:</b>		
<ul style="list-style-type: none"> <li>• Reduce P1007 to the extent of the former Ardyne construction yard and its approaches. (50)</li> <li>• Delete the Area for Action A1006. (50)</li> </ul>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<ul style="list-style-type: none"> <li>• The Written Statement Schedules set out that P1007 is for Mixed use - tourism/business/leisure/housing/marine/aquaculture related development. (CD049, Page 108).</li> <li>• The Written Statement glossary sets out that Areas for Action are "Areas which, subject to resource availability during the plan-period, will be the focus for partnership or community action. Area remits for these AFAs are being worked up in the Action Programme; these area remits may include investment and funding packages, land assembly and asset management programmes, development and redevelopment proposals, infrastructure provision and environmental enhancement proposals. Depending on circumstances, AFAs may coincide with other categories of sites such as potential development areas." (CD049, Page 124)</li> <li>• Part of the land concerned was used in the 1970s as an oil rig manufacturing yard.</li> <li>• The manufacturing yard and associated basins are largely derelict.</li> <li>• A masterplan (reference 15/02001/MPLAN) taking in the whole PDA was submitted alongside planning application 15/01849/PP for a fish processing facility and associated infrastructure. These were approved on 23/10/2015 and 22/10/2015 respectively. (AD***)</li> </ul>		

- The masterplan sets out a comprehensive approach detailing two commercial zones within the former manufacturing yard and a Rural Opportunities Zone on the wider areas of the site which are largely farm land but also include a quarry and walled garden. The two areas of farm land are in separate ownership but are included together in the masterplan.
- Previous planning consents have been granted in 2012 for a comprehensive mixed use development (reference 07/00952/OUT) and for the aforementioned fish processing facility.
- Given that the masterplan was approved during the adopted Local Development Plan period it is considered that it would be premature to reduce its extent within LDP2 as there will not have been significant enough opportunity to work towards bringing forward the various elements of the plan.
- The Area for Action identifies the need for development partners to work together towards delivering development across the site and provides a focus and identification for the work and any potential funding opportunities that may arise. Given the comprehensive level of work required for such a site and its range of constraints and opportunities it is considered that the identification as an Area for Action is appropriate.
- On the basis of the above it is considered that no change to PLDP2 is required.

**Reporter's conclusions:**

**Reporter's recommendations:**

<b>Issue 124</b>	<b>P2002 – Rhu Marina</b>	
<b>Development Plan Reference:</b>	P2002 – Rhu Marina (Schedule 10, Page 110; Map 56)	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Crown Estate Scotland (165)  Fiona Baker (195)  Rhu and Shandon Community Council (535)  Dean and Reddyhoff Ltd (1055)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Schedule 10 Potential Development Areas: P2002 Map Number 59 Rhu	
<b>Planning authority's summary of the representation(s):</b>		
<p><u>Crown Estate Scotland (165)</u></p> <ul style="list-style-type: none"> <li>As currently proposed, Potential Development Area P2002 at Rhu Marina may not be able to fully accommodate potential future development opportunities at the site and thus enable the marina to fully realise its social and economic development potential. The enclosed map shows an area to the west of the current PDA boundary where there may be scope for further development.</li> <li>This would allow for future development options to address the various infrastructure challenges, consider the impact of the development on the wider site and maximise the useable footprint of the marina, helping to redevelop Rhu Marina as a modern, full-service marina which provides world class facilities.</li> <li>While we anticipate that the primary uses would be leisure/tourism/business/retail, incorporating some residential development into the site would help support the economic viability of the development.</li> </ul> <p><u>Fiona Baker (195)</u></p> <ul style="list-style-type: none"> <li>Support for proposals in PLDP2 for P2002, and requests Open Space Protection Area designation be extended to low water mark at Rhu Bay.</li> </ul> <p><u>Rhu and Shandon Community Council (535)</u></p> <ul style="list-style-type: none"> <li>The Community Council support the constraints noted in the action programme and in particular that the uses permitted should be marine related.</li> </ul> <p><u>Dean and Reddyhoff Ltd (1055)</u></p>		

- We object to the currently boundary for the PDA. Instead, we propose that this is extended to include an area with potential for land infill to the west. As part of a future masterplan for the marina, there is scope to create additional land and potential development capacity to secure its long-term viability.
- Dean and Reddyhoff's proposed vision includes substantial wave protection for the pontoons (including flood protection measures for the land), new buildings to accommodate food and beverage for customers and public, chandlery, engineers, a boat repair shed, adequate car parking, adequate winter boat storage ashore, and potentially a yacht club. Existing users such as the RNLI will be fully integrated, and some additional reclamation may be required to achieve all this. A public waterside walk along the foreshore will also be incorporated to encourage the local community to utilise the Marina as a leisure destination. The scale and mass of future buildings will be such that they blend rather than conflict with the hinterland. Dean and Reddyhoff are committed to be a welcoming, inclusive operator and community involvement in the planning and future use of the site is seen as fundamental, developing upon the good work that is already being carried out with sailing events and local schools.
- One key driver in land infill is that the current marina falls short of best practice for adequate provision of space for berths and car parking spaces. This is a particular concern at Rhu Marina and may be a limiting factor in its long term success, given that most of the boats currently must be brought ashore in the winter due to inadequate wave protection.

**Modifications sought by those submitting representations:**

- Requests that PDA boundary to P2002 be extended to the west as shown on the maps RD 72/RD 226, (165);(1055); and that residential be considered an appropriate use at the site (165).
- Requests the Open Space Protection Area designation be extended to low watermark at Rhu Bay. (195)

**Summary of responses (including reasons) by planning authority:**

Extension of Potential Development Area (165);(1055) and inclusion of residential use (165)

- There is a long planning history to this site, and these matters, including a proposed extension to the PDA was considered at the Examination in to the 2015 plan (PD XXX).
- The Proposed Local Development Plan 2 has essentially carried forward the designation from previous plans, with the exception that reference to Housing has been removed from the schedule. The planning authorities position in relation to housing development on part of this PDA has evolved, in part this in response to representations received from the community in response to the Main Issues Report, the new operators of the site Dean and Reddyhoff's stated intentions (1055) and also takes in to account the increased awareness of the effects of climate change and SEPA's guidance on flood risk, as their mapping shows 1:200 year risk of coastal flooding across significant parts of the PDA.

- Extension of the PDA into the inter tidal area, in order to facilitate housing development, would not be consistent with the precautionary approach to flood risk advocated by SPP para 255 (CD XXX).

Open Space Protection Area (195)

- The proposed Local Development Plan 2 has identified an Open Space Protection Area at Rhu Bay which extends from the shore side of the road down to high water mark. This designation has been made in response to a request from the Community Council, in response to the Main Issues Report, and recognises the contribution this area makes to general amenity, and the use of parts for informal recreation. The LDP contains a number of other coastal Open Space Protection Areas, including those similar to that proposed at Rhu in Helensburgh, Cove, and the beaches at Benderloch, and Ganavan, where the designation extends to High Water Mark. Other policies of the plan would also be applicable to the foreshore area including; Policy 28 –Supporting Sustainable Aquatic and Coastal Development, Policy 32 – Active Travel which seeks to ensure public access to the foreshore, and Policy 55 – Flooding which states “development on the functional flood plain will be considered contrary to the objectives of this plan.”

No modification is considered necessary.

**Reporter’s conclusions:**

**Reporter’s recommendations:**

<b>Issue 125</b>	<b>Craobh Haven Settlement and Potential Development Areas</b>	
<b>Development Plan Reference:</b>	Chapter 10 Schedules (P3006, P3014, P3017, P3018, P3012) and Proposals Maps, Craobh Haven and Lunga (Map number 88)	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Phil Dickinson (526)  Ania Zwozdiak (571)  John and Amanda Clarke (605)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Potential Development Areas and Settlement Area in Craobh Haven.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Potential Development Area P3006</b>  <u>Ania Zwozdiak (571)</u></p> <ul style="list-style-type: none"> <li>• The full planning history should be made available. I object to any further development of 25 Private Plots, 20 Affordable Units and the Children's Play Area, as a loss of Protected Open Space, Ancient Woodland Habitats, used by local residents and the public for recreational and play usage.</li> <li>• Sufficient housing is available on P3014 and P3017, without removing valued Ancient Woodland, Peat /Carbon Rich Soils and protected Species.</li> <li>• Removal of woodland and soils would increase flood risks given SEPA's analysis in 2019 of the effects of Climate changes.</li> <li>• The integrity of the natural wildness of the countryside is important and attracts many visitors. It is an area of clear skies which would be lost with additional light pollution, together with an increase in cars. People come to Craobh Haven for their health and wellbeing, the quality of air and lack of pollution.</li> <li>• Current development is all serviced by a very small reservoir and septic tanks, which are inadequate for any further developments, especially as there are frequent bacterial contaminations with loss of safe drinking water for several weeks, plus toxic fumes being emitted from the septic tanks during the holiday season.</li> <li>• Of the 30 houses on The Green only 7 are permanently occupied, with 97.9 % of units being holiday lets/second homes, which are largely unoccupied outside of the holiday season.</li> <li>• As an area of Local Landscape Protection and Scenic Beauty, Flood Risk and Impact Assessments should all be updated on the following: Drainage/Water/Waste/Sewage; Flood Risk Assessments in relation to Climate Changes; Land/Coastal Path erosion Risks; Scottish Environmental Assessment; Nature Conservation Assessments; Biodiversity for Habitats of flora, fauna, special fungi, Lichens and Natura, Ancient Woodlands and Semi Natural Woodlands, Peat and Carbon Rich Soils; Marine and Aquaculture Assessment; Dark Skies Assessment.</li> <li>• Many hikers, horse riders, cyclists use these areas with well-established scenic tracks, as well as play areas for adults and children.</li> </ul> <p><b>Potential Development Area P3014</b>  <u>Ania Zwozdiak (571)</u></p>		

- In principle I support this although the numbers of self-build should be limited to 5, with 1 Affordable house to take into account: i) low density housing which reflects the rural location; ii) flooding/black ice on A816; iii) an area of Ancient Woodland/semi Natural Woodland; iv) peat/carbon rich soils; v) Local Landscape Protection and, an area of specific natural scenic beauty; vi) Air quality; vii) dark skies; viii) Impact Assessments would be required; assessments for water provision/treatment/drainage as well as sewage provision, drainage and water quality.

### **Potential Development Area P3017**

John and Amanda Clarke (605)

P3017 We are writing to you regarding Highclere House, a property that falls within the plan. I attach a map/plans showing boundary lines of land of associated land. Land which fell outside the LDP1 and now shows within the PLDP2 boundary together with a smaller further piece of adjoining land. We should be grateful if you would amend your plans accordingly.

### **Potential Development Area P3018**

Ania Zwozdiak (571)

- Any '*marina related economic development*' lacks clarity of what is/is not proposed, so I object to this section until such time submitted proposals are available for public scrutiny and full consultation.
- Clarity is also sought on the planning history.
- I object to this because there already exists a café/shop 'The Giving Tree', a shop/ pub 'The Lord of The Isles', which provide for visitors/tourists and local inhabitants.
- I do not support any further development of additional pontoons for the use of Harvest Marine/Mowi, especially due to several incidents of serious oil spillages affecting the quality of air and, compromising water quality for marine and aquatic life, flora and fauna.
- In principle I do support the upgrading of the car park which is a risk to Clean Air/Health of vulnerable persons, providing there are updated Impact Assessments of the following: drainage, sewage and water treatment.
- An updated, independent Strategic Environmental Area Assessment is required with Climate Changes affecting sea levels especially with high tides and storm frequency.

### **Craobh Haven Area (including PDAs P3006, P3012, P3017) - Ancient Woodland and Carbon Rich Soils**

Phil Dickinson (526)

- No objections to development in Craobh in fact it is welcomed, however the countryside/settlement zones do not seem to very closely take account of some very special fragments of ancient woodland. None of these should stop the above potential development areas but the wider pink settlement zone does infringe. Atlantic Rainforest is a very special habitat and LDP2 should be protecting it with accurate mapping

Ania Zwozdiak (571)

- 14/00222/MPLAN is inaccurate, as the whole of Craobh Haven's habitat, from Zone 1 to Zone 3, is that of Ancient woodland semi natural wood. It is also an area of Peat and carbon rich soils, which again is important to many biodiverse habitats, as well as giving flood protection from alluvial surface water run-off from higher ground, as well as sea water protection. An updated Master Zonal Map should be produced correcting these anomalies. (571)

### **Modifications sought by those submitting representations:**

### **Potential Development Area P3006**

- These plans should not go ahead for development. Flood risk and impact assessments require updating. (571)

#### **Potential Development Area P3014**

- Reduction in number of self-build to only 5, with 1 affordable house. (571)

#### **Potential Development Area P3017**

- Amend your plans to reflect new ownership. (605)

#### **Potential Development Area P3018**

- Proposal should include the upgrade to the existing car park facilities. (571)
- Until there is clarification then 'Mixed Use- tourism and marina related economic development' should be removed. (571)

#### **Craobh Haven Area (including all potential development areas) - Ancient Woodland and Carbon Rich Soils**

- An updated Master Zonal Map should be produced correcting the anomalies regarding Ancient Woodland and Carbon Rich Soils. (571)
- A more accurate mapping on which areas of Craobh have ancient woodland and which don't and adjusting the pink zones outside P3006/P3012/P3014/P3018. (526)

#### **Summary of responses (including reasons) by planning authority:**

##### Non Notifiable Modifications – For information only

- P3012 – A minor boundary change to reflect ownership has been made to P3012 (Non Notifiable Modifications Schedule Ref XXX Malcom Kirk – change to ADXXXX)
- Open Space Protection Area – Amendments to the southern boundary of an OSPA in Craobh Haven to better reflect local conditions. (Non Notifiable Modifications Schedule Ref XXX MK PD )

##### Planning History (ADXXX) (571)

- 04/00057/OUT was approved in September 2005 in Craobh Haven, covering the now potential development areas of P3018, P3006, P3012 and surrounding area for just under 200 residential units, 100 berth pontoon, retail, café and associated infrastructure. Further applications sought to deliver the potential within this area. (ADXXX)
- The Local Plan Adopted 2009 recognised the development potential allocating 4 sites for housing and noted the special leisure village role. (ADXXX)
- The Proposed Local Development Plan 1 in 2013 recommended change in this area, realising the level of constraints as well as the development potential. The housing allocations were changed to potential development areas. It was also considered that a Masterplan approach was needed in order to realise the full potential of this area whilst addressing the constraints effectively and in a holistic manner. The LDP was adopted in 2015.
- The Masterplan (14/XXXX/MPLAN) for the area was approved in April 2014 showing mixed development for tourism / housing / business development. There has been incremental progress with the masterplan area with further applications being approved.
- To the south at Lunga the Local Plan Adopted 2009 identified a Potential Development Area PDA 12/76 for tourism/residential caravan park. This was continued through into LDP1 Adopted 2015 and has again been brought forward into PLDP2 as P3017 for

Tourism, Caravan Park and housing. There is an associated Masterplan 13/XXXX/MPLAN and there have been a number of applications across the site (See ADXXX).

- A review of LDP sites was undertaken at the start of the LDP2 process. The discussion on effectiveness and suitability of sites was raised in the Main Issues Report consultation, in particular in questions 3, 3A and 3B. Utilising desk analysis, site survey and information from the pre-engagement and MIR consultations the potential development areas were assessed and dealt with as follows: i) upgraded to allocations where significant progress had been made in respect of the constraints and the sites were now considered effective; ii) removed where further investigation of the constraints or lack of progress proved the site ineffective; iii) a limited number of PDA's were removed on islands and in remote areas to support a smaller scale more organic style of growth; iv) retained a limited number of potential development areas where the constraints had not been fully addressed but progress was considered feasible within the plan period. The Proposed Plan has adjusted the Potential Development Areas in Craobh Haven to reflect progress with the Masterplan processes but retains them to ensure a comprehensive and more controlled approach in this sensitive area.

#### P3006 (571)

- Planning History – See above and ADXXX.
- Mixed Use - The Plan Chapter 10 Schedule specifies the use for P3006 as for mixed use as housing and open space but as a PDA does not specify numbers of units. The open space is in addition to any requirements related to the housing development.
- Nature – This is a Potential Development Area with known constraints. The draft Action Programme notes nature constraints. This includes the small area within the site that is noted on the Ancient Woodlands Inventory. The draft Action Programme will be updated to specifically note Ancient Woodland as one of the constraints. The site is over 300m from a Special Conservation Area. (See Habitats Regulation Appraisal and is noted as having no significant effect. CDXXX). Any planning applications will be assessed against relevant policies, including Policy 73 – Development Impact on Habitats, Species and Biodiversity as appropriate. The developer may be required to complete a biodiversity checklist.
- Housing Need – This site does not contribute towards the Effective housing land supply but does contribute 45 units towards the Established Land Supply in the 2020 Housing Land Audit. It is noted that this is an indicative figure from the Masterplan and will be subject to assessment through any planning application. The Plan does not contain controls in relation to second homes.
- Soils – NatureScot mapping does not show any peat of Category 1 or Category 2 importance within the site. Planning applications are assessed against all relevant policies, including Policy 79 – Protection of Soils and Peat Resources where applicable.
- Landscape – P3006 is situated within a Local Landscape Area (LLA). The principle of the potential for development at this location has been established in the Local Plan 2009 and then the Adopted Local Development Plan 2015. As a potential development area all the known significant constraints are noted in the draft Action Programme, including the LLA. Policy 71 - Development Impact on Local Landscape Areas will be taken into account in the assessment of planning applications in P3006.
- Infrastructure – This is a Potential Development Area with known constraints. Both water and sewerage capacity constraints are noted in the draft Action Programme and will need to be addressed in order to progress the site. Scottish Water has not objected to the inclusion of this Potential Development Area in the Plan.

- Recreational use – P3006 is for mixed use, which includes open space. The Masterplan indicates both formal and informal areas of open space that may be available for recreational use (approx. 40% of the site).
- Assessments - Preparation of necessary assessments, including Flood Risk Assessment (FRA), would be part of any planning application process. The draft Action Programme notes the requirement for an FRA.
- This site was reviewed prior to publication of PLDP2 and a boundary adjustment made to remove an area within a Tree Preservation Order on its southern boundary.
- It is considered that this site is appropriate for retention in the Plan and has an appropriate level of controls and safeguards.

#### P3014 (571)

- This Potential Development Area is proposed in the Plan for 100% Affordable housing, including by self/custom build. There are no numbers for units against this as it is a Potential Development Area, which may afford development potential but until the constraints are fully assessed the scale may be unknown.
- This site has had planning applications approved (ADXXX). The boundary of the PDA reflects the boundary of 10/XXX/XXX for 4 units. The PDA has been retained to afford a framework for the delivery of low density affordable development at this countryside location.
- The draft Action Programme notes that any development should be Low density development of 100% affordable housing with the potential for self/custom build. It also notes a sewerage capacity constraint and the requirement for a Masterplan / Comprehensive Approach Required. All relevant policies of the Development Plan will be taken into consideration at the assessment of a planning application.
- It is considered that the retention of this site is appropriate and affords an appropriate level of controls

#### P3017 (605)

- This Potential Development Area covers Lunga, by Craobh and is proposed for Tourism, caravan park and housing. The boundaries for settlement and PDA have not changed since being drawn up in the Local Plan Adopted 2009. The Masterplan 13/XXX/MPLAN recognises that there is existing development, including of a number of individual properties within the boundary.
- This is a large area (32.5ha), in a sensitive location with known constraints. The Masterplan indicates the level of low key development that is considered to be appropriate within this broad area. Although there has been some development and ownership changes it is considered appropriate to retain the safeguard and direction of the potential development area across this area unchanged in order to ensure that future development continues to be considered in a holistic and sensitive manner. It is noted that the PDA mainly covers Countryside area (including some existing development) and that the existing Settlement area has not been expanded. It is noted that the plot in this representation is within Countryside and not designated for any specific development within the Masterplan.

#### P3018 (571)

- This Potential Development Area is proposed in the Plan for Mixed Use – Tourism and marina related Economic development. Although some development has already taken place within this PDA it is considered that there is still some capacity for further

development, which could support and grow the key tourism and marine industries sectors.

- This is a key coastal location and the PDA affords a degree of control over potential future uses/changes of use, directing them to those that utilise the marine environment and support tourism. There are constraints in this location and a PDA designation is considered appropriate to highlight these and ensure a comprehensive approach.
- All relevant assessments will be undertaken as part of any planning application process as well as associated public notification.
- The draft Action Programme notes the following key constraints: Local Landscape Area; Water capacity constraint; Sewerage capacity constraint; Masterplan/comprehensive approach required; Nature conservation constraint; Flood Risk Assessment Required.
- P3018 is not proposed for housing.

Craobh Haven Area (including all potential development areas) - Ancient Woodland and Carbon Rich Soils (526) (571)

- The Plan safeguards our natural environment, including Ancient Woodland and carbon rich soils through a range of policies. These include Policy 73 – Development Impact on Habitats, Species and Biodiversity, Policy 77 – Forestry, Woodland and Trees, Policy 78 – Woodland Removal and Policy 79 – Protection of Soil and Peat Resources. These policies apply as relevant within both the Settlement area, Countryside area and within sites. Developers may be required to undertake a biodiversity checklist.
- Ancient Woodland and Carbon Rich Soils (importance levels 1 and 2) are not mapped within the Plan. Development Management consult with NatureScot and Scottish Environmental Protection Agency as appropriate.
- The draft Action Programme notes key constraints. A specific note regarding ASNW will be added to the schedule for P3006 and is already in the schedule for P3012 and P3017. (ADXXXX)
- It is considered there is no requirement to adjust the Plan as the safeguards for the resources are appropriate.

Conclusion

- It is considered that no amendment is required to the Plan as a result of the above representations.

**Reporter's conclusions:**

**Reporter's recommendations:**

<b>Issue 126</b>	<b>P3008 - Lochgilphead, Argyll and Bute Hospital</b>	
<b>Development Plan Reference:</b>	Site P3008 (Chapter 10 Schedules, Page 115; Proposals Maps, Map 115 Lochgilphead North)	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Argyll and the Isles Coast and Countryside Trust (487) Blarbuie Woodland Enterprise LTD (1053)		
<b>Provision of the development plan to which the issue relates:</b>	Potential Development Area for mixed use – housing and community use – Providing development opportunities that may be supported during the lifetime of the plan subject to the identified constraints being successfully addressed	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Community Based Asset</b></p> <p><u>Argyll and the Isles Coast and Countryside Trust (487); Blarbuie Woodland Enterprise LTD (1053)</u></p> <ul style="list-style-type: none"> <li>Blarbuie Woodland is identified as having development potential. This is an essential community asset with a woodland and adjacent craft areas used for promoting activities for health and wellbeing much used by the local community.</li> </ul> <p><u>Blarbuie Woodland Enterprise LTD (1053)</u></p> <ul style="list-style-type: none"> <li>Blarbuie Woodland Enterprise, in discussion with NHS Highland, understands that the woodland areas are to be retained for community use.</li> </ul>		
<b>Modifications sought by those submitting representations:</b>		
<ul style="list-style-type: none"> <li>To ensure that Blarbuie community woodland and adjacent craft areas, bowling green and high wood, and access to these are kept for community use. (487) (1053)</li> </ul>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p><u>Community Based Assets (487) (1053)</u></p> <ul style="list-style-type: none"> <li>Blarbuie Woodland is a positive resource for the community within the Main Town of Lochgilphead. The Argyll and Bute Woodland and Forestry Strategy included this woodland as an example of good practice and supports its ongoing development (CDXXXXX, pxxx).</li> <li>Potential Development Areas are identified where specific development opportunities may be supported through the lifetime of the plan, subject to those constraints identified being successfully addressed. The Potential Development Area P3008 is currently designated in the Adopted Local Plan for Mixed Use. This designation has been continued forward into PLDP2 with a note of the mixed use types as Housing and Community Uses. The PDA has been</li> </ul>		

designated to support a comprehensive and integrated place-making approach to this area of potential significant change with ongoing changes to the NHS Estate within the Main Town of Lochgilhead and progress of the Blarbuie Woodland's Project.

- The PDA has been drawn up to encompass the area of hospital estate liable to change, areas with potential for housing and relevant areas of the Blarbuie Project. This is to support community uses related to the hospital and the community woodland and to investigate potential and deliver potential housing opportunities (including 25% affordable). The PDA excludes the area of the Blarbuie Project that lies over the track as it is considered to be less closely integrated with the hospital estate and housing areas and more suited in nature to a countryside zoning.
- The Planning History (ADXXXXX) shows that a Masterplan (14/01256/MPLAN) was prepared for the area as a requirement of the PDA designation. This involved engagement with Blarbuie Woodland Enterprise. Integration of the woodland with future proposals is noted in the Masterplan. In addition, the planning history shows selected planning applications including for the proposed demolition of NHS Estate and various built development proposals.
- The draft Action Programme (CDXXXX, Chap 6, P3008) notes the potential opportunities, constraints. It is proposed this information is expanded to specifically reference the Masterplan, Blarbuie Woodland Project partnership and the Blarbuie Woodland Enterprise Strategic Plan 2015-2020.
- It is considered that the retention of the PDA actively supports an integrated approach to the repurposing of this significant area taking account of community uses, including the Blarbuie Woodland Project.

**Conclusion**

In view of the above it is considered that no change is required to plan. However, it is proposed that further information be added to the Action Programme.

**Reporter's conclusions:**

**Reporter's recommendations:**

<b>Issue 128</b>	<b>P3016 - Lochgilphead – County Yard</b>	
<b>Development Plan Reference:</b>	Site P3016 (Chapter 10 Schedules, Page 115; Proposals Maps, Map 115 Lochgilphead North)	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Debbie Ann Lowe (6)		
<b>Provision of the development plan to which the issue relates:</b>	Potential Development Area for mixed use – Providing development opportunities that may be supported during the lifetime of the plan subject to the identified constraints being successfully addressed	
<b>Planning authority's summary of the representation(s):</b>		
<u>Debbie Ann Lowe (6)</u> <ul style="list-style-type: none"> <li>I do not fully object to any work that will be going on at this site. However, it is noted that homes are close to the boundaries of the site, which raises issues regarding proper treatment of boundaries in relation to privacy both during any development work and afterwards e.g. sufficient fencing or trees.</li> </ul>		
<b>Modifications sought by those submitting representations:</b>		
<ul style="list-style-type: none"> <li>Sufficient fencing is put in place to keep nearby properties fully private from any works going on and also when the land is fully developed or that the boundary of the trees that are already there are kept in place to keep nearby properties fully private.</li> </ul>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<u>Site Development (6)</u> <ul style="list-style-type: none"> <li>Potential Development Areas are identified where specific development opportunities may be supported through the lifetime of the plan, subject to those constraints identified being successfully addressed. Potential Development Area P3016 is currently designated in the Adopted Local Plan for Mixed Use (PDA 12/3). This designation has been continued forward into PLDP2. The PDA has been designated to support an integrated place-making approach to this area in the Main Town of Lochgilphead. The Council currently use this as a depot but is undertaking depot rationalisation, therefore this land may be subject to change in the short - mid term. (CD XXXXX Argyll and Bute Proposed LDP2, Appendix 3, pXX).</li> <li>The policies of the plan provide a framework to assess proposals, including issues related to design, siting, bad neighbour development and impact on nature interests. The draft Action Programme (CDXXXX) sets out the key constraints. In this context, it is considered that the planning application process should manage the concerns raised appropriately.</li> </ul>		
<b>Conclusion</b>		

In view of the above it is considered that no change is required to the Local Development Plan as a result of this representation.

**Reporter's conclusions:**

**Reporter's recommendations:**

<b>Issue 130</b>	<b>P4003 – Barcaldine – Former Sealife Centre</b>	
<b>Development Plan Reference:</b>	Potential Development Area P4003 (Chapter 10 Schedules, Page 120; Proposals Maps, Map 153)	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Gael Force Fusion (104)  Douglas Fontaine (251)  Maggie Brotherston (449)  Andrew Holder (450)  Sarah Brown (518)  Barcaldine Community Association (1066)</p>		
<b>Provision of the development plan to which the issue relates:</b>	The provision of and range of proposed uses of Potential Development Area P4003	
<b>Planning authority’s summary of the representation(s):</b>		
<p><b>Range of Uses</b></p> <p><u>Gael Force Fusion (104)</u></p> <ul style="list-style-type: none"> <li>• The identification of P4003 for “Marine Related Development” would cover what the company who own the site currently do however to ensure that the development of the site is future proofed for them it is requested that the description of P4003 is widened to include Class 4, 5 and 6.</li> <li>• This would accord with their forthcoming planning application and in the future, suit companies that are part of their supply chain.</li> <li>• The site will be the company’s Argyll base replacing both their nearby manufacturing facility and temporary offices arrangements.</li> <li>• The company are applying for planning permission for change of use and redevelopment to classes 4, 5 and 6 given their operations which combine manufacturing for the aquaculture sector, related storage and distribution and office functions.</li> </ul> <p><b>Environmental Issues</b></p> <p><u>Douglas Fontaine (251); Maggie Brotherston (449); Andrew Holder (450); Sarah Brown (518); Barcaldine Community Association (1066)</u></p> <ul style="list-style-type: none"> <li>• Objection to the site being designated as a brownfield site and PDA</li> <li>• The previous tourism use was a travesty and is not a justification for an industrial site</li> <li>• The site has re-wilded since the closure of the sea life centre</li> <li>• Development will degrade area of extreme beauty</li> <li>• Site was formally used as a nature reserve, it contains wildlife and habitats including; red squirrel, otter, pine marten, bats, badgers, mammals and raptors with the potential for their displacement.</li> <li>• The stand of trees on site is important for biodiversity and should be protected.</li> </ul>		

- Site is adjacent to Loch Creran which contains serpulid reefs up to the edge of the shoreline and is a Special Area of Marine Conservation. Proposed use would increase pressure on the loch ecosystems from litter, disturbance, run off etc.
- Additional users have potential to spread invasive non-natural species. Loch Creran contains highly invasive carpet sea squirt.
- Issues with current site owners and pollution at their previous site.

**Modifications sought by those submitting representations:**

- Widen the description of development to include Classes 4, 5 and 6 (104)
- Site should not be used for industrial/commercial or aquaculture purposes/included as a PDA (449) (450) (518)
- Site should be allowed to revert to its natural state and status as a greenfield site (450)
- Designate site as Area of Special Conservation (449) (450)
- Site should be used for sensitive tourism development (518)
- No specific changes requested but matters raised about development of the site including; development to be visually pleasing, not cause noise/light/other pollution, not involve loss of trees, protect flora and fauna, maintain accesses to cycle track and keep surrounding area in good condition, maintain public access to woods and shoreline and involve community in planning/design. (251) (1066)

**Summary of responses (including reasons) by planning authority:**

Background Information

- Potential Development Area P4003 is the site of the former Oban Sea Life Sanctuary visitor attraction which closed in October 2018.
- The site is currently a PDA in the 2015 adopted Local Development Plan where the schedules in the Written Statement set out that it is for "Tourism" which reflects its former use. (CD010, Page 81)
- The closure of the Sea Life Sanctuary occurred after the publication of the 2017 Main Issues Report and as such no change was indicated for PDA4003 within the MIR.
- The closure has been reflected in Proposed Local Development Plan 2 with the Written Statement schedules setting out the use of the site for "Marine Related Employment" (CD049, Page 120)
- It is understood that the site was sold to Gael Force Fusion Ltd in around May 2019.
- A "Proposal of application notice for change of use and redevelopment of former Sea Life Centre to use classes 4, 5 and 6 (office, industrial storage and distribution centre), including new industrial office and ancillary use buildings, outside working and storage areas, car and lorry parking, related infrastructure and landscaping" (reference 19/01542/PAN) was validated 25<sup>th</sup> July 2019 and was closed on 18<sup>th</sup> September 2019.
- A "Screening opinion for change of use and redevelopment of former sea life centre to use classes 4, 5 and 6 (office, industrial storage and distribution centre) including new industrial office and ancillary use buildings, outside working and storage areas, car and lorry parking, related infrastructure and landscaping" (reference 19/01722/SCREEN) was validated on 14<sup>th</sup> August 2019 with the opinion issued on 23<sup>rd</sup> June 2020.

- A planning application for “Temporary use of the former car park for open storage of palletised pen building components and pipes (Class 6)” (reference 19/02154/PP) was withdrawn on 11<sup>th</sup> August 2020.

#### Range of Uses (104) (518)

- P4003 was set out in PLDP2 for “marine related employment” in direct response to the closure of the Sea Life Sanctuary and the nature of the site being in close proximity to the coast.
- The MIR discussed marine industries and posed a question (MIR12) that included matters relating to development of a marine infrastructure requirements assessment and the safeguarding of locations that have particular suitability for on shore infrastructure to support marine industries (CD013). 82% of those who responded to MIR12 indicated agreement of the preferred option.
- P4003 is, in part, a previously developed site that is in close proximity to the shore and as such is a potential valuable location for marine related employment uses.
- The specified use in the Written Statement schedules aims to protect this potential resource for marine related employment as there are limited opportunities for such development in close proximity to the coast.
- To widen the uses to unspecified Class 4, 5 and 6 would open the opportunity for non-marine related uses to occupy the site potentially resulting in the loss of this potentially important resource.
- The objection (104) relates to a specific user and their intended operations for the site that they have purchased. The Screening Opinion issued by the Council sets out that in the Planning Authority’s opinion the Class 4 and 6 uses set out in the Screening Opinion request are incidental to the overall primary use of the planning unit for Class 5 manufacturing. On the basis that the Screening Opinion and the objection to PLDP2 here are closely related it is not considered necessary to widen the schedule description to Class 4 and 6. It is considered that the Class 5 manufacturing element set out in the Screening Opinion would fall within the description of marine related employment and therefore there is no need to specify Class 5 in the schedule.
- In addition, to provide unspecified Class 4, 5 and 6 uses (objection 104) or tourism uses (objection 518) within the Written Statement schedules would provide opportunity for non-marine related uses to occupy the site which, as set out above, is a potentially important land resource for the marine employment sector.
- It is considered that the definition of marine related employment provides sufficient certainty to help protect the site from wider uses whilst maintaining suitable flexibility for a range of marine related employment uses to be considered.

#### Environmental Issues (251) (449) (450) (518) (1066)

- Whilst some re-wilding of the site may have occurred since the closure in 2018 it is still considered to be, in part, a brownfield site given the presence of the buildings and access/car parking relating to the former Sea Life Sanctuary.
- To preclude the site from development in the Development Plan would be a lost opportunity to make use of the site that will also benefit from existing infrastructure provision including water and power as well as a direct access point onto the A82 trunk road. It is therefore considered appropriate that the Development Plan identifies it as a Potential Development Area.

- The site has been included as a Potential Development Area and not an allocation as there are a number of potential constraints that need to be resolved. The PLDP2 Written Statement sets out that “PDAs are areas where specific development opportunities may be supported through the life of the plan subject to those constraints identified in the schedules of the PDA’s being successfully addressed.” It also sets out that mini briefs in the Action Programme identify the constraints that need to be resolved.
- The scale and nature of any final proposal is not yet known. The site is relatively well screened from the A82 by an existing tree belt. The 19/01722/SCREEN Screening Opinion response (AD\*\*\*) sets out that the site is within 330m of the Lynn of Lorn National Scenic Area and that as such landscape impacts upon the setting of the NSA will need considering for that particular proposal. It is considered that any landscape and visual impact considerations could be adequately assessed through the planning application and EIA process (if required).
- The site is partly covered in woodland and is shown on the Ancient Woodland Inventory as Ancient Woodland of Semi Natural Origin and Long Established: of Plantation Origin. The presence of such woodland on the site gives rise to the potential presence of a range of species and habitats. The woodland and potential impact on species is noted in the draft Action Programme (CD\*\*\*). PLDP2 Policy 73 relates to development impact on habitats, species and biodiversity and Policies 77 and 78 relate to development impact on forestry, woodland and trees and woodland removal (CD049, Pages 96-97 and Pages 98-101). It is therefore considered that any potential impacts on trees and biodiversity on the site could be adequately dealt with at the planning application stage.
- P4003 is adjacent to the Loch Creran Special Area of Conservation (AD\*\*\*). The Joint Nature Conservation Committee information for the Loch Creran SAC sets out “Loch Creran, situated at the northern end of the Firth of Lorn, is a typical fjordic sea loch. The site is particularly notable for biogenic reefs of the calcareous tube-worm *Serpula vermicularis*, which occur in shallow water around the periphery of the loch. This species has a world-wide distribution but the development of reefs is extremely rare; Loch Creran is the only known site in the UK to contain living *S. vermicularis* reefs and there are no known occurrences of similarly abundant reefs in Europe. Biogenic reefs of the horse mussel *Modiolus modiolus*, also confined to the shallow sublittoral, occur in the upper basin of the loch. The biogenic reefs increase habitat complexity and are colonised by an abundant and diverse faunal assemblage, including bryozoans, ascidians and sponges. Localised areas of bedrock reef, which support further species-rich assemblages, are also included within the site.”
- The nature of the SAC and its potential constraint to development is reflected within the PLDP2 draft Action Programme for P4003 (CD\*\*\*).
- The sensitivity of the SAC is reflected in the 19/01722/SCREEN Screening Opinion (AD\*\*\*) which concluded that, for that particular proposal, an Environmental Impact Assessment would be required.
- The proposal set out through 19/01722/SCREEN may not actually represent the only or final scheme that might be put forward for the site. Alternative schemes by the same or any other applicant would potentially bring differing development scenarios and potential impacts on SAC but the handling of the matter to date demonstrates the Planning Authority’s comprehension of matters relating to the SAC. It is therefore considered that proposals for the site can be adequately dealt with through the planning application process and any associated EIA and appropriate assessment.
- It is also considered that matters relating to spread of non-native invasive species could be adequately considered and handled through the planning application process with the potential requirement for a biosecurity plan where appropriate.

- Matters relating to concerns about previous pollution are not material to the development plan process.
- Special Areas of Conservation are a European level designation and as such cannot be designated through the development plan process.
- Matters raised (objections 251 and 1066) relating to requirements on development of the site could be assessed through the planning application process and LDP2 policies. The Action Programme will set out, and where, necessary update information regarding potential constraints for the site.

#### Conclusion

- In conclusion, whilst there are important environmental sensitivities both on and adjacent to P4003 it is considered that the inclusion of the site as a PDA for marine related employment is an appropriate approach for this particular site. The specification of marine related employment helps preserve a potentially important resource for that sector. It is considered that potential environmental issues could be considered through the planning application process and any associated EIA and appropriate assessment. It is therefore considered that no change is required to PLDP2.

#### **Reporter's conclusions:**

#### **Reporter's recommendations:**

<b>Issue 133</b>	<b>P4016 - Oban - Longsdale (included in SM4001 Strategic Masterplan Area)</b>	
<b>Development Plan Reference:</b>	PLDP2 Site P4016 Oban – Longsdale; Chapter 10 Schedules p120; Oban Lorn and The Isles Map Book Map 200;	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Sally Thompson (154)  Chris Betts (166)  Derek Shanks (206)  Hugh Brown (232)  Oban Land and Marine (320)  Morag MacKinnon (448)  Sandra Elliott (471)  Jo-Anne Baker (557)  Fiona Macphail (1034)  Helen Jackson (1063)  Jonathan Phillips (1067)  Russell Dods (169)  Nigel and Hazel Evans (583)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Potential Development Area P4016 for Housing Allocation lying within Strategic Masterplan Area SM4001.	
<b>Planning authority's summary of the representation(s):</b>		
<p><u>Jonathan Phillips (1067)</u>  Do not support development in this green area. Will disturb biodiversity  Roads cannot support this.  Housing development is not suited to this area.  <u>Sally Thompson (154); Derek Shanks (206); Sandra Elliot (471)</u>  Object to loss of amenity, impact on nature, reduced traffic safety.  <u>Chris Betts (166)</u>  Negative impact on biodiversity. Unsafe access for proposed housing numbers.  <u>Hugh Brown (232)</u>  Access road unsuitable  <u>Oban Land and Marine (320); Russell Dods (169);Nigel and Hazel Evans (583)</u>  Too many houses proposed for local services in Oban; detrimental to biodiversity; unsuitable access  <u>Morag MacKinnon (448); Jo-Anne Baker (557)</u>  Unsuitable access.</p>		
<b>Modifications sought by those submitting representations:</b>		
<ul style="list-style-type: none"> <li>Remove (Sally Thompson (154); (Derek Shanks (206); (Sandra Elliot (471)</li> </ul>		

- No development until the Oban Development Road is commenced (Chris Betts (166)); (Oban Land and Marine\_(320); (Morag MacKinnon (448));
- Improve access road if possible before any development (Jo-Anne Baker (557)
- Remove from Plan or build Oban Development Road (Hugh Brown (232)

**Summary of responses (including reasons) by planning authority:**

P4016 is a Potential Development Area and was identified in the adopted LDP. No potential housing numbers are identified.

PDA's are areas where specific development opportunities may be supported through the life of the plan subject to those constraints identified in the schedules of the PDA's being successfully addressed. Mini development briefs have been prepared for each PDA and are included in the Action Programme that accompanies the plan. The briefs identify the use or range of uses considered appropriate, the constraints that need to be resolved and those policies which require to be taken into account.

The Action Programme identifies the following known constraints that will need to be addressed before any development can come forward:

- Affordable Housing requirement minimum of 25%
- Water Capacity Constraint
- Sewerage Capacity Constraint
- Access Constraint / Road Safety Issue
- Masterplan / Comprehensive Approach Required
- Sits within Strategic Masterplan (SM4001) area to allow consideration of wider issues
- Nature Constraint - Check for European Protected Species – bats; Marsh Fritillary habitat
- Water Quality - Opportunity to remove culvert and provision of buffer strip

It is important to note that until these constraints are successfully dealt with to the satisfaction of the Planning Authority, the principle of development is not established.

P4016 along with P4019; P4021; P4017; and P4022 have all been identified as long term development opportunities within the current LDP, which could be facilitated by the development of the Oban Development Road.

Proposal A of the PLDP2 states: The Council will take forward a Strategic Development Framework for the wider Oban area working with stakeholders including communities, key agencies, landowners, the Scottish Government, housing associations and the private sector to deliver a co-ordinated approach to: the rationalisation of existing land uses, improved traffic management and parking (including potential for park and ride), identification of new development opportunities for housing and economic uses, development of the Strategic Transport Hub, investigation of development potential and improvements to network resilience associated with the strategic road network, including the possibility of the Oban Development Road and Dunbeg Half-Way Roundabout, in order to realise the full potential of this strategically important area.

Strategic Masterplan SM4001 will be required to identify how P4016 along with P4019; P4021; P4017; and P4022 relate comprehensively to detailed designs of any Oban Development Road as they emerge. Until such time as this has occurred, the only development that will be

acceptable on these sites is that which can be safely accommodated on the existing common access road (Glencruitten Road). This road is currently significantly restricted and will require improvement of footpath provision and passing places to allow accommodation of even minor additional housing numbers. Moreover there are physical restrictions to providing the required improvements.

Notwithstanding this, the Potential Development Area P4016, along with P4019; P4021; P4017; and P4022 are important long term strategic land safeguards close to the centre of the town if and when the Oban Development Road is delivered.

Conclusions

No changes to the Plan are considered necessary in respect of these representations.

**Reporter's conclusions:**

**Reporter's recommendations:**

<b>Issue 134</b>	<b>P4017 - Oban - Glencruitten (included in SM4001 Strategic Masterplan Area)</b>	
<b>Development Plan Reference:</b>	PLDP2 Potential Development Area P4017 - Oban - Glencruitten (included in SM4001 Strategic Masterplan Area), Ch10 Schedules p120, Oban Lorn and The Isles Map Book Map 200	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Sally Thompson (154)  Chris Betts (166)  Derek Shanks (206)  Hugh Brown (232)  Donna Bell (298)  Oban Land and Marine (320)  Roni Macdonald (426)  Morag MacKinnon (448)  Sandra Elliott (471)  Jo-Anne Baker (557)  Daniel Baker (558)  Fiona Macphail (1034)  Helen Jackson (1063)  Jonathan Phillips (1067)  Russell Dods (169)  Nigel and Hazel Evans (583)</p>		
<b>)Provision of the development plan to which the issue relates:</b>	Potential Development Area for Housing.	
<b>Planning authority's summary of the representation(s):</b>		
<p><u>Fiona Macphail (134); Sally Thompson (154); Derek Shanks (206); Donna Bell (547); Sandra Elliot (471)</u>  Proposed quantity and density of houses will negatively impact wildlife and road safety.  <u>Helen Jackson (1063)</u>  Negative impact on road safety, inability of Oban to provide services for large numbers; prevent any opportunity to extend the golf course.  <u>Jonathon Phillips (1067)</u>  Will diminish countryside; infrastructure and road can't cope, no housing is suitable  <u>Chris Betts (166)</u>  Proposed quantity and density of houses will negatively impact biodiversity, countryside amenity and road safety. Oban Development Road should be built first.  <u>Hugh Brown (232); Morag MacKinnon (448)</u>  Access Road unsuitable  <u>Oban Land and Marine (320); Russell Dods (169);Nigel and Hazel Evans (583)</u>  Negative impact on Oban's Service capacity, biodiversity and access on Glencruitten Road  <u>Roni Macdonald (426)</u></p>		

Loss of green space and lack of Oban infrastructure

Jo-Anne Baker (557); Daniel Baker (558)

Negative impact on road safety and local countryside amenity.

**Modifications sought by those submitting representations:**

Fiona Macphail (134)

- Reduce number of proposed properties and add a footpath to Glencruitten Road. (Fiona Macphail (1034).
- Remove P4017 from the plan (Helen Jackson (1063); (Sally Thompson (154); (Derek Shanks (206); (Sandra Elliot (471).
- Move housing to out of town locations (Jonathon Phillips (1067).
- Build ODR before any housing development and develop private not social houses (Chris Betts (166); Oban Land and Marine (320).
- Remove or build Oban Development Road (Hugh Brown (232); (Morag Mackinnon (448).

**Summary of responses (including reasons) by planning authority:**

P4017 is a Potential Development Area and was identified in the adopted LDP. No potential housing numbers are identified.

PDA's are areas where specific development opportunities may be supported through the life of the plan subject to those constraints identified in the schedules of the PDA's being successfully addressed. Mini development briefs have been prepared for each PDA and are included in the Action Programme that accompanies the plan. The briefs identify the use or range of uses considered appropriate, the constraints that need to be resolved and those policies which require to be taken into account.

The Action Programme identifies the following known constraints for P4017 that will need to be addressed before any development can come forward:

- Affordable Housing requirement minimum of 25%
- Water Capacity Constraint
- Sewerage Capacity Constraint
- Access Constraint / Road Safety Issue
- Masterplan / Comprehensive Approach Required
- Sits within Strategic Masterplan (SM4001) area to allow consideration of wider issues
- Nature Constraint - Check for European Protected Species – bats; Marsh Fritillary habitat
- Water Quality - Opportunity to remove culvert and provision of buffer strip

It is important to note that until these constraints are successfully dealt with to the satisfaction of the Planning Authority, the principle of development is not established.

P4017 along with P4019; P4021; P4016; and P4022 have all been identified as long term development opportunities within the current LDP, which could be facilitated by the development of the Oban Development Road.

Proposal A of the PLDP2 states: The Council will take forward a Strategic Development Framework for the wider Oban area working with stakeholders including communities, key agencies, landowners, the Scottish Government, housing associations and the private sector to deliver a co-ordinated approach to: the rationalisation of existing land uses, improved traffic

management and parking (including potential for park and ride), identification of new development opportunities for housing and economic uses, development of the Strategic Transport Hub, investigation of development potential and improvements to network resilience associated with the strategic road network, including the possibility of the Oban Development Road and Dunbeg Half-Way Roundabout, in order to realise the full potential of this strategically important area.

Strategic Masterplan SM4001 will be required to identify how P4017 along with P4019; P4021; P4016; and P4022 relate comprehensively to detailed designs of any Oban Development Road as they emerge. Until such time as this has occurred, the only development that will be acceptable on these sites is that which can be safely accommodated on the existing common access road (Glencruitten Road). This road is currently significantly restricted and will require improvement of footpath provision and passing places to allow accommodation of even minor additional housing numbers. Moreover there are physical restrictions to providing the required improvements.

Notwithstanding this, the Potential Development Area P4017, along with P4019; P4021; P4017; and P4022 are important long term strategic land safeguards close to the centre of the town if and when the Oban Development Road is delivered.

Any proposed re-development of the Golf Course would be dealt with by the Strategic Masterplan SM4001. Notwithstanding this these are likely to be contained within P4022 not P4017 where the topography would be prohibitive.

**Conclusions**

No changes to the Plan are considered necessary in respect of these representations.

**Reporter's conclusions:**

**Reporter's recommendations:**

<b>Issue 135</b>	<b>P4019 - Oban - Glencruitten (included in SM4001 Strategic Masterplan Area)</b>	
<b>Development Plan Reference:</b>	PLDP2 Potential Development Area P4019 - Oban - Glencruitten (included in SM4001 Strategic Masterplan Area), Ch10 Schedules p120, Oban Lorn and The Isles Map Book Map 200	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Sally Thompson (154)  Chris Betts (166)  Derek Shanks (206)  Hugh Brown (232)  Ian MacInnes (257)  Dennis McLaughlin (284)  Katrina Flannigan (291)  Donna Bell (298)  Oban Land and Marine (320)  David Price (344)  Ronald Marr (385)  Deborah MacDonald (437)  Morag MacKinnon (448)  Sandra Elliott (471)  Vivienne Price (508)  Frank Tindall (528)  Jo-Anne Baker (557)  Daniel Baker (558)  Fiona Macphail (1034)  Mr and Mrs Turnbull (1060)  Helen Jackson (1063)  Jonathan Phillips (1067)  Russell Dods (169)  Nigel and Hazel Evans (583)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Potential Development Area for Housing.	
<b>Planning authority's summary of the representation(s):</b>		
<p><u>Fiona Macphail (1034); Mr and Mrs Turnbull (1060); Sally Thompson (154); Derek Shanks (206); Sandra Elliot (471); Jo-Anne Baker (1049); Daniel Baker (558)</u>  Proposed quantity and density of houses will negatively impact wildlife and road safety.  <u>Helen Jackson (1063)</u>  Negative impact on road safety, inability of Oban to provide services for large numbers; prevent any opportunity to extend the golf course.  <u>Jonathon Phillips (1067); Donna Bell (289)</u>  Will diminish countryside; infrastructure and road can't cope, no housing is suitable  <u>Chris Betts (166)</u></p>		

Proposed quantity and density of houses will negatively impact biodiversity, countryside amenity and road safety. Oban Development Road should be built first.

Hugh Brown (232); Ian MacInnes (257); Dennis McLaughlin (284); Katrina Flannigan (291); Ronald Marr (385); Deborah MacDonald (437); Morag MacKinnon (448); Frank Tindall (1001)

Access Road unsuitable

Christopher Jackson (320); Vivienne Price (508) Russell Dods (169); Nigel and Hazel Evans (583)

Negative impact on Oban's Service capacity, biodiversity and access on Glencruitten Road

Loss of green space and lack of Oban infrastructure

David Price (344)

Negative impact on road safety; Oban Services capacity and flooding.

#### **Modifications sought by those submitting representations:**

- Develop fewer houses and upgrade Glencruitten Rd. (Fiona Macphail (1034).
- Improve and add a footpath to Glencruitten Road. (Jo-Anne Baker (557); (Daniel Baker (558)
- Remove P4019 from the plan); (Sally Thompson (154); (Derek Shanks (206); (Sandra Elliot (471).
- Build ODR before any housing development and develop private not social houses (Chris Betts (166); (Christopher Jackson (320)
- Remove or build Oban Development Road (Hugh Brown (232); (Morag Mackinnon (448); (Helen Jackson (1063); Katrina Flannigan (291); Frank Tindall (1001)

#### **Summary of responses (including reasons) by planning authority:**

P4019 is a Potential Development Area and was identified in the adopted LDP. No potential housing numbers are identified in the Plan.

PDA's are areas where specific development opportunities may be supported through the life of the plan subject to those constraints identified in the schedules of the PDA's being successfully addressed. Mini development briefs have been prepared for each PDA and are included in the Action Programme that accompanies the plan. The briefs identify the use or range of uses considered appropriate, the constraints that need to be resolved and those policies which require to be taken into account.

The Action Programme identifies the following known constraints for P4019 that will need to be addressed before any development can come forward:

- Affordable Housing requirement minimum of 25%
- Water Capacity Constraint
- Sewerage Capacity Constraint
- Access Constraint / Road Safety Issue
- Masterplan / Comprehensive Approach Required
- Sits within Strategic Masterplan (SM4001) area to allow consideration of wider issues
- Nature Constraint - Check for European Protected Species – bats; Marsh Fritillary habitat
- Water Quality - Opportunity to remove culvert and provision of buffer strip

It is important to note that until these constraints are successfully dealt with to the satisfaction of the Planning Authority, the principle of development is not established.

P4019 along with P4017; P4021; P4016; and P4022 have all been identified as long term development opportunities within the current LDP, which could be facilitated by the development of the Oban Development Road.

Proposal A of the PLDP2 states: The Council will take forward a Strategic Development Framework for the wider Oban area working with stakeholders including communities, key agencies, landowners, the Scottish Government, housing associations and the private sector to deliver a co-ordinated approach to: the rationalisation of existing land uses, improved traffic management and parking (including potential for park and ride), identification of new development opportunities for housing and economic uses, development of the Strategic Transport Hub, investigation of development potential and improvements to network resilience associated with the strategic road network, including the possibility of the Oban Development Road and Dunbeg Half-Way Roundabout, in order to realise the full potential of this strategically important area.

Strategic Masterplan SM4001 will be required to identify how P4019 along with P4017; P4021; P4016; and P4022 relate comprehensively to detailed designs of any Oban Development Road as they emerge. Until such time as this has occurred, the only development that will be acceptable on these sites is that which can be safely accommodated on the existing common access road (Glencruitten Road). This road is currently significantly restricted and will require improvement of footpath provision and passing places to allow accommodation of even minor additional housing numbers. Moreover there are physical restrictions to providing the required improvements.

Notwithstanding this, the Potential Development Area P4019, along with P4017; P4021; P4017; and P4022 are important long term strategic land safeguards close to the centre of the town if and when the Oban Development Road is delivered.

In June 2020 the Council approved a Masterplan submitted by developers covering P4019, P4021 and P4016 (19/0148/MPLA). This masterplan was not a substitute for Strategic Masterplan SM4001, but sought to identify the potential for limited land release within site P4019 in advance of the ODR. The Masterplan was approved on the basis that:

- it identifies potential land area within P4019 which could, subject to suitable design, acceptably accommodate 100 affordable homes;
- notes that any potential development on sites P4021 and P4016 will require further masterplans to consider vehicular access arrangements from the Oban Development Road;
- notes that any detailed development proposals within P4019, accesses from Glencruitten Road will be subject to the agreement of the Roads Authority, to road improvements to Glencruitten Road.
- The masterplan does not constitute an outline or detailed planning consent, but would be a material consideration in their determination.

Although the Masterplan for P4019 has been approved, and agrees the possibility that a small area of land within P4019 could be developed discreetly from connections to the Oban Development Road, and potentially in advance of it, it is clearly expressed that such development could only take place after acceptable road improvements along Glencruitten Road. It does not affect the wider requirement for a Strategic Masterplan SM4001 to address

wider issues of the Oban Development Road delivery prior to large scale release of land within Glencruitten.

**Conclusions**

No changes to the Plan are considered necessary in respect of these representations.

**Reporter's conclusions:**

**Reporter's recommendations:**

<b>Issue 137</b>	<b>P4021 - Oban - Longsdale Road (included in SM4001 Strategic Masterplan Area)</b>	
<b>Development Plan Reference:</b>	PLDP2 Potential Development Area P4021 - Oban - Glencruitten (included in SM4001 Strategic Masterplan Area), Ch10 Schedules p120, Oban Lorn and The Isles Map Book Map 200	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Sally Thompson (154)  Chris Betts (166)  Derek Shanks (206)  Donna Bell (298)  Oban Land and Marine (320)  David Price (344)  Sandra Elliott (471)  Jo-Anne Baker (557)  Fiona Macphail (1034)  Helen Jackson (1063)  Russell Dods (169)  Nigel and Hazel Evans (583)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Potential Development Area for Housing.	
<b>Planning authority's summary of the representation(s):</b>		
<p><u>Sally Thompson (154); Derek Shanks (206); Sandra Elliot (471); Jo-Anne Baker (1049);</u>  Proposed quantity and density of houses will negatively impact wildlife and road safety.  <u>Helen Jackson (1063)</u>  Negative impact on road safety, inability of Oban to provide services for large numbers; prevent any opportunity to extend the golf course.  <u>Donna Bell (289)</u>  Object to housing unsupported by infrastructure.  <u>Chris Betts (166)</u>  Proposed quantity and density of houses will negatively impact biodiversity, countryside amenity and road safety. Oban Development Road should be built first.  <u>Chris Jackson (320) Russell Dods (169);Nigel and Hazel Evans (583)</u>  Negative impact on Oban's Service capacity, biodiversity and access on Glencruitten Road  <u>Fiona Macphail (1034);</u>  Loss of open / green space.  <u>David Price (344)</u>  Negative impact on road safety; Oban Services capacity and flooding.</p>		
<b>Modifications sought by those submitting representations:</b>		
<ul style="list-style-type: none"> <li>• Lower density proposals. (<i>Fiona Macphail (1034)</i>).</li> <li>• Improve and add a footpath to Glencruitten Road. (<i>Jo-Anne Baker (557)</i>),</li> </ul>		

- Remove P4019 from the plan; (*Sally Thompson (154)*); (*Derek Shanks (206)*); (*Sandra Elliot (471)*).
- Build ODR before any housing development and develop private not social houses (*Chris Betts (166)*); (*Christopher Jackson (320)*)
- Remove or build Oban Development Road; (*Helen Jackson (1063)*).

**Summary of responses (including reasons) by planning authority:**

P4021 is a Potential Development Area and was identified in the adopted LDP. No potential housing numbers are identified in the Plan.

PDA's are areas where specific development opportunities may be supported through the life of the plan subject to those constraints identified in the schedules of the PDA's being successfully addressed. Mini development briefs have been prepared for each PDA and are included in the Action Programme that accompanies the plan. The briefs identify the use or range of uses considered appropriate, the constraints that need to be resolved and those policies which require to be taken into account.

The Action Programme identifies the following known constraints for P4021 that will need to be addressed before any development can come forward:

- *Affordable Housing requirement minimum of 25%*
- *Water Capacity Constraint*
- *Sewerage Capacity Constraint*
- *Access Constraint / Road Safety Issue*
- *Masterplan / Comprehensive Approach Required*
- *Sits within Strategic Masterplan (SM4001) area to allow consideration of wider issues*
- *Nature Constraint - Check for European Protected Species – bats; Marsh Fritillary habitat*
- *Water Quality - Opportunity to remove culvert and provision of buffer strip*

It is important to note that until these constraints are successfully dealt with to the satisfaction of the Planning Authority, the principle of development is not established.

P4021 along with P4017; P4019; P4016; and P4022 have all been identified as long term development opportunities within the current LDP, which could be facilitated by the development of the Oban Development Road.

Proposal A of the PLDP2 states: The Council will take forward a Strategic Development Framework for the wider Oban area working with stakeholders including communities, key agencies, landowners, the Scottish Government, housing associations and the private sector to deliver a co-ordinated approach to: the rationalisation of existing land uses, improved traffic management and parking (including potential for park and ride), identification of new development opportunities for housing and economic uses, development of the Strategic Transport Hub, investigation of development potential and improvements to network resilience associated with the strategic road network, including the possibility of the Oban Development Road and Dunbeg Half-Way Roundabout, in order to realise the full potential of this strategically important area.

Strategic Masterplan SM4001 will be required to identify how P4021 along with P4017; P4019; P4016; and P4022 relate comprehensively to detailed designs of any Oban Development Road as they emerge. Until such time as this has occurred, the only development that will be

acceptable on these sites is that which can be safely accommodated on the existing common access road (Glencruitten Road). This road is currently significantly restricted and will require improvement of footpath provision and passing places to allow accommodation of even minor additional housing numbers. Moreover there are physical restrictions to providing the required improvements.

Notwithstanding this, the Potential Development Area P4021, along with P4017; P4019; P4017; and P4022 are important long term strategic land safeguards close to the centre of the town if and when the Oban Development Road is delivered.

In June 2020 the Council approved a Masterplan submitted by developers covering P4019, P4021 and P4016 (19/0148/MPLA). This masterplan was not a substitute for Strategic Masterplan SM4001, but sought to identify the potential for limited land release within site P4019 in advance of the ODR. The Masterplan was approved on the basis that:

- it identifies potential land area within P4019 which could, subject to suitable design, acceptably accommodate 100 affordable homes;
- notes that any potential development on sites P4021 and P4016 will require further masterplans to consider vehicular access arrangements from the Oban Development Road;
- notes that any detailed development proposals within P4019, accesses from Glencruitten Road will be subject to the agreement of the Roads Authority, to road improvements to Glencruitten Road.
- The masterplan does not constitute an outline or detailed planning consent, but would be a material consideration in their determination.

Although the Masterplan for P4019 has been approved, and agrees the possibility that a small area of land within P4019 could be developed discreetly from connections to the Oban Development Road, and potentially in advance of it, it is clearly expressed that such development could only take place after acceptable road improvements along Glencruitten Road. It does not affect the wider requirement for a Strategic Masterplan SM4001 to address wider issues of the Oban Development Road delivery prior to large scale release of land within Glencruitten.

#### Conclusions

No changes to the Plan are considered necessary in respect of these representations.

#### **Reporter's conclusions:**

#### **Reporter's recommendations:**

<b>Issue 138</b>	<b>P4022 - Oban - Glencruitten (included in SM4001 Strategic Masterplan Area)</b>	
<b>Development Plan Reference:</b>	PLDP2 Potential Development Area P4022 - Oban - Glencruitten (included in SM4001 Strategic Masterplan Area), Ch10 Schedules p120, Oban Lorn and The Isles Map Book Map 200	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Patrick Freytag (80)  Sally Thompson (154)  Chris Betts (166)  Derek Shanks (206)  Hugh Brown (232)  Donna Bell (298)  Oban Land and Marine (320)  Roni Macdonald (426)  Morag MacKinnon (448)  Sandra Elliott (471)  Jo-Anne Baker (557)  Daniel Baker (558)  Fiona Macphail (1034)  Helen Jackson (1063)  Jonathan Phillips (1067)  Russell Dods (169)  Nigel and Hazel Evans (583)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Potential Golf Course Expansion Area	
<b>Planning authority's summary of the representation(s):</b>		
<p><u>Fiona Macphail (1034); Mr and Mrs Turnbull (1060); Sally Thompson (154); Derek Shanks (206); Sandra Elliot (471); Jo-Anne Baker (1049); Daniel Baker (558)</u>  Proposed quantity and density of houses will negatively impact wildlife and road safety.  <u>Helen Jackson (1063)</u>  Negative impact on road safety, inability of Oban to provide services for large numbers; prevent any opportunity to extend the golf course.  <u>Jonathon Phillips (1067); Donna Bell (289)</u>  Will diminish countryside; infrastructure and road can't cope, no housing is suitable  <u>Chris Betts (166)</u>  Proposed quantity and density of houses will negatively impact biodiversity, countryside amenity and road safety. Oban Development Road should be built first.  <u>Hugh Brown (232); Ian MacInnes (257); Dennis McLaughlin (284); Katrina Flannigan (291); Ronald Marr (385); Deborah MacDonald (437); Morag MacKinnon (448); Frank Tindall (1001)</u>  Access Road unsuitable  <u>Christopher Jackson (320); Vivienne Price (508); Russell Dods (169); Nigel and Hazel Evans (583)</u>  Negative impact on Oban's Service capacity, biodiversity and access on Glencruitten Road</p>		

Roni MacDonald (138)

Loss of green space and lack of Oban infrastructure

David Price (344)

Negative impact on road safety; Oban Services capacity and flooding.

Patrick Freytag (80)

Support new road which is needed fast given ever increasing tourist traffic and ferry traffic.

**Modifications sought by those submitting representations:**

- Develop fewer houses and upgrade Glencruitten Rd. (*Fiona Macphail (1034)*).
- Improve and add a footpath to Glencruitten Road. (*Jo-Anne Baker (557)*); (*Daniel Baker (558)*)
- Remove P4022 from the plan); (*Sally Thompson (154)*); (*Derek Shanks (206)*); (*Sandra Elliot (471)*).
- Build ODR before any housing development and develop private not social houses (*Chris Betts (166)*); (*Christopher Jackson (320)*)

Remove or build Oban Development Road (*Hugh Brown (232)*); (*Morag Mackinnon (448)*); (*Helen Jackson (1063)*); (*Katrina Flannigan (291)*); (*Frank Tindall (1001)*)

**Summary of responses (including reasons) by planning authority:**

P4022 is a Potential Development Area and was identified in the adopted LDP.

The site is identified as a potential golf course expansion, not a housing site, however the Action Programme acknowledges that there may be potential for small scale ancillary housing development.

PDA's are areas where specific development opportunities may be supported through the life of the plan subject to those constraints identified in the schedules of the PDA's being successfully addressed. Mini development briefs have been prepared for each PDA and are included in the Action Programme that accompanies the plan. The briefs identify the use or range of uses considered appropriate, the constraints that need to be resolved and those policies which require to be taken into account.

The Action Programme identifies the following known constraints for P4022 that will need to be addressed before any development can come forward:

- Housing - possible ancillary low density high amenity small scale housing development
- Water Capacity Constraint
- Sewerage Capacity Constraint
- Access Constraint / Road Safety Issue
- Masterplan / Comprehensive Approach Required
- Sits within Strategic Masterplan (SM4001) area to allow consideration of wider issues
- Nature Constraint – Check for European Protected species

It is important to note that until these constraints are successfully dealt with to the satisfaction of the Planning Authority, the principle of development is not established.

P4022 along with P4017; P4021; P4016; and P4022 have all been identified as long term development opportunities within the current LDP, which could be facilitated by the development of the Oban Development Road.

Proposal A of the PLDP2 states: The Council will take forward a Strategic Development Framework for the wider Oban area working with stakeholders including communities, key agencies, landowners, the Scottish Government, housing associations and the private sector to deliver a co-ordinated approach to: the rationalisation of existing land uses, improved traffic management and parking (including potential for park and ride), identification of new development opportunities for housing and economic uses, development of the Strategic Transport Hub, investigation of development potential and improvements to network resilience associated with the strategic road network, including the possibility of the Oban Development Road and Dunbeg Half-Way Roundabout, in order to realise the full potential of this strategically important area.

Strategic Masterplan SM4001 will be required to identify how P4022 along with P4017; P4021; P4016; and P4022 relate comprehensively to detailed designs of any Oban Development Road as they emerge. Until such time as this has occurred, the only development that will be acceptable on these sites is that which can be safely accommodated on the existing common access road (Glencruitten Road). This road is currently significantly restricted and will require improvement of footpath provision and passing places to allow accommodation of even minor additional housing numbers. Moreover there are physical restrictions to providing the required improvements.

Notwithstanding this, the Potential Development Area P4022, along with P4017; P4021; P4017; and P4022 are important long term strategic land safeguards close to the centre of the town if and when the Oban Development Road is delivered.

In May 2018 a Masterplan was approved for P4022. This Masterplan confirmed the majority of the site to be provided for golf course expansion at some future time, with the exception of a small area identifying one existing croft dwelling, and the location of two potential new dwellings. The Council's roads authority have indicated that those two dwellings can be accommodated safely within existing road conditions but no further development would be acceptable if accessed from Glencruitten Road until such time that the Oban development Road is delivered.

#### Conclusions

No changes to the Plan are considered necessary in respect of these representations.

#### **Reporter's conclusions:**

#### **Reporter's recommendations:**

<b>Issue 139</b>	<b>Oban – Ganavan P4023, H4006, H4009, I4002 and surrounding area</b>	
<b>Development Plan Reference:</b>	Chapter 10, Schedules pp118, 121, 123 and Proposals Maps Dunbeg Map number 176, Oban Bay Map Number 199	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Ryan Murphy (27)  Patrick Freytag (80)  Gordon Smyth (89)  Colin Martin (93)  Lynsey Mackenzie (94)  Arlene Campbell (95);  Elayne Starkey (96)  Morag Boyd (99)  Kim O’Keeffe (100)  Lynda Oxland (101)  Emma Darcy (102)  Allyson Lawson (103)  Catherine Gillies (106)  Alex Spence (107)  Jamie and Claire Smith (108)  Shaun Davidson (111)  Emily Woolard (112)  Kerri Stewart (113)  Saffron Harvey (114)  Helen Cowan (116)  Philip Picken (119)  Derek Laidler (120)  Joyce Hall (142)  Gillies Pagan (124)  Norman Martin (130)  Maggie Clayton (131)  Susannah Hughes (132)  Liam Orr (138)  John Watson (141)  Joyce Hall (142);  Malcolm Hall (143)  John Finnie (145)  Stephen Robertson (152)  LiveArgyll (153)  Sally Thompson (154)  Ganavan Sands Parkrun (156)  Mhairi Ross (157)  Alison Low (158)  Diana Johnston (159)  Steven Forteith (161)</p>		

Holly Pallas (162)  
Melanie Weetman (163)  
Donald Webster (168)  
Russell Dods (169)  
Margaret Webster (170)  
Margaret Anne Young (172)  
James Stewart (173)  
Stan Morris (175)  
George Bosworth (180)  
Karen MacLennan (186)  
Anne-Marie Robertson (187)  
N Currie (192)  
Elaine Forteith (194)  
Taynuilt Shinty Club/Steven Campbell (200)  
Stephen Lawson (202)  
Derek Shanks (206)  
Alison McNab (208)  
Maeve Kelly (214)  
Hasan Fattah (225)  
Florian Dargel (226)  
Neil McLachlan (227)  
Zalina Dzhatieva (228)  
Paul Bowers (237)  
Valerie Leckie (241)  
Catherine Winterton (242)  
Gavin Maclean (245)  
Elaine Maclean (247)  
Hazel Robertson (250)  
Christopher Jackson (252)  
Anne Barr (260)  
Anthony Hall (263)  
W R Parry (264)  
Margaret Nicholson (268)  
Rufus Hughes (270)  
William Thomson (273)  
Alexander Clark (286)  
Caroline Boswell (287)  
Peter Winterborn (289)  
Philip Monteith (292)  
John Hyde (295)  
Donna Bell (298)  
Lorn Medical Centre (304)  
Graham Chadwick (305)  
Kilmore and Kilbride Community Council (310)  
Leo Faccenda (311)  
Sharon McNeill (313)  
Dunollie Preservation Trust (322)  
Fiona Morley (325)  
Alan Mitchell (328)

Adam Richards (333)  
Kirsteen Den Heijer (334)  
Deirdre MacFarlane (337)  
E MacKinnon (340)  
Robin MacDougall Morley (347)  
Katherine Adams (351)  
Andrew Ravenhill (366)  
Lesley McKerracher (381)  
Roanna Clark (398)  
Stephen Sunderland (405)  
Catherine Sunderland (406)  
Adam Hughes (409)  
Penelope Turtle (413)  
Colin Turtle (416)  
Frank Roberts (417)  
Donna Barr (422)  
Martha McNeill (423)  
Jeffrey Darby (425)  
Roni Macdonald (426)  
Barbara Milne (428)  
Julie Fairbrass (430)  
Mark Cardwell (433)  
Axel Miller (438)  
Woodland Trust Scotland (441)  
Dunollie Estate & Dunollie Farm Trust (444)  
Maggie Brotherston (449)  
Federica Rossi (451)  
Drhue Forbes (452)  
Carolyn Seggie (456)  
Irena Chapman (458)  
Martin Hadlington (463)  
Sandra Elliott (471)  
Catriona Clarke (476)  
Pauline Jespersen (478)  
Moir Newiss (480)  
Eric Chapman (481)  
Erik Jespersen (482)  
Laura Corbe (488)  
Beaton + McMurphy Architects Ltd (496)  
Sheila Ravenhill (504)  
Fiona Donn (517)  
Sarah Brown (518)  
Claire Treasurer (519)  
Mairi Jackson (521)  
Morvern Macdougall (530)  
Kasia Ochman (537)  
Jim Lynch (542)  
Marie Lynch (545)  
Kenneth & Lynda Oxland (579)

Helen & John Anderson (580)  
 Carol Leech (581)  
 Richard Bingham (582)  
 Veronica Fowler (584)  
 William Leech (586)  
 Sona Campbell (588)  
 Alexander & Alexandra Clark (589)  
 David Hodge (590)  
 Iain MacIntyre (595)  
 William J Calder (632)  
 Joyce Coope (638)  
 Wendy Douglas (639)  
 Daniel and Lorna Freytag (640)  
 Janette Henry (641)  
 Linda Kerr (642)  
 Helen Lawson (643)  
 Eileen Lea (644)  
 John M Robertson (645)  
 Callum Macleod (647)  
 John McDougall (648)  
 Peter and Joy Mills (649)  
 Oban Community Council (660)  
 Nina Robertson (663)  
 Margaret Taylor (665)  
 Karen Boswarva (1008)  
 L J Llewellyn (1009)  
 Ross Russell (1010)  
 Kathleen Carmichael (1017)  
 E Aitken (1018)  
 Camanachd Association (1029)  
 Link Group Ltd (1035)  
 S M Campbell (1041)  
 Robert Martin Kain (1042)  
 Eleanor Walton (1043)  
 U Parry (1044)  
 Lesley McPhail (1050)  
 Friends of Ganavan (1061)  
 Gordon G McNab (1062)  
 Helen Jackson (1063)  
 Jonathan Phillips (1067)  
 Laura Corbe (927)

**Provision of the development plan to which the issue relates:**

Potential Development Areas, Housing Allocations and Infrastructure Action

**Planning authority's summary of the representation(s):**

**Objections to Potential Development Area P4023**

Ryan Murphy (27); Patrick Freytag (80); Gordon Smyth (89); Arlene Campbell (95); Elayne Starkey (96); Kim O’Keeffe (100); Lynda Oxland (101); Emma Darcy (102); Allyson Lawson (103); Catherine Gillies (106); Alex Spence (107); Jamie and Claire Smith (108); Shaun Davidson (111); Emily Woolard (112); Kerri Stewart (113); Saffron Harvey (114); Helen Cowan (116); Philip Picken (119); Derek Laidler (120); Gillies Pagan (124); Norman Martin (130); Maggie Clayton (131); Susannah Hughes (132); Joyce Hall (142); Malcolm Hall (143); John Finnie (145); LiveArgyll (153); Sally Thompson (154); Ganavan Sands Parkrun (156); Mhairi Ross (157); Diana Johnston (159); Steven Forteith (161); Holly Pallas (162); Melanie Weetman (163); Donald Webster (168); Russell Dods (169); Margaret Webster (170); Margaret Anne Young (172); James Stewart (173); Stan Morris (175); George Bosworth (180); Karen MacLennan (186); Anne-Marie Robertson (187); Elaine Forteith (194); Taynuilt Shinty Club/Steven Campbell (200); Stephen Lawson (202); Derek Shanks (206); Alison McNab (208); Maeve Kelly (214); Hasan Fattah (225); Florian Dargel (226); Neil McLachlan (227); Zalina Dzhatieva (228); Paul Bowers (237); Valerie Leckie (241); Catherine Winterton (242); Gavin Maclean (245); Elaine Maclean (247); Christopher Jackson (252); Anne Barr (260); Anthony Hall (263); W R Parry (264); Margaret Nicholson (268); Rufus Hughes (270); William Thomson (273); Alexander Clark (286); Caroline Boswell (287); Peter Winterborn (289); Philip Monteith (292); John Hyde (295); Donna Bell (298); Lorn Medical Centre (304); Graham Chadwick (305); Kilmore and Kilbride Community Council (310); Leo Faccenda (311); Sharon McNeill (313); Dunollie Preservation Trust (322); Fiona Morley (325); Alan Mitchell (328); Adam Richards (333); Kirsteen Den Heijer (334); E MacKinnon (340); Robin MacDougall Morley (347); Katherine Adams (351); Andrew Ravenhill (366); Lesley McKerracher (381); Roanna Clark (398); Stephen Sunderland (405); Catherine Sunderland (406); Adam Hughes (409); Penelope Turtle (413); Colin Turtle (416); Frank Roberts (417); Donna Barr (422); Martha McNeill (423); Jeffrey Darby (425); Roni Macdonald (426); Barbara Milne (428); Julie Fairbrass (430); Mark Cardwell (433); Axel Miller (438); Dunollie Estate & Dunollie Farm Trust (444); Federica Rossi (451); Drhue Forbes (452); Carolyn Seggie (456); Irena Chapman (458); Martin Hadlington (463); Sandra Elliott (471); Catriona Clarke (476); Pauline Jespersen (478); Moira Newiss (480); Eric Chapman (481); Erik Jespersen (482); Laura Corbe (488); Beaton + McMurphy Architects Ltd (496); Sheila Ravenhill (504); Fiona Donn (517); Sarah Brown (518); Sarah Brown (518); Morvern Macdougall (530); Kasia Ochman (537); Jim Lynch (542); Kenneth & Lynda Oxland (579); Helen & John Anderson (580); Carol Leech (581); Richard Bingham (582); Veronica Fowler (584); William Leech (586); Sona Campbell (588); Alexander & Alexandra Clark (589); David Hodge (590); Iain MacIntyre (595); William J Calder (632); Joyce Coope (638); Wendy Douglas (639); Daniel and Lorna Freytag (640); Janette Henry (641); Linda Kerr (642); Helen Lawson (643); Eileen Lea (644); John M Robertson (645); Callum Macleod (647); John McDougall (648); Peter and Joy Mills (649); Oban Community Council (660); Nina Robertson (663); Margaret Taylor (665); Karen Boswarva (1008); L J Llewellyn (1009); Ross Russell (1010); E Aitken (1018); Camanachd Association (1029); Link Group Ltd (1035); S M Campbell (1041); Eleanor Walton (1043); U Parry (1044); Lesley McPhail (1050); Friends of Ganavan (1061); Gordon G McNab (1062); Helen Jackson (1063); Jonathan Phillips (1067); Clare Bryden (125); Glynis Dewar (134); Sue Burden (302); Peter Mills (297); Sharon McNeil (313); Maeve Kelly (214); Carole MacFadyen (1011); David Taylor (137) Laura Corbe (927)

- Objections to P4023 and adjoining area

### **Main points raised in relation to the development of P4023 and adjoining area**

#### **Proposed New Development Types on P4023**

Link Group Ltd (1035)

- Link Group Ltd generally support the identification of this site as a PDA, but consider that the permissible uses within it require to be widened to encompass all future potential uses, including business uses, retail uses and other community uses. The overall concept for the Dunbeg Corridor is to develop it as a sustainable mixed use area. Greater flexibility in the description will enable this at this site.

#### **Availability of Open Space within Oban**

Gordon Smyth (89); Elayne Starkey (96); Morag Boyd (99); Kim O’Keeffe (100); Alex Spence (107); Jamie and Claire Smith (108); L J Llewellyn (1009); Emily Woolard (112); Saffron Harvey (114); Gillies Pagan (124); Susannah Hughes (132); Malcolm Hall (143); LiveArgyll (153); Sally Thompson (154); Ganavan Sands Parkrun (156); Mhairi Ross (157); Steven Forteith (161); Holly Pallas (162); Margaret Anne Young (172); Stan Morris (175); Karen MacLennan (186); Anne-Marie Robertson (187); Elaine Forteith (194); Taynuilt Shinty Club/Steven Campbell (200); Stephen Lawson (202); Derek Shanks (206); Alison McNab (208); Maeve Kelly (214); Neil McLachlan (227); Zalina Dzhatieva (228); Paul Bowers (237); Valerie Leckie (241); Elaine Maclean (247); Christopher Jackson (252); Anne Barr (260); Anthony Hall (263); W R Parry (264); Margaret Nicholson (268); William Thomson (273); Alexander Clark (286); Peter Winterborn (289); Donna Bell (298); Graham Chadwick (305); Kilmore and Kilbride Community Council (310); Leo Faccenda (311); Sharon McNeill (313); Dunollie Preservation Trust (322); Fiona Morley (325); Alan Mitchell (328); Adam Richards (333); Kirsteen Den Heijer (334); Robin MacDougall Morley (347); Katherine Adams (351); Andrew Ravenhill (366); Lesley McKerracher (381); Roanna Clark (398); Stephen Sunderland (405); Catherine Sunderland (406); Penelope Turtle (413); Colin Turtle (416); Frank Roberts (417); Martha McNeill (423); Jeffrey Darby (425); Barbara Milne (428); Julie Fairbrass (430); Mark Cardwell (433); Axel Miller (438); Dunollie Estate & Dunollie Farm Trust (444); Martin Hadlington (463); Sandra Elliott (471); Catriona Clarke (476); Eric Chapman (481); Laura Corbe (488); Sheila Ravenhill (504); Fiona Donn (517); Sarah Brown (518); Claire Treasurer (519); Mairi Jackson (521); Kasia Ochman (537); Jim Lynch (542); Kenneth & Lynda Oxland (579); Helen & John Anderson (580); Carol Leech (581); Richard Bingham (582); Veronica Fowler (584); William Leech (586); Sona Campbell (588); Alexander & Alexandra Clark (589); David Hodge (590); Iain MacIntyre (595); William J Calder (632); Joyce Coope (638); Wendy Douglas (639); Daniel and Lorna Freytag (640); Janette Henry (641); Helen Lawson (643); Eileen Lea (644); John M Robertson (645); Callum Macleod (647); Oban Community Council (660); Nina Robertson (663); Margaret Taylor (665); Karen Boswarva (1008); Ross Russell (1010); S M Campbell (1041); Eleanor Walton (1043); Friends of Ganavan (1061); Gordon G McNab (1062); Helen Jackson (1063); *Clare Bryden (125); Glynis Dewar (134); Sue Burden (302); Peter Mills (297); Maeve Kelly (214); Carole MacFadyen (1011); David Taylor (137); Laura Corbe (927)*

- Ganavan is an Oban community asset and the most important area of publicly accessible natural open space within walking / short distance from Oban, with adjacent car parking and public transport.
- There is no other significant scaled park or other green space of this standard and accessibility within the town.
- It is important to retain and protect this green infrastructure as a high quality place which contributes to place-making for Oban.
- This area provides access to a sandy beach and designated bathing spot, which are very rare in Argyll and Bute and should be highly protected from development
- This area provides access to a cycle path.
- The proposed PDA undermines PLDP2 Policy 6 'Green Infrastructure'.
- The proposed PDA undermines PLDP2 Policy 81 'Open Space Protection Areas'.

### **Actively Used Recreation Space**

Patrick Freytag (80); Elayne Starkey (96); Kim O’Keeffe (100); Lynda Oxland (101); Emma Darcy (102); Allyson Lawson (103); Catherine Gillies (106); Jamie and Claire Smith (108); Shaun Davidson (111); Emily Woolard (112); Kerri Stewart (113); Saffron Harvey (114); Helen Cowan (116); Philip Picken (119); Derek Laidler (120); Norman Martin (130); Maggie Clayton (131); Joyce Hall (142); Malcolm Hall (143); John Finnie (145); Stephen Robertson (152); LiveArgyll (153); Sally Thompson (154); Ganavan Sands Parkrun (156); Alison Low (158); Diana Johnston (159); Steven Forteith (161); Holly Pallas (162); Donald Webster (168); Margaret Webster (170); Margaret Anne Young (172); Stan Morris (175); George Bosworth (180); Karen MacLennan (186); Anne-Marie Robertson (187); Elaine Forteith (194); Taynuilt Shinty Club/Steven Campbell (200); Stephen Lawson (202); Derek Shanks (206); Alison McNab (208); Maeve Kelly (214); Hasan Fattah (225); Florian Dargel (226); Neil McLachlan (227); Zalina Dzhatieva (228); Paul Bowers (237); Valerie Leckie (241); Catherine Winterton (242); Gavin Maclean (245); Elaine Maclean (247); Christopher Jackson (252); Anthony Hall (263); W R Parry (264); Margaret Nicholson (268); Rufus Hughes (270); William Thomson (273); Alexander Clark (286); Peter Winterborn (289); Philip Monteith (292); John Hyde (295); Donna Bell (298); Lorn Medical Centre (304); Graham Chadwick (305); Kilmore and Kilbride Community Council (310); Leo Faccenda (311); Dunollie Preservation Trust (322); Fiona Morley (325); Alan Mitchell (328); Adam Richards (333); Deirdre MacFarlane (337); E MacKinnon (340); Robin MacDougall Morley (347); Katherine Adams (351); Andrew Ravenhill (366); Lesley McKerracher (381); Roanna Clark (398); Stephen Sunderland (405); Catherine Sunderland (406); Adam Hughes (409); Penelope Turtle (413); Colin Turtle (416); Frank Roberts (417); Donna Barr (422); Martha McNeill (423) Jeffrey Darby (425); Barbara Milne (428); Julie Fairbrass (430); Mark Cardwell (433); Axel Miller (438); Dunollie Estate & Dunollie Farm Trust (444); Federica Rossi (451); Drhue Forbes (452); Carolyn Seggie (456); Irena Chapman (458); Martin Hadlington (463); Sandra Elliott (471); Catriona Clarke (476); Pauline Jespersen (478); Moira Newiss (480); Eric Chapman (481); Erik Jespersen (482); Laura Corbe (488); Beaton + McMurphy Architects Ltd (496); Sheila Ravenhill (504); Fiona Donn (517); Claire Treasurer (519); Mairi Jackson (521); Kasia Ochman (537); Jim Lynch (542); Kenneth & Lynda Oxland (579); Helen & John Anderson (580); Carol Leech (581); Richard Bingham (582); Veronica Fowler (584); William Leech (586); Sona Campbell (588); Alexander & Alexandra Clark (589); David Hodge (590); Iain MacIntyre (595); William J Calder (632); Joyce Coope (638); Wendy Douglas (639); Daniel and Lorna Freytag (640); Janette Henry (641); Linda Kerr (642); Helen Lawson (643); John M Robertson (645); John McDougall (648); Oban Community Council (660); Nina Robertson (663); Margaret Taylor (665); Karen Boswarva (1008); Ross Russell (1010); E Aitken (1018); Camanachd Association (1029); S M Campbell (1041); Eleanor Walton (1043); U Parry (1044); Lesley McPhail (1050); Friends of Ganavan (1061); Gordon G McNab (1062); Helen Jackson (1063)

- The area is an existing recreation area used by many people including local individuals, clubs, organisations (including Stramash, Hebridean Pursuits, Coastguard, Oban Canoe Club, Loch Eck orienteering club and Oban Seals) and tourists.
- The area is used for a range of activities and events, including weekly Park Run, walking, dog exercise, swimming, snorkelling, running, jogging, cycling, climbing, abseiling, wild camping, wind surfing, kite surfing, horse riding, photography, fishing, kite flying, observing nature, flying model aircraft, golf and hockey practice, start of the wild Argyll kayak trail and enjoying peace.
- This would involve the loss of an important and much used local shinty pitch, which would have to be relocated.
- Impact on adjacent parking.

- An overlooked area would lose the current appeal to users.
- There is further potential for development as a recreation area or eco-park, especially in relation to Ganavan beach and the adjacent car parking.
- The proposed PDA undermines PLDP2 Policy 26 'Informal Public Outdoor Recreation'
- The proposed PDA undermines PLDP2 Policy 50 'Retention of Community Facilities'.

### **Agricultural use**

Stephen Sunderland (405); Catherine Sunderland (406)

- In use for extensive agriculture.

### **Health and Well-being**

Elayne Starkey (96); Kim O’Keeffe (100); Allyson Lawson (103); Jamie and Claire Smith (108); Emily Woolard (112); Kerri Stewart (113); Helen Cowan (116); Derek Laidler (120); Susannah Hughes (132); Joyce Hall (142); Malcolm Hall (143); LiveArgyll (153); Sally Thompson (154); Ganavan Sands Parkrun (156); Steven Forteith (161); Holly Pallas (162); George Bosworth (180); Elaine Forteith (194); Derek Shanks (206); Alison McNab (208); Maeve Kelly (214); Hasan Fattah (225); Valerie Leckie (241); Catherine Winterton (242); Gavin Maclean (245); Christopher Jackson (252); Margaret Nicholson (268); John Hyde (295); Donna Bell (298); Lorn Medical Centre (304); Graham Chadwick (305); Leo Faccenda (311); Dunollie Preservation Trust (322); Alan Mitchell (328); E MacKinnon (340); Katherine Adams (351); Roanna Clark (398); Adam Hughes (409); Penelope Turtle (413); Frank Roberts (417); Donna Barr (422); Jeffrey Darby (425); Julie Fairbrass (430); Federica Rossi (451); Pauline Jespersen (478); Moira Newiss (480); Erik Jespersen (482); Laura Corbe (488); Jim Lynch (542); Kenneth & Lynda Oxland (579); Helen & John Anderson (580); Carol Leech (581); Veronica Fowler (584); David Hodge (590); William J Calder (632); Wendy Douglas (639); Daniel and Lorna Freytag (640); Helen Lawson (643); John M Robertson (645); Oban Community Council (660); Nina Robertson (663); Margaret Taylor (665); Karen Boswarva (1008); S M Campbell (1041); Friends of Ganavan (1061); Gordon G McNab (1062); Helen Jackson (1063); *Laura Corbe (927)*

- This area is a significant social asset to support the health and wellbeing of the local community, both young and old, and those with mixed mobility needs.
- Lorn Healthy options and Oban Health Town a social prescribing initiative is used to get the inactive active. Safe green and blue spaces are needed to support this.
- Concern about any activities which create barriers to people undertaking exercise, such as the removal of the Ganavan playing field
- Concerned at the lack of access to green space planning in the remainder of the development as it is crucial that we do not create barriers to people living healthy active lives.
- Consider the health of the population in developments; integrate ready access to playing fields and other ways of undertaking exercise in pleasant environments into planning.
- Issues related to population increase and strategic planning around Primary care delivery to an increased population with a shifted population centre. A new GP surgery may need to be developed in Dunbeg.

### **Impacts (including cumulative) related to scale, location and nature of development**

Gordon Smyth (89); Catherine Gillies (106); Alex Spence (107); Shaun Davidson (111); Emily Woolard (112); Helen Cowan (116); Malcolm Hall (143); Steven Forteith (161); Donald Webster (168); Zalina Dzhatieva (228); Valerie Leckie (241); Anthony Hall (263); Donna Bell (298); Graham Chadwick (305); Sharon McNeill (313); Alan Mitchell (328); Adam Richards (333); Deirdre MacFarlane (337); Jeffrey Darby (425); Roni Macdonald (426); Axel Miller (438); Moira Newiss

(480); Eric Chapman (481); Sarah Brown (518); Claire Treasurer (519); Mairi Jackson (521); Kenneth & Lynda Oxland (579); Sona Campbell (588); Joyce Coope (638); Linda Kerr (642); John M Robertson (645); Callum Macleod (647); Oban Community Council (660); Nina Robertson (663); Margaret Taylor (665); L J Llewellyn (1009); Eleanor Walton (1043); U Parry (1044); Helen Jackson (1063)

- Concerns about the location and extent of the proposed development being overdevelopment, exemplifying earlier housing development adjacent at Dunbeg and removal of the pavilion.
- Detrimental impact on the attractiveness of Oban's only beach, including views seawards.
- It would be preferable to develop on the outskirts rather than green town sites.
- Brownfield or vacant sites should be developed before green space.
- The new development seems to lack bicycle paths and play grounds.
- Oban has reached its limit of housing and should not develop further until roads, public and private transport, and high street shops have been developed.
- Reduce the scale of the housing.
- Other development has increased pressure on the available open spaces

### **Public Transport**

Donna Bell (298);

- There is no public transport to this area

### **Isolated development**

W R Parry (264); Fiona Morley (325); U Parry (1044)

- The site is isolated

### **Housing**

Arlene Campbell (95); Elayne Starkey (96); Alex Spence (107); Kerri Stewart (113); Derek Laidler (120); Gillies Pagan (124); Steven Forteith (161); Anthony Hall (263); Sharon McNeill (313); Dunollie Preservation Trust (322); Fiona Morley (325); Andrew Ravenhill (366); Barbara Milne (428); Sheila Ravenhill (504); Mairi Jackson (521) Morvern Macdougall (530)

- The demand for social and private housing in the Oban area should be met elsewhere and not on areas valued by the community.
- There are plenty of areas both within the town centre and on the periphery of the existing built up area to accommodate new housing, both on greenfield or preferably brownfield sites.
- The numbers in this plan are huge for this area, way beyond necessary.

### **Affordable Housing**

Mairi Jackson (521); Ryan Murphy (27)

- Objection to social housing.
- There is an oversupply of social housing in Oban.

Ryan Murphy (27)

- To permit home owners in Oban to move on from current property to a new build there should be more private housing that is either 1-2 bedroom flats or 2-3 bedroom semi - detached.

Catherine Gillies (106); Melanie Weetman (163)

- There is a need for affordable housing

- Current housing at Ganavan is enough. If these were starter homes it would be a different matter.

### **Second homes/rented properties**

#### Adam Richards (333)

- At Kilbowie alone about 45% of the developments there are being used as Air BnB's not lived in. The sense of community will be lost.

### **Environment**

#### Margaret Nicholson (268)

- This requires a full disclosure of the rationale behind these proposals, independent impact studies and costing particularly in relation to infrastructure, environment and proposed sources of funding and thereafter full consultation with all interested and effected parties.

### **Peat**

#### Anthony Hall (263)

- P4023 is an area of peat, potentially of great depth. Areas of peat need to be protected as areas for carbon retention as well as for the continued well-being of flora and fauna which thrive only on such areas.

### **Climate**

#### Alison McNab (208); Adam Hughes (409); Catriona Clarke (476); S M Campbell (1041)

- An eco-friendly town park/Open Space Protection Area/allotments at this location would help address/mitigate climate change issues.
- The proposal is contrary to targets to reduce net greenhouse gas emissions to zero.

### **Biodiversity**

Elayne Starkey (96); Jamie and Claire Smith (108); Saffron Harvey (114); Joyce Hall (142); Stephen Robertson (152); Mhairi Ross (157); Steven Forteith (161); Russell Dods (169); Margaret Anne Young (172); George Bosworth (180); Anne-Marie Robertson (187); Elaine Forteith (194); Stephen Lawson (202); Alison McNab (208); Maeve Kelly (214); Neil McLachlan (227); Valerie Leckie (241); Catherine Winterton (242); Christopher Jackson (252); W R Parry (264); John Hyde (295); Donna Bell (298); Graham Chadwick (305); Kilmore and Kilbride Community Council (310); Leo Faccenda (311); Sharon McNeill (313); Dunollie Preservation Trust (322); Stephen Sunderland (405); Catherine Sunderland (406); Adam Hughes (409); Penelope Turtle (413); Colin Turtle (416); Martha McNeill (423); Roni Macdonald (426); Julie Fairbrass (430); Mark Cardwell (433); Dunollie Estate & Dunollie Farm Trust (444); Sandra Elliott (471); Catriona Clarke (476); Moira Newiss (480); Laura Corbe (488); Claire Treasurer (519); Kenneth & Lynda Oxland (579); Veronica Fowler (584); William Leech (586); John M Robertson (645); Callum Macleod (647); Oban Community Council (660); Nina Robertson (663); Margaret Taylor (665); Karen Boswarva (1008); Ross Russell (1010); E Aitken (1018); Eleanor Walton (1043); U Parry (1044); Friends of Ganavan (1061); Helen Jackson (1063); Jonathan Phillips (1067) ; *Laura Corbe (927)*

- Adverse impact on biodiversity
- This is a haven for wildlife and nature, including Bats, Marsh Fritillary, Red Squirrel, Sea Eagles, Golden Eagles, Deer, Seals, Geese, Chaffinch, rare fungi and ancient woodland, Atlantic Rain Forest, wetland, marshland, lichens, bryophytes. Some of which are European protected species. There is an abundance of species indicative of a rare & high value habitat.

- This will destroy woodland & marsh land/wetland near the school and existing residential area.
- This area should have been thoroughly surveyed prior to consideration of any form of development.

### **Landscape**

Gordon Smyth (89); Saffron Harvey (114); Gillies Pagan (124); Liam Orr (138); Stephen Robertson (152); Ganavan Sands Parkrun (156); Mhairi Ross (157); Diana Johnston (159); Steven Forteith (161); Donald Webster (168); Russell Dods (169); Margaret Webster (170); Margaret Anne Young (172); James Stewart (173); George Bosworth (180); Karen MacLennan (186); Anne-Marie Robertson (187); Elaine Forteith (194); Stephen Lawson (202); Derek Shanks (206); Alison McNab (208); Maeve Kelly (214); Hasan Fattah (225); Neil McLachlan (227); Zalina Dzhatieva (228); Paul Bowers (237); Valerie Leckie (241); Catherine Winterton (242); Gavin Maclean (245); Christopher Jackson (252); Elaine Maclean (247); Anne Barr (260); Anthony Hall (263); W R Parry (264); William Thomson (273); Alexander Clark (286); Peter Winterborn (289); John Hyde (295); Donna Bell (298); Graham Chadwick (305); Leo Faccenda (311); Sharon McNeill (313); Dunollie Preservation Trust (322); Fiona Morley (325); Adam Richards (333); Robin MacDougall Morley (347); Katherine Adams (351); Andrew Ravenhill (366); Adam Hughes (409); Frank Roberts (417); Donna Barr (422); Martha McNeill (423); Jeffrey Darby (425); Roni Macdonald (426); Julie Fairbrass (430); Axel Miller (438); Dunollie Estate & Dunollie Farm Trust (444); Martin Hadlington (463); Catriona Clarke (476); Pauline Jespersen (478); Moira Newiss (480); Erik Jespersen (482); Sarah Brown (518); Kenneth & Lynda Oxland (579); Helen & John Anderson (580); Veronica Fowler (584); William Leech (586); Alexander & Alexandra Clark (589); Iain MacIntyre (595); William J Calder (632); Joyce Coope (638); Daniel and Lorna Freytag (640); Janette Henry (641); Linda Kerr (642); Helen Lawson (643); John M Robertson (645); Oban Community Council (660); Nina Robertson (663); Margaret Taylor (665); Eleanor Walton (1043); U Parry (1044); Friends of Ganavan (1061); Gordon G McNab (1062); Helen Jackson (1063); Jonathan Phillips (1067)

- The proposed PDA undermines Policy 71 of PLDP2 states that A&BC will resist development affecting a Local Landscape Area. Development would diminish the high scenic value of this natural landscape, including backdrop to the beach.
- Ganavan abuts on to the Lynn of Lorn National Scenic Area (NSA). Development would diminish the outstanding scenic value and be visible from the NSA, including light pollution.
- Housing development would be inappropriate in terms of the landscape, townscape, seascape and night-time skyline.
- The Ganavan area contributes enormously to the objectives of good place making and the distinct characteristics of the place will be damaged immensely by the proposed development. The green space contributes to visual amenity.
- Ganavan's geological diversity is an important natural factor with significant raised beaches and glacial landforms.
- Inappropriate for the beach and car-park to be overlooked by several hundred houses and will increase pressure on these resources.

### **Flooding**

Peter Winterborn (289); Deirdre MacFarlane (337); Stephen Sunderland (405); Catherine Sunderland (406)

- The site has suffered from flooding in winter.
- Development will lead to increased pressure on those services dealing with flooding.
- Other development in the area has led to flooding.

## **Tourism**

Patrick Freytag (80); Elayne Starkey (96); Jamie and Claire Smith (108); Shaun Davidson (111); Kerri Stewart (113); Saffron Harvey (114); Derek Laidler (120); Norman Martin (130); Susannah Hughes (132); Liam Orr (138); Joyce Hall (142); Stephen Robertson (152); Russell Dods (169); Margaret Webster (170); James Stewart (173); George Bosworth (180); Anne-Marie Robertson (187); Elaine Forteith (194); Derek Shanks (206); Alison McNab (208); Maeve Kelly (214); Hasan Fattah (225); Florian Dargel (226); Neil McLachlan (227); Zalina Dzhatieva (228); Valerie Leckie (241); Gavin Maclean (245); Elaine Maclean (247); Christopher Jackson (252); Anthony Hall (263); Margaret Nicholson (268); William Thomson (273); Peter Winterborn (289); Graham Chadwick (305); Kilmore and Kilbride Community Council (310); Leo Faccenda (311); Sharon McNeill (313); Dunollie Preservation Trust (322); E MacKinnon (340); Katherine Adams (351); Andrew Ravenhill (366); Colin Turtle (416); Frank Roberts (417); Jeffrey Darby (425); Barbara Milne (428); Julie Fairbrass (430); Dunollie Estate & Dunollie Farm Trust (444); Martin Hadlington (463); Catriona Clarke (476); Eric Chapman (481); Erik Jespersen (482); Laura Corbe (488); Sheila Ravenhill (504); Kenneth & Lynda Oxland (579); Helen & John Anderson (580); Veronica Fowler (584); William Leech (586); Iain MacIntyre (595); William J Calder (632); Joyce Coope (638); Daniel and Lorna Freytag (640); Janette Henry (641); Helen Lawson (643); Eileen Lea (644); John M Robertson (645); Oban Community Council (660); Nina Robertson (663); Margaret Taylor (665); L J Llewellyn (1009); E Aitken (1018); Eleanor Walton (1043); Friends of Ganavan (1061); Gordon G McNab (1062); Helen Jackson (1063)

- The primary economic base of the area is tourism and a key source of employment. There is a need to keep the natural landscape in this area to attract visitors, to enjoy and stay longer.
- The area acts as a tourist attraction and is one of the few places tourists can go in Oban for open air and scenic views in this valued landscape. Development may result in a loss of tourists to the town.
- The proposed PDA undermines the following LDP Policies: Policy 23 Under 'Diverse and Sustainable Economy', Tourism development; opportunities; Policy 24 'Existing Tourism Users'; Policy 25 'Tourism development Opportunities'

John McDougall (648)

- Object to additional tourist facilities.

## **Access Issues and Traffic Management**

Arlene Campbell (95); Elayne Starkey (96); Lynda Oxland (101); Allyson Lawson (103); Alex Spence (107); Helen Cowan (116); Maggie Clayton (131); John Watson (141); Malcolm Hall (143); Steven Forteith (161); Donald Webster (168); Margaret Webster (170); Karen MacLennan (186); Stephen Lawson (202); Alison McNab (208); Zalina Dzhatieva (228); Christopher Jackson (252); Anthony Hall (263); Margaret Nicholson (268); Philip Monteith (292); Graham Chadwick (305); Kilmore and Kilbride Community Council (310); Leo Faccenda (311); Sharon McNeill (313); Dunollie Preservation Trust (322); Fiona Morley (325); Adam Richards (333); Robin MacDougall Morley (347); Andrew Ravenhill (366); Colin Turtle (416); Jeffrey Darby (425); Dunollie Estate & Dunollie Farm Trust (444); Federica Rossi (451); Drhue Forbes (452); Carolyn Seggie (456); Irena Chapman (458); Catriona Clarke (476); Laura Corbe (488); Sheila Ravenhill (504); Fiona Donn (517); Claire Treasurer (519); Mairi Jackson (521); Morvern Macdougall (530); Kenneth & Lynda Oxland (579); Richard Bingham (582); William Leech (586); Iain MacIntyre (595); William J Calder (632); Joyce Coope (638); John M Robertson (645); Callum Macleod (647); Peter and Joy Mills (649); Oban Community Council (660); Nina Robertson (663); E Aitken (1018); Eleanor Walton (1043); Friends of Ganavan (1061); Gordon G McNab (1062); Helen Jackson (1063)

- The additional housing would adversely affect the already serious issues of traffic accessing Oban from the A85.
- The additional houses at P4023 would lead to increased traffic on Ganavan Road as residents could park in the car park.
- There would be increased pressure to make a through road, which would create a “rat-run” with additional traffic into Oban along Ganavan Road which is unsuitable due to:-
  - safety issues on this road for pedestrians, recreational users and traffic
  - the lack of parking in the town for workers and visitors
  - poor state of repair of the Ganavan Road
  - Road currently at maximum capacity
- An upgrade is required to access H4009 and this would also need to apply to P4023.

### **Core Path**

Kim O’Keeffe (100); Emily Woolard (112); Malcolm Hall (143); Ganavan Sands Parkrun (156); Mhairi Ross (157); Maeve Kelly (214); Hasan Fattah (225); Catherine Winterton (242); W R Parry (264); John Hyde (295); Donna Bell (298); Kilmore and Kilbride Community Council (310); Sharon McNeill (313); E MacKinnon (340); Katherine Adams (351); Roanna Clark (398); Adam Hughes (409); Roni Macdonald (426); Dunollie Estate & Dunollie Farm Trust (444); Federica Rossi (451); Drhue Forbes (452); Irena Chapman (458); Moira Newiss (480); Laura Corbe (488); Claire Treasurer (519); William J Calder (632); Margaret Taylor (665); U Parry (1044); Friends of Ganavan (1061)

- Should P4023 developments proceed, including the proposed link road, the nationally recognised Caledonia Way cycle route and the Core Path C163 would be seriously compromised and less safe. This is also part of the Pilgrim’s Way. It provides safe access to Dunbeg.
- The PDA undermines PLDP2 Policy 32 'Active Travel' in relation to the Core Path.
- There is ecological interest near the path which would be adversely impacted.
- Impact on amenity value of the Core Path. Housing and associated transport links should be prevented from encroaching on a highly valued much used green space.

### **Infrastructure, facilities and services capacity**

Elayne Starkey (96); Steven Forteith (161); Melanie Weetman (163); Russell Dods (169); Karen MacLennan (186); Alison McNab (208); Margaret Nicholson (268); Donna Bell (298); Mark Cardwell (433); Laura Corbe (488); Mairi Jackson (521); Callum Macleod (647); Friends of Ganavan (1061); Jonathan Phillips (1067)

- Insufficient infrastructure capacity, including sewerage capacity and waste water treatment.
- Insufficient jobs for the people occupying the new housing.
- Concern that although these extra houses are built there will be no extra services provided to support this e.g. schools, shops, hospital, doctor’s surgery, in particular in addition to first phases of Dunbeg.
- This requires a full disclosure of the rationale behind these proposals, independent impact studies and costing particularly in relation to infrastructure, environment and proposed sources of funding and thereafter full consultation with all interested and effected parties.

### **Piers and Harbours**

Joyce Hall (142); Kilmore and Kilbride Community Council (310); Dunollie Estate & Dunollie Farm Trust (444); Friends of Ganavan (1061)

- The PDA undermines PLDP2 Policy 42 'Safeguarding Piers, Ports and Harbours'.
- The jetty is a well-used launch point.

### **Objections to Housing Allocation H4006**

Patrick Freytag (80); Allyson Lawson (103); Susannah Hughes (132); Stephen Robertson (152); Sally Thompson (154); Ganavan Sands Parkrun (156); Steven Forteith (161); Donald Webster (168); Russell Dods (169); Margaret Webster (170); Margaret Anne Young (172); James Stewart (173); Anne-Marie Robertson (187); Derek Shanks (206); Alison McNab (208); Maeve Kelly (214); Zalina Dzhatieva (228); Paul Bowers (237); Valerie Leckie (241); Catherine Winterton (242); Christopher Jackson (252); Anne Barr (260); Anthony Hall (263); W R Parry (264); Alexander Clark (286); Graham Chadwick (305); Leo Faccenda (311); Sharon McNeill (313); Dunollie Preservation Trust (322); Fiona Morley (325); Deirdre MacFarlane (337); Robin MacDougall Morley (347); Lesley McKerracher (381); Roni Macdonald (426); Mark Cardwell (433); Dunollie Estate & Dunollie Farm Trust (444); Maggie Brotherston (449); Martin Hadlington (463); Sandra Elliott (471); Laura Corbe (488); Sheila Ravenhill (504); Fiona Donn (517); Mairi Jackson (521); Helen & John Anderson (580); Veronica Fowler (584); Alexander & Alexandra Clark (589); William J Calder (632); Janette Henry (641); John M Robertson (645); Oban Community Council (660); Nina Robertson (663); Link Group Ltd (1035); U Parry (1044); Friends of Ganavan (1061); Helen Jackson (1063)

- Object to H4006

### **Range of Development Potential**

Link Group Ltd (1035)

- Link Group Ltd generally support the identification of this site as an allocation, but consider that the description should be changed to a housing and mixed use allocation to fulfil the concept for the Dunbeg Corridor as a sustainable mixed use area.

### **Open Space and recreation**

Susannah Hughes (132); Stephen Robertson (152); Sally Thompson (154); Ganavan Sands Parkrun (156); Donald Webster (168); Anne-Marie Robertson (187); Derek Shanks (206); Alison McNab (208); Maeve Kelly (214); Valerie Leckie (241); Catherine Winterton (242); Christopher Jackson (252); Anthony Hall (263); W R Parry (264); Alexander Clark (286); Graham Chadwick (305); Dunollie Preservation Trust (322); Fiona Morley (325); Deirdre MacFarlane (337); Robin MacDougall Morley (347); Roni Macdonald (426); Mark Cardwell (433); Sandra Elliott (471); Dunollie Estate & Dunollie Farm Trust (444); Laura Corbe (488); Sheila Ravenhill (504); Fiona Donn (517); Veronica Fowler (584); Alexander & Alexandra Clark (589); William J Calder (632); Janette Henry (641); John M Robertson (645); Oban Community Council (660); Nina Robertson (663); U Parry (1044); Friends of Ganavan (1061); Helen Jackson (1063)

- Area P4023 and land adjacent to H4006 are part and parcel of the last real areas of open space within the overall Oban area and are a unique asset with value for recreation and visual amenity.
- There will be an adverse impact on multi-use facilities at Ganavan from the development of this area.
- There will be an adverse impact on this natural recreational green space used by walkers, dog walkers, cyclists, nature lovers, model aircraft flying, bird spotting, swimming, running (Saturday morning park run) , wild camping, tourists and photography
- This area forms part of the green network.
- Inclusion of this area is contrary to Policy 81 – Open Space Protection Areas

### **Core Path**

Stephen Robertson (152); Sally Thompson (154); Ganavan Sands Parkrun (156); Donald Webster (168); James Stewart (173); Anne-Marie Robertson (187); Derek Shanks (206); Alison McNab (208); Maeve Kelly (214); Valerie Leckie (241); Catherine Winterton (242); Christopher Jackson (252); W R Parry (264); Graham Chadwick (305); Leo Faccenda (311); Dunollie Preservation Trust (322); Dunollie Estate & Dunollie Farm Trust (444); Laura Corbe (488); Martin Hadlington (463); Helen & John Anderson (580); William J Calder (632); Janette Henry (641); John M Robertson (645); Oban Community Council (660); Nina Robertson (663); U Parry (1044); Friends of Ganavan (1061); Helen Jackson (1063)

- The cycle path will be removed.
- Should H4006 developments proceed, including the proposed link road, the nationally recognised Caledonia Way cycle route and the Core Path C163 would be seriously compromised, including amenity value and the weekly Park Run. This valuable outdoor community and national asset should be safeguarded.
- To meet Scottish environmental goals, provide a huge boon to local tourism & promote community well-being the Council should instead be working to establish a wildlife corridor between Dunollie & the oak woodland on the Ganavan-Dunbeg cycle path.

### **Health and Well being**

Susannah Hughes (132); Stephen Robertson (152); Sally Thompson (154); Ganavan Sands Parkrun (156); Derek Shanks (206); Maeve Kelly (214); Valerie Leckie (241); Catherine Winterton (242); Lorn Medical Centre (304); Sandra Elliott (471); Laura Corbe (488); Oban Community Council (660)

- Contrary to the aims of improving physical fitness and mental health.
- Areas of natural land are of value for health and wellbeing
- Ganavan area is a unique asset for health and wellbeing in the Oban area, in particular given its accessibility.
- To promote community wellbeing the Council should instead be working to establish a wildlife corridor between Dunollie & the oak woodland on the Ganavan-Dunbeg cycle path.
- population increase and strategic planning around Primary care delivery to an increased population with a shifted population centre. A new GP surgery may need to be developed in Dunbeg.

### **Biodiversity**

Allyson Lawson (103) Stephen Robertson (152); Sally Thompson (154); Steven Forteith (161); Russell Dods (169); Margaret Webster (170); Anne-Marie Robertson (187); Derek Shanks (206); Alison McNab (208); Maeve Kelly (214); Catherine Winterton (242); Anne Barr (260); Graham Chadwick (305); Leo Faccenda (311); Roni Macdonald (426); Mark Cardwell (433); Maggie Brotherston (449); Sandra Elliott (471); Laura Corbe (488); Helen & John Anderson (580); Veronica Fowler (584); John M Robertson (645); Oban Community Council (660); Nina Robertson (663); U Parry (1044); Friends of Ganavan (1061)

- This area is of high ecological value, containing a range of flora and fauna which would be adversely impacted by development and associated infrastructure, including Ancient Woodland, marsh land/wetland , heathland, red squirrels, pine martins, sea eagles, buzzards, chaffinch, deer, bryophytes & fungi, bats, Atlantic Rain Forest, orchids and wildflowers.
- The Ganavan area is part of a wildlife corridor/green network
- This important nature area is near residential areas and the school
- Protected species must by law be protected (Wildlife & Countryside Act (1981))

- This area should have been thoroughly surveyed prior to consideration of any form of development.
- There have been anecdotal reports of great crested newts in the wetter areas.

### **Peat**

#### Anthony Hall (263)

- Both H4006 & P4023 are areas of peat, I would suggest to a great depth.
- Areas of peat need to be protected as areas for carbon retention as well as for the continued well-being of flora and fauna which thrive only on such areas.

### **Landscape (inc impacts on environment)**

Stephen Robertson (152); Ganavan Sands Parkrun (156); Steven Forteith (161); Donald Webster (168); Russell Dods (169); Margaret Webster (170); Margaret Anne Young (172); Anne-Marie Robertson (187); Alison McNab (208); Maeve Kelly (214); Valerie Leckie (241); Christopher Jackson (252); W R Parry (264); Alexander Clark (286); Graham Chadwick (305); Leo Faccenda (311); Sharon McNeill (313); Dunollie Preservation Trust (322); Fiona Morley (325); Robin MacDougall Morley (347); Lesley McKerracher (381); Roni Macdonald (426); Dunollie Estate & Dunollie Farm Trust (444); Martin Hadlington (463); Sandra Elliott (471); Laura Corbe (488); Helen & John Anderson (580); Veronica Fowler (584); Alexander & Alexandra Clark (589); William J Calder (632); Janette Henry (641); John M Robertson (645); Oban Community Council (660); Nina Robertson (663); U Parry (1044); Friends of Ganavan (1061); Helen Jackson (1063)

- The proposed Allocation does not accord with Policy 71 of PLDP2 which states that A&BC will resist development affecting a Local Landscape Area.
- Development is incongruous with the character of the area, will devastate the surrounding landscapes and completely ruin one of Oban's last remaining beauty spots.
- The amenity value of this area would be adversely impacted.
- The proposal would bring more noise, light pollution and environmental pollution
- The visual aspect from the beach is very important and housing would ruin this and make the area much less attractive to visitors.
- Geological diversity is an important natural factor underpinning biological, cultural and landscape diversity and therefore an important parameter to be considered in the assessment, protection – Ganavan has an abundance of geological diversity

### **Isolation**

Allyson Lawson (103); Steven Forteith (161); Donald Webster (168); Margaret Webster (170); Margaret Anne Young (172); James Stewart (173); Alison McNab (208); Christopher Jackson (252); Anthony Hall (263); W R Parry (264); Graham Chadwick (305); Leo Faccenda (311); Fiona Morley (325); Lesley McKerracher (381); Dunollie Estate & Dunollie Farm Trust (444); Martin Hadlington (463); Janette Henry (641); John M Robertson (645); Oban Community Council (660); Nina Robertson (663); U Parry (1044); Friends of Ganavan (1061); Helen Jackson (1063)

- The housing area H4006 is isolated in rural countryside away from any other housing area in Dunbeg or Oban.
- It is completely out of character, prominent from all angles. A road would run right through the hillside just to open up this area.
- The proposal for two isolated housing areas within a rich environment is also totally inappropriate in terms of landscape, townscape, seascape and nighttime skyscape.

### **Infrastructure**

Russell Dods (169); James Stewart (173); Paul Bowers (237); Anthony Hall (263); W R Parry (264); Mark Cardwell (433); Laura Corbe (488); U Parry (1044); Friends of Ganavan (1061)

- The capacity of the water works and existing foul and surface water sewer systems capacity to accommodate additional flows without major disturbance to adjacent areas are queried.
- An enclave with no proper infrastructure will potentially be created. Provision of other infrastructure/services/utilities/jobs is needed e.g. schools and shops.
- The coast road is well used and any increase in traffic would make this road dangerous.
- The current parking & traffic situation is beyond capacity.
- Concerns about a lack of access for emergency services. This must be addressed and include the provision of long term parking.

### **Demand/Cumulative impact**

Susannah Hughes (132); Anthony Hall (263); Sharon McNeill (313); Dunollie Preservation Trust (322); Fiona Morley (325); Deirdre MacFarlane (337); Dunollie Estate & Dunollie Farm Trust (444); Martin Hadlington (463); Sheila Ravenhill (504); Mairi Jackson (521); Janette Henry (641); U Parry (1044); Helen Jackson (1063)

- The site appears to be an unnecessary addition to already extensive development sites for housing in the Dunbeg to Ganavan area.
- H4006 contains too many houses
- Limit the extent of development to the adjacent sites to the east, H4015 and X4002.
- There are plenty of areas both within the town centre and on the periphery of the existing built up area to accommodate new housing, both on greenfield or preferably brownfield sites rather than destroy one of the last attractive areas used by many for recreation.
- Development within and adjacent to the existing town would bring more life to the town itself and people living there would be much more likely to walk or use existing services rather than drive.
- This site will have a negative cumulative impact in addition to other Dunbeg development and the housing at the Ganavan beach area.
- Other developments have put additional pressure on open space resources.
- There will be pressure for infill between the existing development and Ganavan.

Patrick Freytag (80)

- There will be far better sites for housing available, when the proposed ring road is in place
- This site may be suitable for a much needed retirement village. There is an increasing need for retirement homes.

### **Climate Change**

Maggie Brotherston (449)

- We have to address Climate Change at all costs and desist from rampant encroachment by development.

### **Economic Growth**

Maggie Brotherston (449)

- Economic growth has to be curbed.

### **Tourism**

Susannah Hughes (132); Stephen Robertson (152); Russell Dods (169); Anne-Marie Robertson (187); Derek Shanks (206); Valerie Leckie (241); Laura Corbe (488); Sheila Ravenhill (504); Veronica Fowler (584); Oban Community Council (660); Friends of Ganavan (1061)

- Building up our natural surroundings will discourage visitors and impact on use of the beach.
- The area is a huge draw for tourists and visitors, supporting the economy of the area.
- To meet Scottish environmental goals and provide a huge boon to local tourism the Council should instead be working to establish a wildlife corridor between Dunollie & the oak woodland on the Ganavan-Dunbeg cycle path.

### **Flooding**

Catherine Winterton (242); Deirdre MacFarlane (337)

- The area is very wet land
- Other development has led to flooding

### **Objections to Infrastructure Action I4002**

Allyson Lawson (103); Catherine Gillies (106); Susannah Hughes (132); Stephen Robertson (152); Sally Thompson (154); Donald Webster (168); Margaret Webster (170); Margaret Anne Young (172); James Stewart (173); Anne-Marie Robertson (187); Derek Shanks (206); Alison McNab (208); Valerie Leckie (241); Catherine Winterton (242); Christopher Jackson (252); Anne Barr (260); Anthony Hall (263); W R Parry (264); Graham Chadwick (305); Leo Faccenda (311); Sharon McNeill (313); Dunollie Preservation Trust (322); Fiona Morley (325); Andrew Ravenhill (366); Lesley McKerracher (381); Martha McNeill (423); Woodland Trust Scotland (441); Dunollie Estate & Dunollie Farm Trust (444); Federica Rossi (451); Irena Chapman (458); Martin Hadlington (463); Sandra Elliott (471); Catriona Clarke (476); Moira Newiss (480); Eric Chapman (481); Laura Corbe (488); Sheila Ravenhill (504); Veronica Fowler (584); William Leech (586); David Hodge (590); William J Calder (632); John M Robertson (645); Oban Community Council (660); Nina Robertson (663); Eleanor Walton (1043); U Parry (1044); Friends of Ganavan (1061); Sharon McNeil (313)

- Object to the proposed I4002 Infrastructure Action road linking H4006 and P4023 to the main Dunbeg development area.

### **Environmental Impacts**

Sally Thompson (154); Donald Webster (168); Margaret Webster (170); James Stewart (173); Derek Shanks (206); Alison McNab (208); Anne Barr (260); W R Parry (264); Sharon McNeill (313); Martha McNeill (423); Woodland Trust Scotland (441); Martin Hadlington (463); Sandra Elliott (471); Laura Corbe (488); Veronica Fowler (584); John M Robertson (645); Oban Community Council (660); Nina Robertson (663); U Parry (1044); Friends of Ganavan (1061)

- Policy 71 of PLDP2 states that A&BC will resist development affecting a Local Landscape Area.
- Negative impact of a new road, including on amenity value, landscape and wildlife corridor and Ancient Woodland
- This route would render the Park Run route unviable.

### **Need**

Allyson Lawson (103); Stephen Robertson (152); Donald Webster (168); Margaret Webster (170); Anne-Marie Robertson (187); Alison McNab (208); Valerie Leckie (241); Christopher Jackson (252); Anthony Hall (263); Graham Chadwick (305); Leo Faccenda (311); Sharon McNeill

(313); Fiona Morley (325); Lesley McKerracher (381); William Leech (586); David Hodge (590); Oban Community Council (660); Nina Robertson (663); Friends of Ganavan (1061)

- I4002- there would be no need for a road access from the housing corridor to Area P4023 if the area is protected for recreation.
- It would open the area of to further non-recreational development
- Prohibitive cost of link road

### **Traffic Issues**

Stephen Robertson (152); Margaret Anne Young (172); Anne-Marie Robertson (187); Valerie Leckie (241); Anthony Hall (263) Sharon McNeill (313); Andrew Ravenhill (366); Martha McNeill (423); Irena Chapman (458); Eric Chapman (481); Sheila Ravenhill (504); Oban Community Council (660); Eleanor Walton (1043)

- No road should be permitted between Area H4006 and P4023. Such a road would pre-dispose P4023 to housing development, and act as a “rat-run” to the beach.
- Development of P4023 and H4006 would lead to increased demand for a road link to the already dangerous Ganavan road, and being extremely steep would be hazardous in icy weather.
- Safety of pedestrians, cyclists, recreational users and other users would be jeopardised, in particular on the core path’
- This will increase traffic in the already congested village of Dunbeg.
- The junction between the Dunbeg access road and the A85 is already busy and at times difficult to negotiate safely.

### **Flooding**

Catherine Winterton (242)

- The road just south of Halfway House –new road leaving the A85 to feed into the new development floods badly, during heavy rain. Any new road will a) have to overcome being laid through wetland and b) will have a considerable impact on the land around, likely to worsen the flooding.

### **Objections to Housing Allocation H4009 – Oban –Ganavan**

Colin Martin (93); Lynsey Mackenzie (94); Philip Picken (119); Steven Forteith (161); N Currie (192); Alison McNab (208); Hazel Robertson (250); Dunollie Preservation Trust (322); Dunollie Estate & Dunollie Farm Trust (444); Marie Lynch (545); Kathleen Carmichael (1017); Robert Martin Kain (1042); Friends of Ganavan (1061); Jonathan Phillips (1067)

- Object to H4009

Colin Martin (93)

- Leave the Ganavan area as it is and invest in it.

Lynsey Mackenzie (94); Steven Forteith (161); Alison McNab (208); Dunollie Preservation Trust (322); Dunollie Estate & Dunollie Farm Trust (444); Robert Martin Kain (1042); Friends of Ganavan (1061)

- There are issues in terms of access. The road is not fit for current volume of traffic and has no pavement at points for walking between proposed site and town.
- Although the site has planning permission significant investment in the road would be needed.

Lynsey Mackenzie (94); Steven Forteith (161); N Currie (192); Marie Lynch (545); Kathleen Carmichael (1017); Jonathan Phillips (1067)

- The area is valued for open space/greenspace

Lynsey Mackenzie (94); Philip Picken (119); Hazel Robertson (250); Marie Lynch (545); Jonathan Phillips (1067)

- The area is valued for recreation.

Steven Forteith (161); N Currie (192); Jonathan Phillips (1067)

- Adverse impact on biodiversity. Wildlife will be affected.

N Currie (192)

- I feel this is important for the tourist industry.

Alison McNab (208); Dunollie Estate & Dunollie Farm Trust (444); Friends of Ganavan (1061)

- It would make more economic sense to transfer allocation of H4009 to another site.

Alison McNab (208); Dunollie Preservation Trust (322); Dunollie Estate & Dunollie Farm Trust (444); Friends of Ganavan (1061)

- H4009 is adjacent to Stramash Outdoor nursery, which would be compromised by housing development.

Dunollie Preservation Trust (322)

- Within the plan alternative sites for housing are provided in what seems to be sufficient quantity to meet the community's needs.

N Currie (192); Dunollie Preservation Trust (322); Dunollie Estate & Dunollie Farm Trust (444); Jonathan Phillips (1067)

- Adverse impact on the visual character/natural beauty of the landscape.

Robert Martin Kain (1042)

- Prime domestic building land, not available to entrepreneurial developers which would enhance the aspect of the existing settlement and make a statement of intent as to what could be possible.

Jonathan Phillips (1067)

The infrastructure is not suitable.

#### **Modifications sought by those submitting representations:**

##### **P4023 and adjoining area**

- Remove P4023 from the plan (101); (103); (116); (131); (152); (153); (154); (172); (173); (187) (1044); (206); (245); (247); (252); (263) (273) (313); (322); (325); (423) (444); (451) (456) (463) (471) (517) (518) (542) (579); (581) (586); (588); (589); (632) (638) (1044)
- Amend the PDA description to add business, retail and community uses as follows:- P4023 Oban - Ganavan Mixed - Housing, recreation, tourism, business, retail and community uses (1035)
- Remove the Settlement area from P4023 (398)

- Retain the area as a civic amenity/green space and not for development. (80) (95) (132) (142) (143) (145) (154) (156) (159) (161) (168); (170); (175); (180); (186) (194); (202); (206); (214); (225); (227); (237); (245); (270); (286); (289); (295) (298) (313); (366) (409) (413) (417) (422); (430); (438); (458) (519) (595); (647) (1009) (1018)
- Retain and/or develop P4023 for recreation, education and health and wellbeing uses for locals and tourists (96); (103); (130) (152) (187) (200) (208); (252); (264); (273) (305); (310) (322); (347) (416) (425) (480) (481) (584) (590) (595) (645) (660) (663) (1041) (1044) (1050) (1061) (1062)
- P4023 should be designated as an Open Space Protection Area and /or included in the Open Space Audit (114) (138) (152); (187) (214); (241) (252) (264); (305) (322) (476) (476) (580) (586) (641) (645) (647) (660) (663) (1044); (1062) (1063)
- Remove/Protect the shinty pitch from the development and make it an Open Space Protection Area. (100) (116) (158); (228) (292); (313) (340) (351) (423) (426) (496) (1029)
- Ganavan beach area to be excluded from any building plans. (228) (647)
- Classify as an important local landscape area (LLA) (208)
- Identify as a National Scenic Area. (208)
- Establish a wildlife corridor between Dunollie & the oak woodland on the Ganavan-Dunbeg cycle path (488)
- Do not make the Ganavan –Oban Road a through road. (366) (504)
- Replace P4023 with proposals to protect the natural landscape of the area and to further enhance outdoor activity. (1044)
- Retain the core path/ Make provision for a safe path for park run. (112) (116) (313) (340) (351) (423)
- Preserve the carpark (351)
- There should be no housing built in this area (107) (130) (208) (252) (328) (504) (660) (1061) (1062)
- Keep housing away from the paths (163)
- Limit building in this area (337)
- Reduce site to leave the recreational area (452)
- Reduce the housing numbers/density (169) (313) (333) (340)
- No social housing (521)
- Reduce the level of social housing to permit more private housing (27)
- Develop alternative locations (non-specific) including brownfield sites, out of town, inland areas, Oban - Dunbeg Corridor (119) (120) (168) (298) (1009)
- Relocate P4023 away from the Ganavan beach, or reduce in size away from the beach so that there is a 400m open space protection zone strip between the development area and the beach as per the attached (RD51) (124);
- Alternative locations near A85 or extending site H4006 (478) (482)
- Relocate housing to T4002 to retain 'compact development' (208);
- Relocate housing allocation to area outlined on Map 200 on edge of Oban (east of the A82 from Pennyfuir to Oban/P4016) (208) (381) (444) (1061)
- Relocate the housing adjacent to T4002 (381)
- Alternate area for development – SE of Saulmore (582)
- Alternate location Pennyfuir Cemetery high ground overlooking Oban. (638)

#### **H4006**

- Do not develop the H4006 for housing (161); (168) (170) (286); (322); (325) (156) (504)

- Delete the allocation H4006 from PLDP2 (152) (154) (172) (187) (206) (208) (252)(263) (264) (322) (325) (444) (463) (471) (517) (584) (589) (632) (313) (1044) (1061) (1063)
- No social housing (521)
- Written Statement Schedule description altered as to H4006 Dunbeg - Pennyfuir Mixed - Housing, recreation, tourism, retail and community uses. (1035)
- Keep for recreation and leisure, green tourism (305) (347) (444) (660)
- Designate as an OSPA / protected as a valued natural environment (132) (152) (154) (187) (206) (214) (264) (322) (444) (463) (471) (580) (641) (660) (663)
- H4006 should be designated as an Open Space Protection Area, but with provision for sensitive small scale outdoor activity development, enhancing the existing provision and protecting the natural landscape. (264); (645) ; (1044)
- Designate this area as a Special Area of Conservation (449)
- Council should be working to establish a wildlife corridor between Dunollie & the oak woodland on the Ganavan-Dunbeg cycle path (488)
- Less residential development in mass, but perhaps more smaller pockets of areas, which will impact less on our surroundings (169)
- Limit building in this area (337)
- There are areas of brownfield land or substandard housing in Oban which could be redeveloped to make Oban a more attractive town for people to live in. (168) (170)
- Relocate closer to Dunbeg (173) (463)
- Relocate housing to T4002 to retain Compact settlement form (208); (225);
- Relocate housing allocation to area outlined on Map 200 on edge of Oban (east of the A82 from Pennyfuir to Oban) (208) **RDXXX NOTE multiple copies uploaded. The Reporter requires single copy from each objector for each PLDP2 Site alternate. RD database.**
- Relocate housing to adjacent to/along with T4002 or between Pennyfuir and Oban on the Eastern side of the road (208) (381); (584) (1061)

#### **I4002**

- Remove I4002 from the Development Plan (152) (168); (170); (172) (187) (208); (252); (263); (264); (322); (325); (423) (444); (451) (458) (632); (660) (1044)
- Replace with a proposal to protect the natural landscape of the area and to further enhance outdoor activity. (1044)
- Seek to protect ancient woodland areas, and re-route road to avoid impact. (260) (441)
- Environmental constraints, such as ancient woodland, should be layered onto the proposals maps in order to be able to better assess the impact, and help inform better route options which avoid impact on ancient woodland areas. (441)
- Improve the main A85 road from Dunbeg to Oban by building a roundabout at Dunbeg, widening from Dunbeg to Oban to improve traffic flow, or implement a 40mph speed limit to improve safety. (481)

#### **H4009**

- Leave as grazing land (161)
- **Alternate location suggested to H4009, area outlined on Map 200, between the sewage works and site P4016. (See Issue 238XXX) (208) (444) (1061)**
- Remove site H4009 from the plan. (322) (545)
- The allocation of H4009 should be transferred to another site which would be more economically sound. (444)

## Summary of responses (including reasons) by planning authority:

### P4023 and surrounding area

P4023 is a potential development area of 12.3ha on the outskirts of Oban identified for Mixed Use - housing, recreation and tourism. Potential Development Areas are areas where specific development opportunities may be supported through the life of the plan subject to those constraints identified in the schedules of the PDA's being successfully addressed. (CD XXXXX, para 3.8).

Removal from the Plan (101); (103); (116); (131); (152); (153); (154); (172); (173); (187) (1044); (206); (245); (247); (252); (263) (273) (313); (322); (325); (423) (444); (463) (471) (518) (542) (579); (581) (586); (588); (589); (632) (638) (1044)

- The planning history for P4023 is set out in more detail in ADXXXX. The location was proposed in the Argyll and Bute Structure Plan 2002 for the phased expansion of Oban. The principle of development at this site was established in the Argyll and Bute Local Plan 2009 (PDA 5/26) and continued through into the Argyll and Bute Local Development Plan 2015 (PDA 5/26). This site is included within the overarching Dunbeg Masterplan and significant progress has been made with the Dunbeg area in delivering new homes.
- A review of LDP sites was undertaken at the start of the LDP2 process. The discussion on effectiveness and suitability of sites was raised in the Main Issues Report consultation, in particular in questions 3, 3A and 3B. Utilising desk analysis, site survey and information from the pre-engagement and MIR consultations the potential development areas were assessed and dealt with as follows: i) upgraded to allocations where significant progress had been made in respect of the constraints and the sites were now considered effective; ii) removed where further investigation of the constraints or lack of progress proved the site ineffective; iii) a limited number of PDA's were removed on islands and in remote areas to support a smaller scale more organic style of growth; iv) retained a limited number of potential development areas where the constraints had not been addressed but progress was considered feasible within the plan period.
- In terms of P4023 (formerly PDA 5/26) the constraints have not been addressed and it is not considered as an effective allocation. However, there has been significant progress in delivery of the phased expansion of Oban, with this site included in the overarching Masterplan for the Dunbeg area and active developer interest.
- A place-making comprehensive approach is required in this potential development area, which has known constraints and sensitivities identified in the draft Action Programme. Significant features, such as the Shinty Pitch (OSPA), that need to be considered and integrated into the thinking for any future proposals in this area are included within the boundary.
- Therefore in view of the above it is proposed that it would be premature to remove P4023 from the Plan during this plan period.

### Amend Proposed Development Types on P4023 (1035)

- The developer proposes broadening the range of uses at P4023 to include business, retail and other community uses. It is agreed that the concept for the Dunbeg Corridor is as a sustainable mixed use area. P4023 is proposed as mixed use limited to housing, recreation and tourism uses reflecting its location (edge of Oban) and nature (near a beach and with access to the countryside). It is considered that the addition of community uses would be in keeping with the nature of the area, however, retail and business use would not be suitable. The Plan directs retail to town centre locations such as Oban through Policy 46 – Retail Development – The Sequential Approach. There is sufficient industrial and business land

identified within Oban and within the immediate Dunbeg Area. Therefore, if the Reporter is so minded, to recognise the potential for community uses and clarify matters in respect of retail it is suggested that the Schedule for site P4023 in Chapter 10 is amended as follows in relation to this representation to “Mixed Use – Housing, Recreation, Community Uses and Tourism (excluding Class 1)”.

Open Space, recreation and health (80); (89); (95) (96); (99); (101); (103); (107); (108); (112); (116) (124); (130); (131); (132); (138); (143); (145); (152) (153); (154); (156); (157); (158) (161); (162); (168) (170); (172) (175); (180) (187); (194); (200); (202); (206); (208); (214); (225); (227); (228); (237); (241); (242); (245); (247); (252); (260); (263); (264); (268); (270) (273); (286); (289); (292); (295) (298); (304) (305); (310); (311); (313); (322); (325); (328); (333); (334); (337) (347); (381); (405); (406); (409); (413); (416); (417); (422) (423); (425); (430); (433); (438); (444); (452); (458); (463); (471); (476); (478); (480); (481); (482); (488); (496) (518); (519); (521); (537); (542); (579); (580); (581); (582); (584); (586); (588); (589); (590); (595); (632); (638); (639); (640); (641); (642) (643); (644); (645); (647); (648); (660); (663); (665); (1009) (1018) (1041); (1043); (1044) (1050) (1061); (1062); (1063)

- The potential development area P4023 does not include the car park nor the beach and is in private ownership. Access to the beach is from the car park and the Core Paths from Dunbeg. Loss of the existing car park spaces is safeguarded from housing development through Policy 66 (e) and the car park is in Council ownership. Car parks are not included in the typology for Open Space in Annex 1 of PAN 65 Planning and Open Space (CDXXXX).
- The significant tracks through this area are safeguarded through Core Path designation and Policy 32 Active travel.
- The Open Space Audit (ADXXX) recognises the beach (amenity space) and shinty pitch (sports area) as important assets. Both of these areas have an Open Space Protection Area designation in PLDP2 and are safeguarded through Policy 81 'Open Space Protection Areas'. This policy applies to designated areas. The pitch is included within P4023 to ensure integration with future proposals. The Open Space Audit demonstrates the availability of open space within Oban. There are currently no proposals to relocate the Shinty Pitch, which is leased by the Council. Note: Non-Notifiable Amendment NXXXX Appendix Council Ownership PLUS Edit SEA Fr-ptetr
- The proposed amendment to the Open Space Protection Area/reducing scale of P4023 in RD51 effectively removes the majority of the developable area of P4023, which is considered premature at this stage.
- P4023 is not currently a formal park but has been identified for mixed uses, including recreational.
- It is considered that the development of this potential development area for housing, recreation and tourism would not lead to the fragmentation or loss of integrity of an existing Green Network. Policy 6 'Green Infrastructure' will need to be considered by any proposals in this area.
- The route of the weekly Park Run is on the Core Path and predominantly outwith P4023 see ADXXX.
- A number of the activities noted by the representees either take place on the beach, in the sea, on the shinty pitch, on the core paths or on surrounding areas such as the cliff area and so will not be directly impacted upon by proposals at P4023. However, the potential development area does propose development for housing, recreation and tourism uses, which may impact on some current recreation activities. This would be assessed as part of any future detailed Masterplan/application process and has been considered in the overarching Masterplan for the area (ADXXX).

- The recreation element, core paths and open space protection area will help support health and well-being and the tourism element also has the potential to have positive benefits.
- The Plan contains principles and policies which ensure that health and well-being are taken into account in assessing future development proposals, including Para 2.5 long term outcome 5, Policy 32 Active Travel, Policy 49 – Sport, Recreation and Community Facilities and Policy 68 – Housing Greenspace.
- In terms of any requirement for new health facilities no specific requirements have been identified through the planning process at this stage in respect of P4023 or the wider Dunbeg area. It is noted that the objector does not indicate a current level of shortfall nor what future requirements would be. It is also noted that NHS Highland have not objected to this site nor the wider Dunbeg development. The Plan does, however, safeguard 2 Community Facility Allocations within the area (C4003 and C4004). It is noted that the developer has proposed the addition of Community Uses to both P4023 and H4006.
- Sportscotland have not objected to this site.
- The representees made a range of different suggestions in terms of potential recreational developments. This potential development area includes recreation within the proposed mix. The developer may wish to consider these proposals, however, specifying the delivery of specific proposals, such as nature trails or benches, is not within the remit of the LDP.
- Policy 26 'Informal Public Outdoor Recreation' is used to assess proposals for new outdoor recreation or leisure facilities.
- Policy 50 'Retention of Community Facilities' applies to community halls or other community buildings and ancillary land.
- It is considered that the appropriate areas have been safeguarded through Open Space Protection Areas and Core Path designation. Whilst the majority of activities take place outwith the developable area of P4023 the importance of this area to the community for outdoor recreation is acknowledged. Therefore, if the Reporter were so minded, in order to recognise outdoor uses it is suggested that the Schedule for site P4023 in Chapter 10 is amended as follows in relation to this representation to “Mixed Use – Housing, Outdoor Recreation, and Tourism” and reference be made to the Development Brief in this Schedule 4 which will be incorporated into the Action Programme.

Impacts (including cumulative) related to scale, location and nature of development (89); (107); (112); (116); (143); (161); (168); (228); (241); (263); (298); (305); (313); (328); (333); (337); (425); (426); (438); (480); (481); (518); (519); (521); (579); (588); (638); (642); (645); (647); (660); (663); (665); (1009); (1043) (1044) (1063)

- P4023 is mixed use in nature, including housing, recreation and tourism. It also contains an Open Space Protection Area. The potential development area has an open aspect facing on to the car park and beach area. The approach is not to bring forward only high density housing
- P4023 is a potential development area and does not constitute part of the effective housing land supply. There are no specific housing numbers or housing density assigned to this site through the Plan. The design and place-making policies within the Plan seek to promote good quality places, avoiding over development and poor design.
- It is appropriate to provide a range of sites in variety of sustainable locations across the area.
- In settlements the plan supports the redevelopment of brownfield sites and also non-brownfield sites where the proposal is considered acceptable in relation to the overall land supply for the proposed use.

- There are 2 core paths within P4023; Core Path C163 - Ganavan Bay to Dunstaffnage Bay on the northern boundary and C198 - Ganavan to Dunbeg - National Cycle Network on the southern boundary, which are safeguarded through Policy 32 Active Travel.
- There are play space requirements for housing as set out in Policy 68 – Housing Greenspace.
- Key constraints, including in respect of infrastructure and as raised by Key Agencies, have been noted in the Draft Action Programme and will have to be addressed as part of the planning process. There have been no objections to P4023 from any Key Agency.

#### Housing (124); (161); (263); (313); (322); (325); (521)

- The Plan contains a range of housing sites plus a windfall allowance across the plan area in order to provide a generous supply of housing land for the Plan period to accommodate future growth.
- The site is a potential development area identified for mixed use, including housing, recreation and tourism uses. It is not an allocation and does not constitute part of the effective nor the established housing land supply. There is no indication of housing numbers as this matter would be addressed in any future masterplan or application dependent on the constraints being addressed.
- Beyond year 10 and up to year 20, the local development plan should provide an indication of the possible scale and location of the housing land requirement. Potential Development Areas show areas with potential to accommodate development into the future, including housing, subject to the constraints being dealt with and taking account of any development brief.
- Site P4023 is not solely for housing and Development Plans should consider the potential to promote opportunities for tourism and recreational facilities. (CD SPP XXXX)

#### Affordable housing (27) (521)

- The scale and distribution of affordable housing requirement have been evaluated across Argyll and Bute, including by Housing Needs and Demand Assessments. (CDXXXX). The Plan contains Policy 67 – Provision of Housing to Meet Local Needs including Affordable Housing to address the identified requirement.
- In terms of any housing on P4023 the requirement is for a minimum of 25% affordable at this location. There is no maximum on the level of affordable provided within Policy 67 – Provision of housing to meet local needs including affordable housing.

#### Second homes/rented properties (333)

- The Local Development Plan does not control use as second homes. Any proposal for change of use from housing to tourism accommodation, that requires planning permission, will be dealt with through Policy 23 – Tourist Development, Accommodation, Infrastructure and Facilities.

#### Infrastructure and Services Capacity – (96); (161); (169); (208); (268); (298); (433); (488); (521); (647); (1061); (1067)

- This is a potential development area with known constraints. A “Water Capacity Constraint”, “Sewerage Capacity Constraint” and “Waste Water Treatment Works – Growth Project Required” have been identified in the Draft Action Programme. Scottish Water was consulted and has no objections to P4023. An infrastructure constraint in relation to “Access/Road Safety” has also been identified in the draft Action Programme.
- A range of employment sites have been identified in the Oban area (Schedule 10, CD XXXX)

- NHS Highland and the Education authority have no objections to the site and are partners in the Outcome Improvement Plan to grow the population in Argyll and Bute. (CDXXXX). School capacity was assessed in the preparation of the Plan. (CDXXXX)

#### Public Transport (298)

- There is a regular bus service to this area (ADXXXX)

#### Isolated development (264); (325); (1044)

- The potential development area is on the outskirts of Oban and is accessible via public transport and on foot from the car park, which in terms of the recreational element is a benefit. However, vehicular access to this potential development area is a known constraint identified in the draft Action Programme, which requires to be addressed, in particular in relation to any housing development. (ADXXX) The stepping stone development of H4006 provides a link through to this area via I4002 Infrastructure Action.

#### Peat (263)

- P4023 does not contain any peat of category 1 or 2 importance (ADXX). Neither Scottish Environment Protection Agency nor Nature Scot have objected to this site. PLDP2 Policy 79 – Protection of Soil and Peat Resources gives a robust framework against which to assess planning applications in relation to the peat and soil resource. (CDXX). There is a pocket of category 3 peat of lesser importance in the north of the site, investigation of the depth of peat has been noted. (CDXXX).

#### Climate (208); (409); (476) (1041)

- The Potential Development Area is proposed for Mixed Use – including housing, recreation, tourism. This proposal does not preclude the development of green/eco-friendly recreational or tourism developments at this location. Both the Plan and Building Standards require sustainable design and siting for housing, including associated open space. P4023 also contains an Open Space Protection Area.
- The plan contains principles and policies to support the delivery of sustainable development, mitigate against the impacts of climate change and aid the move to a net zero carbon economy, including para 3.43, Policies 04-06, Policy 57 and Policy 79.(CDXXX)

#### Biodiversity (96); (108); (152); (157); (161); (169); (172); (180); (187); (194); (202); (208); (214); (227); (241); (242); (252); (264); (295); (298); (305); (310); (311); (313); (322); (405); (406); (409); (413); (416); (423); (426); (430); (433); (444); (471); (476); (480); (488); (519); (579); (584); (586); (645); (647); (660); (663); (665); (1018); (1043); (1044); (1061); (1063); (1067)

- Argyll and Bute is an area with a rich environmental resource. The Potential Development Area is not within nor is it adjacent to any sites designated for nature interest (e.g. SAC, SPA, Ramsar, SSSI, NNR). The site has not been objected to by Nature Scot.
- The Plan contains Policy 73 – Development Impact on Habitats, Species and Biodiversity and Policy 77 – Forestry, Woodland and Trees which provide a robust framework for the assessment of planning applications. (CD XXX). Applications for new developments may also be required to complete a biodiversity checklist. (CDXXXX).
- The southern edge of the site contains a small area of ancient semi natural woodland noted on the Ancient Woodland Inventory. The eastern edge of the site contains deciduous woodland. The Draft Action Programme for this site notes the need to safeguard European Protected Species and will be amended to add the noted tree interests. (CDXXX).

- P4023 is not within a Local Nature Conservation Sites (LNCS) which are contained in Technical Note TN05 alongside the supporting information. (CDXXX)
- Establishment of a wildlife corridor is outwith the remit of the LDP.

Landscape (89); (124); (138); (152); (156); (157); (161); (168); (169); (170); (172); (173); (180); (187); (194); (202); (206); (208); (214); (225); (227); (228); (237); (241); (242); (245); (252); (247); (260); (263); (264); (273); (286); (289); (295); (298); (305); (311); (313); (322); (325); (333); (347); (409); (417); (422); (423); (425); (426); (430); (438); (444); (463); (476); (478); (480); (482); (518); (579); (580); (584); (586); (589); (595); (632); (638); (640); (641); (642); (643); (645); (660); (663); (665); (1043); (1044); (1061); (1062); (1063); (1067)

- The Potential Development Area is not situated within nor adjoining a National Scenic Area (NSA). However, it is visible from the Lynn of Lorn NSA, in particular from the sea (+2km) and Lismore (+6km). Nature Scot has not objected to this site. Policy 70 - Development Impact on National Scenic Areas (NSA's) provides a framework for the assessment of proposals in relation to NSAs. The Planning Authority does not designate NSA, the remit lies with Nature Scot.
- Policy 71 does not apply as the site is not within nor adjoining a Local Landscape Area as designated in the Plan. A Local Landscape Area does not preclude development. No review of the LLA is proposed.
- In terms of High Quality Place, Policies 05, 08, 09 and 10 aim to support the delivery of good siting and design.
- The impact of any proposed development will require to be assessed, including on the car park and surrounding area.
- Policy 04 contains sustainable development principles, including to avoid significant adverse impacts on natural resources, such as landscapes, seascapes and night skylines.
- The Draft Action Programme contains mini development briefs highlighting constraints and actions. The aim is to add more detailed development brief plans to the allocations and potential development areas. A development brief plan has now been prepared for P4023 to supplement the mini brief. (CDXXX – marked up Draft Act Prog).
- The Ganavan area is not noted in the list of Geological Conservation Review Sites nor is it identified as a Local Nature Conservation Site with geological and geomorphological interests. The Plan contains Policy 80 – Geodiversity which deals with geological interests. (ADXXXX)

Flooding (289); (337); (405); (406)

- The SEPA flood maps show no evidence of fluvial, coastal or surface water flooding (1:200yr Hazard) on P4023. SEPA has not objected to this site. Policy 55 – Flooding and Policy 57- Risk Appraisals provide a framework for the assessment of proposals in relation to flooding issues.

Tourism (80); (96); (103) (108); (130); (132); (138); (152); (169); (170); (173); (180); (187); (194); (200) (206); (208); (214); (225); (227); (228); (241); (245); (247); (252); (263); (264) (268); (273); (289); (305); (310); (311); (313); (322); (347) (416); (417); (425); (430); (444); (463); (476); (480) (481); (482); (488); (579); (580); (584); (586); (590) (595); (632); (638); (640); (641); (643); (644); (645); (648) (660); (663); (665); (1009); (1018); (1041) (1043); (1044) (1050) (1061); (1062); (1063)

- The site has been designated so that a comprehensive approach can be taken to assessing the potential of this area for development including housing, recreation and tourism uses.

- Policy 23 – Tourist Development, Accommodation, Infrastructure and Facilities, Tourism development; opportunities and Policy 26 – Informal Public Outdoor Recreation and Leisure Related Development provide the framework for assessing proposals.
- The designation of this area includes recreation and tourism uses, however, no specific tourist facilities are proposed within the potential development area. Tourism is a key industry in the area and its sensitive development is supported through the Plan policies.

Access Issues and Traffic Management(101); (103); (116); (131); (141); (143); (161); (168); (170); (202); (208); (228); (252); (263); (268); (292); (305); (310); (311); (313); (322); (325); (333); (347); (366); (416); (425); (444); (452); (458); (476); (488); (504); (519); (521); (579); (582); (586); (595); (632); (638); (645); (647); (649); (660); (663); (1018); (1043); (1061); (1062); (1063)

- This is a potential development area with noted constraints which require to be addressed in a comprehensive manner prior to development taking place. “Access Constraint / Road Safety” has been noted in the Draft Action Programme as a key constraint requiring action. The issues relate to the requirement for vehicular traffic to access the site via a new road (I4002) given both legal obligations in respect of vehicular access from the Ganavan Road and known issues with the Ganavan Road itself (See ADXXX Planning History H4009). Policy 33 – Public Transport; Policy 35 – Design of New and Existing, Public Roads and Private Access Regimes; Policy 38 – Construction Standards for Public Roads and Policy 40 – Vehicle Parking Provision provide the framework to assess these issues when a proposal is brought forward.(CDXXX)

Core Paths (116) (143); (156); (157); (214); (225); (242); (264); (295); (298); (310); (313); (409); (423) (426); (444); (452); (458); (480); (488); (519); (632); (665); (1044); (1061)

- There are 2 core paths within P4023; Core Path C163 - Ganavan Bay to Dunstaffnage Bay on the northern boundary and C198 - Ganavan to Dunbeg - National Cycle Network on the southern boundary. Policy 32 – Active Travel seeks to safeguard active travel routes and integrate them into developments. The Masterplan proposes positive action in terms of the Core Paths(ADXXXX) (CDXXXX)

Agricultural use (405); (406)

- The land within the potential development area is not better quality agricultural land, in-bye land or croft land. The use of this land for development does not weaken the viability of an agricultural unit; lead to fragmentation of field systems and the integrity of the farm unit; nor result in loss of access to field systems.

Piers and Harbours (310); (444); (1061)

- Policy 42 'Safeguarding Piers, Ports and Harbour would apply if existing facilities as set out in the policy were being impacted on or new such facilities were being proposed. It is unclear what is objected to as P4023 does not contain a pier, port or harbour nor are new pier, port or harbour facilities proposed on this site. There is a launch point for the start/finish of the Kayak Trail on the beach at Ganavan outwith P4023, which is shown on Diagram 6: Tourism.

Alternate Locations non-specific (124) (168) (298) (478) (482) (1009)

- Locations for inclusion in the Plan were assessed as part of the LDP2 process, which took into account sites submitted at the Call for Sites and Call for Ideas and a review of existing sites, including those on the Vacant and Derelict Land Supply Register. The range of alternative sites were consulted on at the Main Issues Report stage.

- The Plan promotes brownfield development within settlements in Policy 01 Settlement Areas.
- Where no specific alternative has been suggested it cannot be assessed.

#### Alternate Location – extend site H4006 (478) (482)

- H4006 was reviewed as part of the LDP2 process. It is noted that that the land is topographically challenging to both the north and south west of the site; there is category 1 importance peat to the east and a significant area of ancient and semi natural woodland to the east. No information was supplied in terms of the area proposed for extension nor assessment of the potential constraints.

#### Alternate Location – T4002 (208)

- T4002 was brought into the Local Plan 2009 for Tourism/Leisure use as PDA 5/172. This was carried forward into the Adopted Local Development Plan 2015. Progress has been made in respect of the constraints, the site boundary refined to that of the planning permissions and the site carried forward as an effective allocation T4002 in PLDP2. (See **Planning History ADXXX**). No assessment was supplied in terms of suitability of this site for housing. The only objections to T4002 are included in this issue as they propose alternate locations for P4023 and/or H4006 to this T4002. Tourism is a key industry in Argyll and Bute.

#### Alternate Location - Adjacent to T4002 (381)

- No information was supplied in terms of the area proposed for extension nor assessment of the potential constraints.

#### Alternate Location - Area outlined on Map 200 on edge of Oban (east of the A82 from Pennyfuir to Oban/Site P4016) (208) (381) (444) (1061)

- This area was identified during the Call for Sites for inclusion and assessed as “RED” in the Main Issues Report.
- Key issues:- access, including issues raised by Transport Scotland; multiple watercourses through site and Flood Risk Assessment required – raised by Scottish Environment Protection Agency; steep and challenging topography; landscaping issues re prominent land acting as the backdrop to Oban raised by Nature Scot; and infrastructure capacity information not supplied.
- It is noted that objections have been made for the inclusion of this location in the Plan and this matter is dealt with in **Issue 238XXX**.

#### Alternate location Pennyfuir Cemetery high ground overlooking Oban. (638)

- No information was supplied in terms of the area proposed nor assessment of the potential constraints. Potentially this area relates to area above “east of the A82 from Pennyfuir to Oban”

#### Alternate area for development – SE of Saulmore (582)

- No information was supplied in terms of the area proposed nor assessment of the potential constraints. The representee may be referring to X4001 Connel Saulmore Farm – **See Issue 154**

- Support is noted from Link Group Ltd (1035) and 2 individuals for P4023. ADXXX (27) (158).

#### H4006

H4006 is identified as a housing allocation providing 120 homes as part of the Established housing land supply in the Tobermory to Dalmally Growth Corridor.

Removal of H4006/housing on H4006 from the Plan (152) (154) (156) (161) (168) (169) (170) (172) (187) (206) (208) (252) (263) (264) (286) (322) (325) (337) (444) (463) (471) (504) (584) (589) (632) (313) (1044) (1061) (1063)

- The planning history for H4006 is set out in more detail in ADXXXX. This location was brought forward through the Argyll and Bute Structure Plan 2002 seeking the phased expansion of Oban. The principle of development at this site was established in the Argyll and Bute Local Plan 2009 when the site was identified as a potential development area PDA 5/69. Following further investigative work on the constraints the site size was reduced, boundaries adjusted and brought forward as an allocation in Argyll and Bute Local Development Plan 2015 (H4006). This site is also included within the overarching Dunbeg Masterplan XX/XXXXX/MPLAN
- A review of LDP sites was undertaken at the start of the LDP2 process. It is acknowledged that H4006 presents a number of challenges, in particular with regard to access and infrastructure provision. The Draft Action Programme will be amended to better reflect the constraints. However, it is noted that no Key Agency has objected to the continued inclusion of this site in the Plan. It is also noted that the growth of Oban is significantly constrained by topographic, access and other environmental factors and this site represents a considered approach by the planning authority to the provision of housing land, which seeks to minimise detrimental impacts. Significant progress has been made with the Dunbeg area over the Adopted Plan period in delivering new homes within the identified Tobermory to Dalmally Growth Corridor in close proximity to the Main Town of Oban. The Plan seeks to support the Argyll and Bute Single Outcome Improvement Plan the main aim of which is to grow the population of Argyll and Bute, including through the Tobermory to Dalmally Growth Corridor centred around Oban.
- The Housing Needs and Demands Assessment was updated in 2016 after the Local Development Plan was adopted in 2015. The housing land requirement is shown to have reduced since this time and a windfall allowance is now proposed in the Plan. H4006 site contributes to the established housing land supply in this area and allows for a “generous supply” as required by Scottish Planning Policy. Therefore, in view of the above it is considered that it would be inappropriate to remove H4006 from the Plan.

Isolation (103); (161); (168); (170); (172); (173); (208); (252); (263); (264); (305); (311); (325); (381); (444); (463); (641); (645); (660); (663); (1044); (1061); (1063)

- It is acknowledged that H4006 is somewhat remote from the main Dunbeg development. This site is a later phase of the Dunbeg development, which currently has over 300 homes either built or underway and a further 300+ planned.
- Oban is severely constrained by topography, environmental factors and access. At H4006 connectivity is an issue that requires to be addressed and has been shown in the Masterplan and through designation of I4002. Sites in and around Oban have been assessed by the planning authority and H4006 is still considered to be the best option to achieve the aims of the Outcome Improvement Plan to grow the population, provide an established supply of housing land and to deliver homes within the Tobermory to Dalmally Growth Corridor.

- The importance of place-making is noted in this Plan and a suite policies seek to support sustainable development that considers design and siting issues.

Demand/Cumulative impact (132); (168) (169) (170) (173) (263) (313); (322); (325); (337); (444); (463); (504); (641)

- H4006 constitutes part of the established housing land supply as set out above and has been identified to meet future housing needs during the Plan period. The density of housing related to the gross area on this site is 14 units /ha, which is considered to be medium density.
- Where no specific alternative has been suggested it cannot be assessed.
- Cumulative impact of the combined proposals was considered in bringing forward the sites in the Local Plan 2009, Local Development Plan 2015 and by the overarching Masterplan **XX/XXXXX/XXX**. Localised impacts will be assessed in more detail through planning applications and/or more detailed masterplans. This includes assessment of infrastructure requirements.
- It is not considered that H4006 causes significant infill between the existing development and Ganavan.

Amend Proposed Development Types on H4006 (1035)

- The developer proposes broadening the range of uses at H4006 to Housing, recreation, tourism, retail and community uses. It is agreed that the concept for the Dunbeg Corridor is as a sustainable mixed use area and this is reflected in the Masterplan. It is noted that the site is within close proximity to the Core Path leading to Ganavan beach a popular tourism destination. However, H4006 site contributes to the established housing land supply in this area and allows for a “generous supply” as required by Scottish Planning Policy. Therefore, in view of the above it is considered that it would be inappropriate to reduce the housing capacity of H4006 by introducing other uses. In particular the Plan directs retail to town centre locations such as Oban through Policy 46 – Retail Development – The Sequential Approach and it is not considered appropriate to allocate retail at this location.

Alternate Location – T4002 (208) (225)

- T4002 was brought into the Local Plan 2009 for Tourism/Leisure use as PDA 5/172. This was carried forward into the Adopted Local Development Plan 2015. Progress has been made in respect of the constraints, the site boundary refined to that of the planning permissions and the site carried forward as an effective allocation T4002 in PLDP2. (See Planning History **ADXXX**). No assessment was supplied in terms of suitability of this site for housing. The only objections to T4002 are included in this issue as they relate to an alternate proposed area for P4023 and/or H4006. Tourism is a key industry in Argyll and Bute.

Alternate Location - Adjacent to T4002 (208) (381); (584) (1061)

- No information was supplied in terms of the area proposed for extension nor assessment of the potential constraints.

Alternate Location - Area outlined on Map 200 on edge of Oban (east of the A82 from Pennyfuir to Oban/Site P4016) (208) (381) (584) (1061)

- This area was identified by the **owner** during the “Call for Sites” for inclusion and assessed as “RED” in the Main Issues Report.
- Key issues:- access, including issues raised by Transport Scotland; multiple watercourses through site and Flood Risk Assessment required – raised by Scottish Environment

Protection Agency; steep and challenging topography; landscaping issues re prominent land acting as the backdrop to Oban raised by Nature Scot; and infrastructure capacity information not supplied.

- Note objections have been made for the inclusion of this location in the Plan and this matter is dealt with in **Issue 238XXX**.

Open Space, recreation, core path, health and well-being (132); (152); (154); (156); (168); (173) (187); (206); (208); (214); (241); (242); (252); (263); (264); (286); (305); (311) (322); (325); (337); (347); (433); (471); (444); (463) (471) (488); (504); (580) (584); (589); (632); (641); (645); (660); (663); (1044); (1061); (1063)

- The significant tracks through this area are safeguarded through Core Path designation and Policy 32 Active travel.
- This area is not identified as an Open Space Protection Area on the proposals maps and therefore Policy 81 Open Space Protection Areas does not apply to this housing allocation. The Open Space Audit (**ADXXX**) did not identify this area. The Open Space Audit demonstrates the availability of open space within Oban.
- It is considered that the development of H4006 for housing would not lead to the fragmentation or loss of integrity of an existing Green Network. Policy 6 'Green Infrastructure' will need to be considered by any proposals on this site. It is not within the remit of the LDP to establish a wildlife corridor.
- The route of the weekly Park Run is shown on **ADXXX**. The run takes place on the Core Path and predominantly outwith H4006. There may be impact on the amenity value of the Core Path where it passes through H4006 but this is considered to be outweighed by the public benefit of homes at this location. The Masterplan seeks to ameliorate any impacts on this asset.
- A number of the activities noted by the representees either take place on the beach, in the sea, on the pitch, on the core path or on surrounding areas and so will not be directly impacted upon by proposals at H4006. Furthermore it is not considered that the use of this area for housing will have a significantly adverse impact in relation to the scale of recreational resources in the area. It is noted that Sportscotland have not objected to this site.
- The core path will help support health and well-being. In addition the Plan contains principles and policies which ensure that health and well-being are taken into account in assessing future development proposals, including Para 2.5 long term outcome 5, Policy 32 Active Travel. It is noted that NHS Highland have not objected to this site. Access to housing is a factor in promoting health and well-being.
- It is acknowledged that this area has some value as natural amenity land. However, it is considered that the public benefit related to new homes in the Oban area outweighs the potential impacts at this specific location. It is also considered that the policies of the Plan aim to promote a place-making approach to development seeking to integrate development into the landscape. Policies 05, 08, 09 and 10 aim to support the delivery of good siting and design.
- The proposal is likely to lead to some additional use of the beach at Ganavan and the Core Path. However, this is not considered likely to have a significantly adverse impact.

Biodiversity (103) (152); (154); (161); (169); (170); (187); (206); (208); (214); (242); (260); (305); (311); (433); (449); (471); (488); (580); (584); (645); (660); (663); (645); (1044); (1061)

- Argyll and Bute is an area with a rich environmental resource. H4006 is not within nor is it adjacent to any sites designated for nature interest (e.g. SAC, SPA, Ramsar, SSSI, NNR). The

site has not been objected to by Nature Scot. The Planning Authority does not designate SAC.

- The site does contain an area of ancient semi natural woodland noted on the Ancient Woodland Inventory. The Draft Action Programme for this site will be amended to add the noted tree interests. (CDXXX)
- The Plan contains Policy 73 – Development Impact on Habitats, Species and Biodiversity (linking directly to the relevant Acts) and Policy 77 – Forestry, Woodland and Trees, which provide a robust framework for the assessment of planning applications. (CD XXX). Applications for new developments may also be required to complete a biodiversity checklist. (CDXXXX).
- It is considered that the development of H4006 for housing would not lead to the fragmentation or loss of integrity of an existing Green Network. Policy 6 'Green Infrastructure' will need to be considered by any proposals on this site. It is not within the remit of the LDP to establish a wildlife corridor.
- Establishment of a wildlife corridor is outwith the remit of the LDP.

#### Peat (263)

- H4006 does not contain any peat of category 1 or 2 importance (ADXX). Neither Scottish Environment Protection Agency nor Nature Scot have objected to this site. PLDP2 Policy 79 – Protection of Soil and Peat Resources gives a robust framework against which to assess planning applications in relation to the peat and soil resource. (CDXX). There is an area of category 3 peat of lesser importance, which may require investigation. (CDXXX).

Landscape (inc impacts on environment) (152); (156); (161); (168); (169); (170); Margaret (172); (187); (208); (214); (241); (252); (264); (286); (305); (311); (313); (322); Morley (325); (347); (381); (444); (463); (471); (488); (580); (584); (589); (632); (641); (645); (660); (663); (1044); (1061); (1063)

- The Housing Allocation is not situated within nor adjoining a National Scenic Area (NSA). Nature Scot has not objected to this site. The site is not within nor adjoining a Local Landscape Area as designated in the Plan, therefore Policy 71 does not apply.
- In terms of High Quality Place, Policies 05, 08, 09 and 10 aim to support the delivery of good siting and design.
- Policy 04 contains sustainable development principles, including to avoid significant adverse impacts on natural resources, such as landscapes, seascapes and night skylines.
- The Draft Action Programme contains mini briefs highlighting constraints and actions. The aim is to add development brief plans to the allocations and potential development areas to highlight key aspects. A development brief plan has now been prepared for H4006 to supplement the mini brief. (CDXXXX Action Programme marked up).
- Site H4006 is not noted in the list of Geological Conservation Review Sites nor is it identified as a Local Nature Conservation Site with geological and geomorphological interests. The Plan contains Policy 80 – Geodiversity which deals with geological interests. (ADXXXX)

Infrastructure (169); (173); (237); (263); (264); (433); (488); (1044); (1061)

- The infrastructure requirements are known and noted in the Draft Action Programme. There is no objection to this site from Transport Scotland or Scottish Water.

#### Climate Change (449)

- Both the Plan and Building Standards require sustainable design and siting for housing, including associated open space. The plan contains principles and policies to support the

delivery of sustainable development, mitigate against the impacts of climate change and aid the move to a net zero carbon economy, including para 3.43, Policies 04-06, Policy 57 and Policy 79.(CDXXX)

#### Economic Growth (449)

- The Plan seeks to align with Scottish Government Economic Policy to deliver increased sustainable growth, with opportunities for all to flourish and also with the Outcome Improvement Plan.(ADXXX)

#### Tourism (132); (152); (169); (187); (206); (241); (488); (504); (584); (660); (1061)

- The Plan seeks to support tourism as a key part of the economy of Argyll and Bute and contains policies and proposals to enable this. This site has been allocated to meet future housing needs.

#### Flooding (242); (337)

- The SEPA flood maps show no evidence of fluvial flooding (1:200yr Hazard) and a small area of surface water flooding on the Housing Allocation. SEPA has not objected to this site. Policy 55 – Flooding and Policy 57- Risk Appraisals provide a framework for the assessment of proposals in relation to flooding issues.

#### **I4002**

#### Need for I4002 (103); (152); (168); (170); (187); (208); (241); (252); (263); (305); (311); (313); (325); (381); (586); (590); (660); (663); (1061)

- I4002 was identified as DRA 5/2 in the Argyll and Bute Local Plan 2009, the route was adjusted and carried forward into Argyll and Bute Local Development Plan 2015. This is proposed to continue through to LDP2 as I4002. I4002 is an identified transport infrastructure action required to deliver site H4006 and site P4023 as set out above. The route is indicative. Front funding of roads and infrastructure has been considered in the Masterplan.

#### Remove I4002 from the Development Plan (152) (168); (170); (172) (187) (208); (252); (263); (264); (322); (325); (423) (444); (458) (632); (660) (1044)

- It is inappropriate to remove I4002 as it is required to deliver H4006 and P4023

#### **Environmental Impacts**

#### (154) (168); (170); (173); (206) (208) (260); (264); (313); (423); (441); (463); (471); (488); (584); (645); (660); (663); (1044); (1061)

- I4002 is not situated within a Local Landscape Area as identified in the Proposals Maps and therefore Policy 71 Local Landscape Areas does not apply. Policies in the Plan seek to support a place-making approach to sustainable development and promoting good siting and design.
- I4002 does not involve any sites designated for nature interest (e.g. SAC, SPA, Ramsar, SSSI, NNR). The site has not been objected to by Nature Scot. The Planning Authority does not designate SAC
- The Plan contains Policy 73 – Development Impact on Habitats, Species and Biodiversity which provides a robust framework for the assessment of planning applications. (CD XXX). Applications for new developments may also be required to complete a biodiversity checklist. (CDXXXX).
- I4002 crosses an area noted on the Ancient Woodland Inventory. The Masterplan notes the need to avoid ecological impact at this sensitive location (ADXXXX, p73). The Plan contains

Policy 77 – Forestry, Woodland and Trees to provide a framework to assess proposals which may impact upon trees.

- There is no requirement to map all constraints that are identified by other bodies e.g. flooding and ancient woodland inventory. However, the Planning Authority does take these into consideration and has GIS access to current versions of the constraints. It is considered that to map all constraints would unnecessarily clutter the Proposals Maps, which should be as clear as possible.
- I4002 is in close proximity to the Core Path. Core Paths are safeguarded through Policy 32 'Active Travel'. The Masterplan notes and proposes improvements to the Core Paths. The Parkrun takes place upon the safeguarded Core Path.

Traffic Issues (152); (172); (187); (241); (263) (313); (366); (423); (458); (481); (504); (660); (1043)

- Vehicular traffic will need to access the site via a new road (I4002) given both legal obligations in respect of vehicular access from the Ganavan Road and known issues with the Ganavan Road itself (See ADXXX Planning history H4009).
- Policy 33 – Public Transport; Policy 35 – Design of New and Existing, Public Roads and Private Access Regimes; Policy 38 – Construction Standards for Public Roads and Policy 40 – Vehicle Parking Provision provide the framework to assess these issues when a proposal is brought forward. (CDXXX).

Flooding (242)

- The SEPA flood maps show no evidence of fluvial or surface water flooding (1:200yr Hazard) in relation to I4002. SEPA has not objected to this site. Policy 55 – Flooding and Policy 57- Risk Appraisals provide a framework for the assessment of proposals in relation to flooding issues.

## **H4009**

Planning history (93); (94); (111); (119); (161); (208); (250); (322); (444); (545); (1017); (1042); (1061); (1067)

Outline planning permission was granted for 40 dwelling unit in October 2006. The site was then identified as a potential development area (PDA 5/170) in the Local Plan, Adopted 2009.

Following this there was an approval of matters specified in conditions in April 2010. Although this permission lapsed the site was carried forward into the Argyll and Bute Local Development Plan, Adopted 2015 as H4009. The site was reviewed and given a degree of progress had been made was proposed in the Main Issues Report to be retained in the Plan. This received supporting comments from West Highland housing Association and Oban Community Council. (Planning History ADXXX). The site was continued in to PLDP2 as a housing allocation for 60 units in 4.1ha and constitutes part of the Established Housing Land Supply.

Access (94); (161); (208); (322); (444); (1042); (1061)

- There are known issues in terms of access, which were conditioned in the lapsed consent. (see ADXXX).
- The access issue has been added to the Action Programme. (CDXXX)

Open Space/recreation (94); (161); (192); (250); (545); (1017); (1067)

- The area was not included in the Oban area green space audit
- The site is not currently used for recreation.

Biodiversity (161); (192); (1067)

- Argyll and Bute is an area with a rich environmental resource. H4009 is not within nor is it adjacent to any sites designated for nature interest (e.g. SAC, SPA, Ramsar, SSSI, NNR). The site has not been objected to by Nature Scot.
- The Plan contains Policy 73 – Development Impact on Habitats, Species and Biodiversity, which provides a robust framework for the assessment of planning applications. (CD XXX). Applications for new developments may also be required to complete a biodiversity checklist. (CDXXXX).

#### Agricultural Land (161)

- The site is not better quality agricultural land (CDXXX)

#### Alternate Location (208) (444) (1061)

- The alternate location suggested has been dealt with in Issue 238

#### Conclusion

No change is required to H4009.

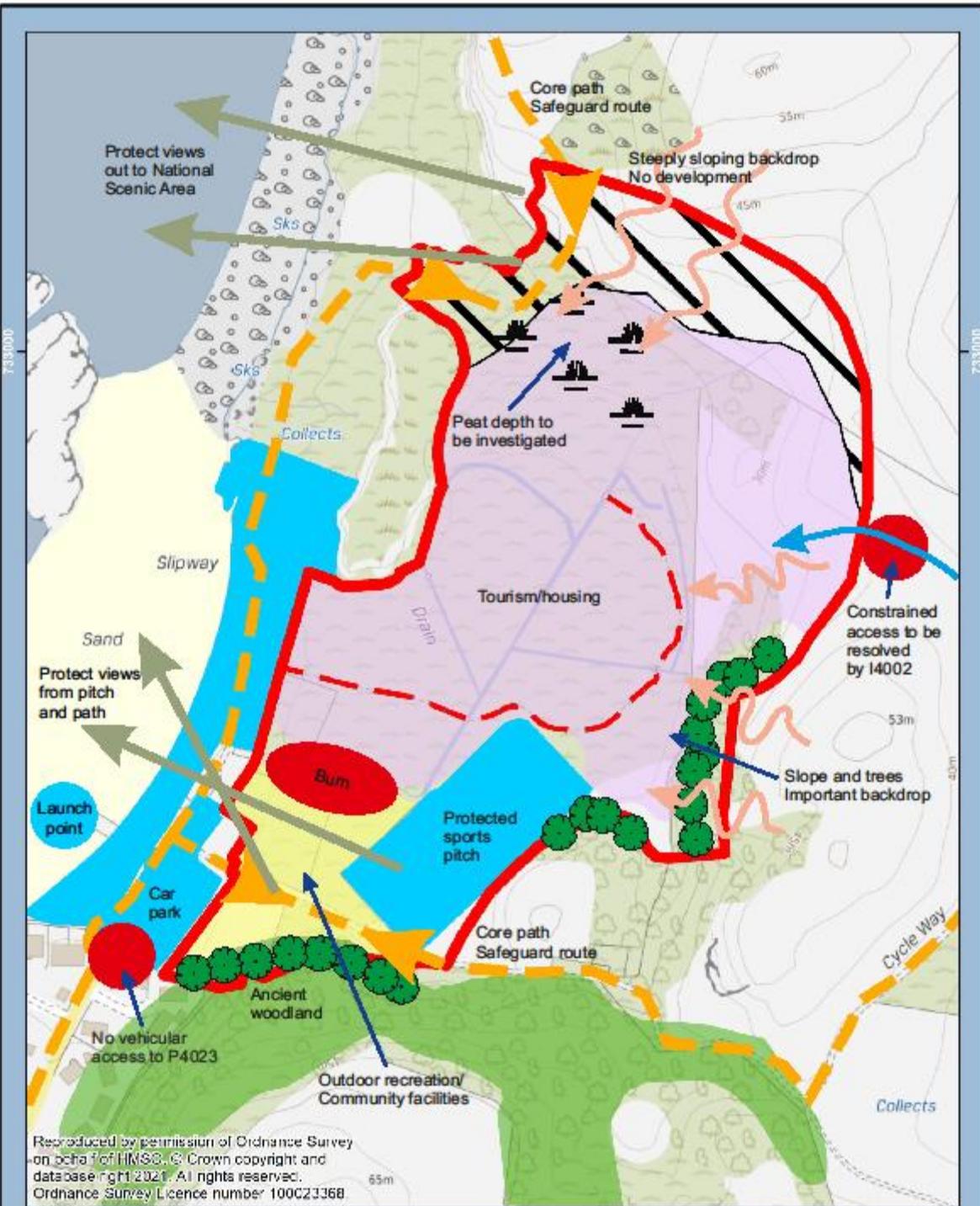
## **CONCLUSION**

A place-making comprehensive approach is required in this area and is being promoted through the Plan and by the developers through the Masterplan (H4009 is outwith this area). The known constraints and sensitivities to P4023, H4006, H4009 and I4002 are noted in the draft Action Programme and will be dealt with through the planning process, supported by the policies in PLDP2.

It is considered that housing allocation H4006 and H4009 should be retained in the plan as they constitute part of the established supply for the area.

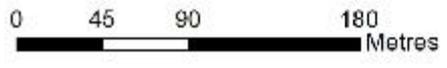
It is considered that Infrastructure Action I4002 should be retained in the plan as it clearly indicates the required access route to both H4006 and P4023.

It is considered that potential development area P4023 should be retained in the plan to ensure a comprehensive, controlled, place-making approach, which considers the known constraints and sensitivities in a holistic manner and permits the different development options proposed to be more fully assessed in consultation with the local community. *However, in order to protect the community use of the site, a Development Brief has been prepared for inclusion within the Action Programme (CDXXX). To reflect this if the Reporter is so minded, to recognise the importance of the area for outdoor based recreation, the potential for community uses and to clarify matters in respect of retail it is suggested that the Schedule for site P4023 in Chapter 10 is amended as follows in relation to this representation to “Mixed Use – Housing, Outdoor Recreation (minimum 4ha excluding the Open Space Protection Area as indicated in the Development Brief), Community Uses and Tourism (excluding Use Class 1), in accordance with the Action Programme Development Brief”*



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P4023 Ganavan

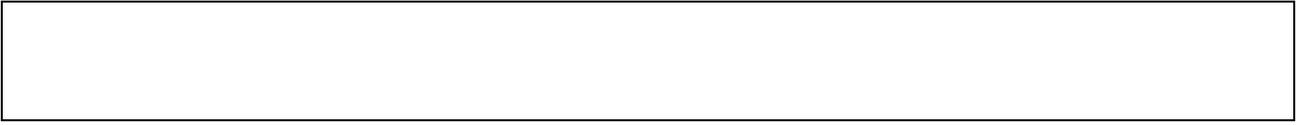


## Development brief key

-  Non-developable area
-  Views out
-  Pedestrian access
-  Paths through site
-  Vehicle access
-  Trees
-  Shrubs
-  Bog
-  Slope
-  Boundary treatment required
-  Other key features
-  Other constraints

Reporter's conclusions:

Reporter's recommendations:



<b>Issue 141</b>	<b>P4026, P4027 and P4029 - Strategic Economic Investment Location: Barcaldine - Marine Resource Centre (i), (ii) and (iii)</b>	
<b>Development Plan Reference:</b>	Potential Development Areas P4026, P4027 and P4029 (Chapter 10 Schedules, Page 121; Proposals Maps, Map 154)	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Douglas Fontaine (251) Scottish Government Planning and Architecture Division (353) Barcaldine Community Association (1066)		
<b>Provision of the development plan to which the issue relates:</b>	Inclusion of Potential Development Areas P4026, P4027 and P4029 within PLDP2. Inclusion of Potential Development Areas P4026, P4027 and P4029 without supporting information including appraisal comments submitted by Transport Scotland at the Main Issues Report stage.	
<b>Planning authority's summary of the representation(s):</b>		
<p><u>Douglas Fontaine (251) Barcaldine Community Association (1066)</u></p> <ul style="list-style-type: none"> <li>• Area is of outstanding beauty and is adjacent to Barcaldine Primary School and is therefore not suitable for development.</li> </ul> <p><u>Scottish Government Planning and Architecture Division (353)</u></p> <ul style="list-style-type: none"> <li>• Transport Scotland has concerns relating to Potential Development Areas P4026, P4027 and P4029 which are included without any supporting information.</li> <li>• Transport Scotland provided comments for P4029 at the Main Issues Report stage but these are not included in the Proposed Plan. There are two other PDAs in the Proposed Plan adjacent to P4029.</li> <li>• Transport Scotland had concerns regarding upgrading the access with the A85(T) adjacent to the school to accommodate further development. There are now 3 sites in proximity of two trunk road accesses which would require to be upgraded to accommodate further development. Discussions with Transport Scotland on an access strategy to cover all three sites would be required and this should be included in the plan.</li> </ul>		
<b>Modifications sought by those submitting representations:</b>		
<ul style="list-style-type: none"> <li>• None specified but a range of requirements on development are sought including; community involvement, ensuring required tree planting for adjacent development takes place, no noise, light, traffic or other pollution, must be inconspicuous and visually pleasing, not pose pupils of the primary school any danger from traffic etc or impede their educational activities, mature trees not to be cut down, flora and fauna habitat to be protected. (251, 1066)</li> <li>• Discussions with Transport Scotland on an access strategy to cover all three sites would be required and this should be included within the plan.</li> </ul>		

## Summary of responses (including reasons) by planning authority:

### Background information

- Business and Industry Potential Development Areas P4026 and P4027 are currently Business and Industry Potential Development Areas PDA 5/99 and PDA 5/100 in the adopted 2015 Local Development Plan (CD011, Map 154 and Written Statement Page 79). Prior to this they were PDAs (same reference and use) in the adopted 2009 Local Plan (CD006, Oban, Lorn and the Isles Proposals Maps Page 59 and Written Statement Page 138).
- Part of the field relating to Potential Development Area P4029 was originally submitted through the 2016 Call for Sites process (AD\*\*\*). This site together with the wider field was included as an 'Amber' site in the 2017 Main Issues Report (CD013, Page 185) meaning that it required further consideration (CD013, Page 128). It has been included in PLDP2 as a PDA for "Marine related industrial, business and storage use" (CD049, Page 121) which recognises the importance of its coastal location for such potential uses.
- All of these PDAs are adjacent to the former Marine Resource Centre which has relatively recently been re-developed into a salmon hatchery. To the west of the hatchery and north of P4027 is a marine storage and service facility.
- All three PDAs are shown on the proposals maps to be within a Strategic Economic Investment Location which recognises the importance of their location in close proximity to the coast and existing commercial uses (CD049, Page 45).

### (251, 1066)

- Whilst the PDAs are set within a Local Landscape Area they are also set within the context of significant built development. P4029 does occupy a coast side location but it is considered that any built development would, again, be viewed in the context of the adjacent, existing development. Whilst P4029 has some noted constraints, which are set out in the Action Programme (AD\*\*\*, Page \*\*\*), it offers a coastal site in a location that already has a context of significant development. Whilst final matters of design and landscape impact would be considered through the planning application process it is considered that the site offers the opportunity for development without significant harm to the landscape.
- Barcaldine Primary School is already located in relative close proximity to the salmon hatchery and before that, to the range of uses previously offered by the Marine Resource Centre all of which use/used the same access road that serves the school. It is considered that any road safety considerations related to the school could be adequately considered at the planning application stage through PLDP2 Policy 35 (CD049, Pages 64-66). It is also considered that any impacts on the amenity of the school could also be considered at the planning application stage through PLDP2 Policy 14 which relates to bad neighbour development (CD049, Page 33).
- Matters raised by the objectors relating to requirements on the development of the sites could be assessed through the planning application process and relevant LDP2 policies. The Action Programme sets out, and where necessary, will update information regarding potential constraints for the sites (CD\*\*\*).
- On the basis of the above it is considered that no change to PLDP2 is required.

### (353)

- The PLDP2 Action Programme (CD\*\*\*) document contains specific reference to constraints relating to PDAs P4026, P4027 and P4029, including the access constraint/road safety issue and the need for discussions relating to an accesses strategy.
- The PLDP2 Written Statement at Paragraph 3.8 (CD049, Page 11) sets out that constraints relating PDAs are set out within the Action Programme. It is considered that the Action Programme can still be afforded weight within the decision making process. It is subject to consultation with Key Agencies and any named person required to carry out an action. On the basis that these parties have input into the creation and update of the document it is considered that weight can be attached to it accordingly. It is therefore not considered necessary to include these specific matters in the Written Statement.
- On the basis of the above it is considered that no change to PLDP2 is required.

**Reporter's conclusions:**

**Reporter's recommendations:**

<b>Issue 145</b>	<b>P4031 – Lismore – Northern Ferry Point</b>	
<b>Development Plan Reference:</b>	Potential Development Area P4031 (Chapter 10 Schedules, Page 121; Proposals Maps, Map 204)	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Point and Park Farm, Isle of Lismore (109) Julie McKenzie (635)		
<b>Provision of the development plan to which the issue relates:</b>	The extent of Potential Development Area P4031	
<b>Planning authority's summary of the representation(s):</b>		
<p><u>Point and Park Farm, Isle of Lismore (109)</u></p> <ul style="list-style-type: none"> <li>• Objection to the extent of P4031 due to removal of land within the existing adopted Local Development Plan PDA 5/155 from P4031.</li> <li>• There has been no progress to date on development of the PDA due to attention needed on the farm house since the purchase of the farm in 2015. It is though intended to apply for planning consent on land relating to PDA 5/155 for a hall and/or accommodation to support wellness retreats on the farm.</li> <li>• Wellness is a growing area of tourism and is seen as a priority by Visit Scotland.</li> <li>• Farm diversification is a critical factor for the economic and social sustainability of farms.</li> <li>• An alternative site boundary is suggested (RD45) that sets out an area outlined in yellow intended for the proposed development and an area outlined in green for any Council requirements for the expansion of the car park etc. The area in yellow is on the raised beach level of the site and is a smaller footprint than that covered by PDA 5/155.</li> <li>• The proposed development fits well with PLDP2 policies 02, 22 and 23.</li> </ul> <p><u>Julie McKenzie (635)</u></p> <ul style="list-style-type: none"> <li>• Support for the amendment proposed by representation reference 109</li> </ul>		
<b>Modifications sought by those submitting representations:</b>		
<ul style="list-style-type: none"> <li>• Designate the area in the yellow boundary for tourism leisure. The area in green boundary could be designated for development related to ferry car parking, access etc (RD45) (109)</li> <li>• Support for amendment proposed by representation reference 109 (635)</li> </ul>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<u>(109 and 635)</u>		

- P4031 is shown in PLDP2 as being for “Leisure/Tourism/Transport Infrastructure” uses (CD049, Page 121 and Map 204). The PDA was carried forward, with a revised boundary, from PDA 5/138 in the adopted Argyll and Bute 2015 Local Development Plan where it was set out as being for “Leisure/Tourism” (CD010, and Map 207). Prior to this, it was the same PDA for the same use in the Argyll and Bute 2009 adopted Local Plan (CD006, Written Statement Page 139 and Oban, Lorn and the Isles Maps, Page 55).
- The PDA and the surrounding area are set within the Lynn of Lorn National Scenic Area (AD,\*\*\*)
- The boundary of the PDA was amended following a review during the preparation of PLDP2.
- The revised boundary has omitted land at higher topographies some of which, particularly to the northern end of PDA 5/155 is more exposed within the sensitive coastal landscape.
- Part of the area suggested by the objector (outlined in yellow on RD45) for inclusion as a tourism/leisure PDA is within this area omitted from P4031 (AD\*\*\*) and concerns remain that the nature of development that would receive encouragement through the PDA designation could lead to a harmful impact on the landscape.
- The boundary extent of P4031 as shown in PLDP2 would concentrate development on the lower topographies adjacent to the developed context of the car park and through the proposed uses would provide a flexible range of options for the land including options for transport infrastructure should the Council wish to explore these at a future date.
- P4031 would not necessarily need to feature all these development options and the potential remains for it to be developed solely for a single use. There is therefore not a need to split the PDA into distinct usage areas as suggested by the objector. In addition it is noted that the area outlined in green on RD45 also appears to take in some the existing car park and adjacent beach to north (AD\*\*\*, Site\*\*\*).
- The objectors desire to develop on the land omitted from P4031 are noted however it is not clear why the proposals could not be brought forward within the PLDP2 boundaries of P4031 given the flexibility of the end use(s) set out above.
- The areas omitted from PDA 5/155 are now set within Countryside Area where proposals would be assessed under PLDP2 Policy 02 (CD049, Pages 10 and 12-13) through which, a Landscape and Visual Impact Assessment would likely be required. Proposals would also need to be assessed under Policy 70 (CD049, Page 94) which relates to National Scenic Areas. These policies do not preclude development but seek to ensure that the landscape impacts of proposals are suitably assessed. It is therefore considered that this is the more appropriate policy approach for the land omitted from PDA 5/155.
- On the basis of the above it is considered that no change is required to PLDP2.

**Reporter’s conclusions:**

**Reporter’s recommendations:**

<b>Issue 146</b>	<b>Carsaig</b>	
<b>Development Plan Reference:</b>	Proposals Maps, Map 139 – Tayvallich and Carsaig	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Libby Anderson (17) Kirsten MacDonald (490)</p>		
<b>Provision of the development plan to which the issue relates:</b>	The extent of the Settlement Area and Open Space Protection Area at Carsaig	
<b>Planning authority's summary of the representation(s):</b>		
<p><u>Libby Anderson (17)</u></p> <p><b>Site 146C</b></p> <ul style="list-style-type: none"> <li>• An area of land in the settlement plan was not included in the past.</li> <li>• It is a small but important area for adjacent residents and is a wildlife corridor. The corridor and point where it abuts the Carsaig Road is crucial for deer and otters who rely on it for the burn and marshland on the other side of the road. There are many sorts of creatures including dragonflies, slowworms, newts and marsh fritillary. If a road or track were to be constructed it would detrimental to privacy the objectors and other three dwellings too.</li> <li>• At the top of the triangle which runs to the north of the objectors property is an abandoned area of the Carsaig estate. It overlooks and affects the objector's property as well as the next two houses. It has no value as a house site as the access is not worth the expense. The land is mostly marsh and unstable stony slope. It is cover for animals but rhododendrons and more bog have taken hold of much it now.</li> </ul> <p><u>Kirsten MacDonald (490)</u></p> <p><b>Site 146A</b></p> <ul style="list-style-type: none"> <li>• Proposed reduction of Open Space Protection Area and return to Settlement Area with potential to designate as tourism.</li> <li>• The section of OSPA is unnecessary. Green space amenity can be retained whilst offering limited development opportunity to contribute to LDP2 aims.</li> <li>• Background information includes:</li> <li>• T3001 and P3011 unlikely to deliver, lack of meaningful increase in visitor accommodation/facility, visual value being outward towards Jura, environmental aspects can be retained, need for motorhome accommodation, need for parking/boat storage/marine servicing.</li> <li>• Tourism strategy may be best met here by development of high quality/low impact recreational units that require little servicing.</li> </ul>		

- There is no other viable site.
- Site specific factors include:
- Visual green space amenity could be maintained due to existing screening, likely widespread support for removal of motorhomes from community green, pressure for usable marine related space, the site and adjacent land is used for sporadic parking and yard works, mixed attractiveness of the hamlet, the site is largely invasive rhododendrons, open space amenity is not at risk due to existing extensive area, proposed site is over 50m from the pier ensuring protected strip around the bay is retained, cliff/trees to the west and the pier and parking area would be surrounded by greenspace, this part of Carsaig is largely green, "Open Space creep" is unlikely due to burn at north and lesser attractiveness of land for tourism facilities to north and west, adjacent road is the only one on the west of Knapdale peninsula that leads to the coast, it also has the only public boat slip for larger vessels, increase in demand for marine and recreation activity in Carsaig, the access to the site is safe, site is at a lower level than the house to the east and therefore no loss of view/light, site could provide a variety of options such as motorhomes, seasonal accommodation, shore facilities, parking/boat storage.

**Site 146B**

- The settlement boundary is not of sufficient detail in the LDP2 map to show that there is viable development land that meets settlement criteria in the 20m or so beyond the corner of the settlement delineation. It is below the skyline and precedents exist for building behind linear development.
- The site could offer seasonal, low impact/low amenity tourist unit.

**Modifications sought by those submitting representations:**

**Site 146C**

- Take the chevron shaped area out of the Tayvallich/Carsaig settlement plan and restore the original designation as wildlife area. Pink to green. (17)

**Site 146A**

- Remove Open Space Protection Area designation for triangle of land indicated on (RD255) and return to Settlement. (490)

**Site 146B**

- Extend Settlement boundary as shown on RD255 (490)

**Summary of responses (including reasons) by planning authority:**

(17)

**Site 146C**

- Whilst the objector has provided a map they have not indicated the extents of the land concerned. However, from the description provided in the objection it is considered to relate to the land running in a general inverted 'v' shape behind the cluster of houses to the north of the Carsaig Road.
- The PLDP2 Settlement Area in this location covers the same extent as the Settlement Zone in the adopted 2015 Local Development Plan (CD010, Map 142) and the 2009 adopted Local Plan (CD006, Page 138). It has not featured a nature conservation designation in either of these Development Plans.
- The edge of the Settlement in this location is generally set to the 20m contour line (AD).
- Being set within Settlement Area could encourage development on the land through PLDP2 Policy 01 (CD049, Page 12) however, given the topography of the land and relative difficulty of access over much of it, it is not considered to be under significant development pressure. Furthermore through Policy 01 and the wider PLDP2 Policy framework, impacts on matters such as residential amenity and biodiversity could be adequately assessed at the planning application stage.
- The 2017 Call for Ideas consultation asked for, amongst other things, suggestions of where settlements could accommodate future growth and where people would not want to see future expansion. No representations regarding the land were received to this consultation. No representations regarding the land were received at the Main Issues Report consultation stage. The extent of the Carsaig Settlement Area was therefore not considered as part of the PLDP2 preparations.
- The submission at this late stage in the Development Plan process has not allowed opportunity for full assessment of the Settlement Area in this location and it is considered that potential changes would be better raised by the objector or any other interested parties at the appropriate point of the next Development Plan process.
- On the basis of the above it is considered that no change to PLDP2 is required.

(490)

#### **Site 146A**

- The principal purpose of the Open Space Protection Area at Carsaig is providing visual amenity functions for the settlement surroundings in what is a sensitive location within the Knapdale National Scenic Area. It helps to maintain an open and undeveloped aspect to land between the shore and the existing development which is generally set on the landward side of the various roads and tracks.
- The objection relates to a roughly triangular piece of land that is set between the track that serves the dwellings in the northern parts of the settlement and the road that serves the pier. The land, and the wider parts of the OSPA are shown as Settlement Area on the PLDP2 maps and are also within the Knapdale National Scenic Area (AD\*\*\*).
- The 2017 Call for Ideas consultation asked whether there were any existing Open Space Protection Areas that required amending. Nothing was received regarding the Carsaig OSPA to this consultation or at the Main Issues Report consultation stage. The extent of the OSPA was therefore not considered as part of the PLDP2 preparations.
- The area subject to objection is considered to be a relatively sensitive piece of land where development would have the potential to be visually prominent in this largely open context. The open aspect of this OSPA is appreciated across a generally wide panorama from various points along its length. On the approach to the land from the south it is viewed in the context of the seaward side of the track serving that continues straight onwards rather than the

context of the road the curves around to the pier. As such development on the land would be seen more in the context of the undeveloped shore front area than as part of the generally linear existing development pattern. It is therefore considered that the removal of the OSPA on the land concerned would compromise and potentially erode the open qualities that it protects.

- It is not accepted that the exclusion of the land from the OSPA would not set a precedent for further exclusions or development as the removal would potentially introduce a built forms or certain uses into this open setting which could potentially be used as context for future development pressure.
- The economic and community justifications put forward are noted but it is not considered they provide sufficient justification for such an alteration to the OSPA. Whilst certain developments might bring economic or other benefits to the community it is not considered that these justify the loss of open space amenity.
- Similarly it is not considered that the presence of parked vehicles, other uses or activities on the land or the nature of the vegetation cover either by themselves or in combination with other factors warrant justification to remove the land from the OSPA.
- A similar area of land (AD\*\*\*) was considered at the Examination into adopted 2015 Local Development Plan where the Reporter concluded that the site was inappropriate for inclusion as a housing allocation due, in part, to the sensitivity of the location (CD\*\*\*, Pages 287-297).
- Five representations in support of the continuation of the OSPA were received to the PLDP2 consultation. Support was given primarily for species and habitat reasons. (AD\*\*\*)
- The PLDP2 Written Statement sets out that the existing Open Space Audit will be updated during the lifetime of LDP2 (CD049, Page 103). Notwithstanding the above concerns, the proposal to amend the OSPA would be more appropriately made by the objector or any other interested parties at the appropriate point in the preparations of the next development plan and/or any relevant consultation through the aforementioned review of the Open Space Audit. This would allow fuller considerations and potentially wider consultation which is considered would be of importance given the context of the land within the National Scenic Area.

#### Site 146B

- No representations were received regarding the land concerned to the 2017 Call for Ideas consultation or at the Main Issues Report stage.
- The land is set behind existing dwellings that front the Carsaig Road and comprises of a generally rising topography. It is also set within the Knapdale National Scenic Area (AD\*\*\*)
- The PLDP2 Settlement Area in this particular area has been generally drawn to 20m contour line (AD\*\*). The area proposed to be included in Settlement Area would be mostly set between the 20m-30m contour line, with some parts just above the 30m line. It is considered that the land at this elevation is in a relatively sensitive location given that potential development would be set above the level of the nearby housing.
- Proposals for development in Settlement Areas would be assessed under PLDP2 Policy 01 and outwith Settlement Areas would be assessed under Policy 02 (CD049, Pages 10, 12 and 13). Policy 71 relates to development proposals in National Scenic Areas (CD049, Page 94).
- Policy 02 does allow for the consideration of planning applications in the Countryside Areas and in all but a limited number of situations, requires the submission of a Landscape and Visual Impact Assessment that demonstrates to the satisfaction of the Planning Authority, that the proposal can be successfully integrated into its landscape setting.

- Given the sensitive location of the land it is considered that the framework set out in Policy 02 along with Policy 70 is appropriate for assessing development proposals in this area.
- Any inclusion of the land concerned in Settlement Area at this stage will not have received consultation through the PLDP2 consultation process which would have included the opportunity for comment from Scottish Natural Heritage on matters such as the NSA.
- It is therefore considered that no change to PLDP2 is required.

**Reporter's conclusions:**

**Reporter's recommendations:**

<b>Issue 147</b>	<b>Pennyghael</b>	
<b>Development Plan Reference:</b>	Site T4001 (Chapter 10 Schedules, Page 122; Proposals Maps, Map 197) and Proposed Housing Allocation – Pennyghael (Proposals Maps, Map 197)	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Argyll Properties Scotland Ltd (1016)		
<b>Provision of the development plan to which the issue relates:</b>	The extent of Tourism allocation T4001 and a proposed Housing Allocation at Pennyghael	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>T4001</b></p> <p><u>Argyll Properties Scotland Ltd (1016)</u></p> <ul style="list-style-type: none"> <li>• Inclusion of T4001 is welcomed to underpin tourism industry and underserved motorhome/campervan sector on Mull and to provide local employment opportunity.</li> <li>• The site is ready and available and in walking distance of village facilities</li> <li>• The allocation boundary should be extended further south as shown in document RD53</li> <li>• It is understood that the Council's reason to restrict the allocation was due to flood risk.</li> <li>• The boundary shown in PLDP2 is somewhat arbitrary and overly cautious going well beyond the small area of ground contained in SEPA flood risk maps and cutting out nearly half of the available land much of which is just as appropriate for a campsite as the portion included.</li> <li>• As it is fluvial flood risk confined to the river banks and immediate surrounding it is appropriate for an enlarged area to be allocated with a requirement for any future planning application to be informed by a topographic survey and flood risk assessment.</li> <li>• These requirements can be secured firstly through LPD policy and secondly the Development Management process in consultation with SEPA. Providing the topographic survey and flood risk assessment with the planning application is sufficient to ensure development is only advanced and occurs on land free of flood risk and suitable to accommodate it.</li> <li>• Campsites may contain a range of different facilities and to achieve optimal layout and provide a high quality development the LDP2 allocation should include sufficient land for these facilities.</li> <li>• The allocation proposed in PLDP2 would unduly constrain the development and inhibit the scale, quality and financial viability of the project.</li> </ul> <p>Proposed Housing Allocation</p> <ul style="list-style-type: none"> <li>• Existing LDP housing allocation H4001 proposes 15 units. PLDP2 proposes its removal in favour of a small area of Settlement parallel to the public road with Countryside Area for the remainder.</li> <li>• Planning consent 17/03050/PP (granted 5/2/2019) approved 4 detached houses as the first of a 3 phase development that will utilise the entire of existing LDP allocation H4001.</li> </ul>		

- Planning consent was granted by the Planning Authority (PA) in the knowledge that the project was part of a phased development of the whole allocation.
- The planning conditions on 17/03050/PP for affordable housing can only legitimately apply where a phased approach is to be taken. The removal of H4001 would mean the approved development would lie within Countryside Area where it would conflict with newly adopted policy. Phase 2 would lie on the small area of Settlement Zone and phase 3 would be impossible to achieve as it would run contrary to the newly adopted policy.
- This is not an ineffective site. The PAs concerns about ineffectiveness arise from earlier planning history where a 2007 consent for 11 units went undeveloped due to two main factors; downturn in housing construction following the 2008 credit crunch and Council insistence that affordable housing requirement had to be delivered on site despite lack of demand for such during the lifetime of the consent.
- Both factors have improved in recent years. The 2017 consent is evidence of the owner's commitment of delivery. There has been a recovery in the market and increased acceptance by the PA for a sequential approach to affordable housing. The site is far more deliverable than the preceding 10 years.
- This the wrong to time to remove the allocation from the Development Plan as it would jeopardise the delivery of 17/03050/PP. The consent is intrinsically linked to the next two phases of development through shared road access, sewage treatment and water supply. Justification for affordable housing requirement would need to be re-examined given the threshold of 8 units.
- The only other housing allocation on the Ross of Mull is H4004 at Bunessan for 13 units. If the Planning Authority is serious about reversing population decline, supporting economic development and improving affordable housing provision across the Council area then it is imperative that a range of sites remain allocated in order that they can be developed.
- This is increasingly important given that LDP2 will apply for a 10 year period. Allocated sites with live planning consent should remain as housing allocations for the LDP2 plan period.

#### **Modifications sought by those submitting representations:**

##### **T4001**

- Increase the extent of the allocation to include the additional land south-west of the currently proposed as shown with red line of the plan provided (RD53) (1016)

##### **Proposed Housing Allocation**

- Re-allocate existing housing allocation H4001 in LDP2

#### **Summary of responses (including reasons) by planning authority:**

##### **T4001**

- T4001 is a tourism allocation for a campsite and has an area of 1.1 hectares (CD\*\*\*, Page\*\*).
- In the adopted 2015 Local Development Plan (LDP) the site is currently an Open Space Protection Area within the Settlement Zone of Pennyghael (CD011, Map 205).
- The site was suggested for a campsite through the 2016 Call for Sites process. The reasons set out in the submission centred on the increase in mobile home and campervan visitors to

Mull since the introduction of the Road Equivalent Tariff to the ferry service in 2015 and a lack of existing campsite pitches to meet the demand (AD\*\*\*)

- The objection has been made by the site promotor who wishes to see further land included to the south of the allocation as it is shown in PLDP2 (CD\*\*\*, Map 202). The additional land in question is shown on the objectors supporting map (RD53) and reflects the extent of the land originally put forward through the Call for Sites.
- Following initial assessment of the Call for Sites submission, further information was requested from the agent including information regarding flood risk. The correspondence to and from the agent can be seen in AD\*\*\*. In summary the agent contended that the flood risk was localised to the river bank on the site's south western boundary, that development would avoid all low lying land and riparian woodland, that there could be tree planting and a bund formed to contain fluvial waters and that the most appropriate way to handle the flood risk in that area would be at planning application stage through a flood risk assessment.
- The site was classified as an 'Amber Site' within the Main Issues Report MIR (CD, Page 103) meaning that it may have had potential for inclusion in LDP2 but further assessment was required and/or that the site had an identified issue(s) that needed to be fully investigated (CD013, Page 45).
- In response to the MIR consultation SEPA commented "Part of this site lies within the 1 in 200 year floodplain. No development should take place within this area. A minor watercourse also along the site boundary. Flood Risk Assessment required." (AD\*\*\*)
- The site was included as a tourism allocation in PLDP2. It was acknowledged that there would have likely been an increase in tourism of following the introduction of an additional ferry to the Oban to Craignure route in 2016 and the introduction of the Road Equivalent Tariff in 2015. The lack of formal campsites in the area comprising the Ross of Mull peninsula (on the south of the island), aside from Fidden Farm at its western end and the issues of mobile homes and campervans was acknowledged. The site was considered to offer an easily accessible solution located directly on the A849 between Craignure and Fionnphort (for the ferry connection to Iona). It was considered that with suitable design and landscaping the site could accommodate the proposed use within its landscape setting and that the benefits of the proposed use would outweigh the loss of field as an area of open space.
- In determining the extent of the site area to be included in PLDP2, flood risk matters were taken into account. SEPA flood risk mapping was utilised and indicated that much of the area to south of the boundary to T4001 as shown in PLDP2 was within the medium likelihood river extent. The boundary line was drawn to ensure this area was excluded.
- The scale threshold intended for the use of SEPA flood mapping (1:19,000) does not allow for intricate mapping of site boundaries to flood zone boundaries and therefore the boundary as shown for T4001 is considered the most appropriate response to this constraint. The map AD\*\*\* shows T4001 in relation to the medium flood risk extents at a 1:19,000 scale.
- The site, as put forward by the objector, is bounded to its south by the Leidle River. There is also another smaller, but noticeable water course set to the north of this river (as shown on AD\*\*\* and in the photographs AD\*\*\*). The drawing of allocation T4001 also takes into account the presence of this watercourse and potential flood risk it may present alongside that of the Leidle River. The map AD\*\*\* shows the site as proposed by the objector in relation to the medium flood risk extents at a 1:19,000 scale.
- Scottish Planning Policy (SPP) (CD001, Pages 57 to 60) sets out that new caravan and camping sites are generally not suitable for areas of Medium to High Risk watercourse flooding.
- The SEPA Flood Risk and Land Use Vulnerability Guidance places holiday caravan, chalet, and camping sites within the "Most Vulnerable Uses" category and sets out that this category would not generally be suitable for development in a location shown as "Medium to high risk

within undeveloped and sparsely developed area (>0.5% AP)" (CD016, Pages 5-7) unless one of the three specified situations applied. None of these situations would apply to the additional land put forward.

- SPP sets out that a precautionary approach should be applied to flood risk and that development should be located away from medium to high risk areas (CD001, Page 57)
- In the absence of a Flood Risk Assessment for the land concerned its omission from the area allocated for tourism campsite uses is appropriate and the boundary of T4001 as shown in PLDP2 is a suitable, precautionary approach towards flood risk for development proposed.
- With regards to development viability there has been no evidence put forward to explain why the site as shown in PLDP2 would not be viable compared to the larger site as suggested by objector. No business case, financial calculations or indicative layout have been provided to support the need for a larger site. It has not been demonstrated why a campsite of 1.1 hectares could not be a viable development. Notwithstanding this, such considerations should not override the precautionary approach taken to flood risk.
- In conclusion, a significant proportion of the additional land as proposed by the objector is within the medium risk river flood zone and the use proposed is classified as within the Most Vulnerable Use category. In the absence of a flood risk assessment to demonstrate it is not appropriate to include this land within the allocation. No modification to plan is therefore required.

#### **Proposed Housing Allocation**

- H4001 is an adopted 2015 Local Development Plan allocation. The LDP Written Statement Schedules set out an indicative capacity of 15 units (CD010, Page 77)
- Prior to the 2015 LDP the site was included in the 2009 adopted Local Plan as a Potential Development Area (PDA 6/45) for mixed density housing with a 25% affordability requirement (CD006, Page 140) (CD007, Page 157).
- The site was assessed as part of a site assessment process prior to the LDP2 Main Issues Report (MIR). The assessments helped inform whether allocations and PDAs contained in the adopted 2015 LDP were to be carried forward to PLDP2. Following assessment H4001 was classified as an 'Amber Site' within the MIR (CD013, Page 111) meaning that it may have had potential for inclusion in LDP2 but further assessment was required and/or that the site had an identified issue(s) that needed to be fully investigated (CD013, Page 45).
- In assessing the site for the MIR the lack of progress towards delivery of affordable housing raised concerns regarding the effectiveness of the allocation. Planning consent 07/02093/OUT was granted on 04/04/2008 for 11 units. Condition 4 on the consent set out the requirements for an on-site affordable housing requirement (AD\*\*\*\*). It appears from documentation on the planning file that there was discussion between the applicant and Planning Authority regarding delivery of affordable housing. This appeared to conclude with agreement to pursue a Section 75 agreement within a new detailed application that would set out a process for marketing the onsite affordable requirement with a release mechanism should the marketing not yield the required results (AD\*\*\*).
- 07/02093/OUT lapsed and no draft Section 75 or further communication regarding such was placed on the file.
- As part of the physical site assessment for H4001 it was noted that the uneven topography of the upper areas of the site may present a constraint to development.
- The site was subsequently not included in PLDP2 due to overall considerations regarding site effectiveness and site deliverability. One of the reasons for not carrying forward allocations that were unlikely to be developed was that their retention would have a detrimental effect

on the planning for the overall provision of infrastructure such as water, sewerage, power and roads by the Council and its partners. This was set out (with regards to allocations) within the MIR (CD013, Pages 19-20).

- Planning consent 17/03050/PP was granted on 5/2/2019 and included condition 8 regarding affordability (CD\*\*\*). In summary, this condition sets out that development cannot go beyond the 2<sup>nd</sup> dwelling without first securing the 25% affordable provision in line with the adopted Supplementary Guidance policy SG LDP HOU 1 (CD015, Pages 73-82). The officer's report (AD\*\*\*) indicated that there is potentially a lack of local demand for onsite affordable provision but that SG LDP HOU 1 would allow for the sequential exploration of offsite provision or commuted sum payment.
- By the point that 17/03050/PP was granted on 5/2/2019 the PLDP2 preparation process was at a relatively advanced stage. Decisions regarding the future of adopted LDP allocations had already been taken with H4001 (and the recommendation not to include it in PLDP2) being one of the sites presented to the Oban, Lorn and the Isles Members at a Business Day on 23<sup>rd</sup> May 2018. The process of creating the PLDP2 Proposals Map commenced around Autumn 2018.
- Notwithstanding the timelines for the grant of 17/03050/PP and the preparation LDP2 there currently appears to have been no advancement towards development of the site. Since the grant of consent there has been no commencement of development or documentation submitted in terms of discharging pre-commencement conditions or discussing the affordable housing requirement. Despite, as acknowledged within the objection there is a more flexible condition for the delivery of affordable housing, no evidence has been provided by the objector through the PLDP2 consultation to indicate commencement of development is imminent. At the point of finalising this Schedule 4 some \*\* months have passed since 17/03050/PP was granted and given that development could have commenced without prior provision of affordable housing it is considered that site remains constrained, be it with issues of affordable housing and/or other matters.
- In addition to these concerns, there is potential for the campsite on the adjacent land as proposed and supported by PLDP2 through allocation T4001 to place additional constraints on development. Whilst it is considered that both developments could be potentially be implemented without actual significant 'bad neighbour' issues (subject to assessment at the planning application stage) the campsite use could deter some potential plot purchasers and this raises further concerns regarding viability H4001 as a housing allocation.
- The position as put forward in PLDP2 is that part of H4001 would become unallocated Settlement Area with the remainder becoming Countryside Area and therefore covered by PLDP2 policies 1 and 2 respectively (CD\*\*\*, Pages 12-13). The reasoning for this is that if delivery of the whole site is constrained that the provision of the smaller area of Settlement Area on the flatter land provides a more flexible pathway to bring forward some level of development. This is considered preferable to continuing a larger allocation that does not provide confidence of delivery.
- The grant of consent 17/03050/PP does give rise to some additional considerations. It is acknowledged that the existing consent, if implemented and made live in perpetuity would allow for a larger area to be developed than shown as Settlement Area in PLDP2. It is acknowledged that under the PLDP2 position that, dependent on future implementation of the consent, the affordable housing requirement placed on 17/03050/PP might need to be re-assessed potentially through a variation of condition application or new planning application but, on balance, allowing the appropriate potential consideration of this matter would be preferable to continuing an allocation with concerns regarding its effectiveness.

- Even under the PLDP2 position there still remains certain pathways towards potential development of the whole of H4001. Dependent on progress towards delivery, further applications for the remainder of the allocation (Phase 3 as shown on the objector's submission RD57) could still be submitted within the lifetime of the adopted 2015 LDP and beyond that PLDP2 Policy 02, as proposed, does not preclude development of the land, it instead sets out the criteria under which development proposals would be assessed.
- It should also be noted that LDP2 will have a 5 year lifespan and will not be a 10 year plan as set out by the objector. Therefore, the site could be also reconsidered at the relevant point of plan preparation where prior delivery could be factored into considerations.
- In terms of wider supply, PLDP2 for Mull contains a total of 10 allocations for housing and one mixed use allocation (including one on the neighbouring island of Iona). The total number of units set out in the PLDP2 schedules for these allocations is 289 which would contribute to the 2020-2029 housing land supply target of 1110 units for the Oban, Lorn and the Isles administrative area. Whilst only one of these allocations is within the Ross of Mull peninsula the overall provision of allocations in addition to windfall opportunities across the whole island, including the Ross of Mull, is considered to be a generous, yet proportionate and sustainable provision for the whole of Mull for the plan period and remainder of the 10 year period beyond.
- In conclusion H4001 has not delivered across 3 plan periods (as a PDA and allocation) despite having received two separate planning consents, whilst the latest extant position of the allocation is acknowledged, it is still uncertain whether any of the development as approved or allocated will be delivered and there remains significant concerns over the effectiveness of the site as housing allocation. The PLDP2 position that supports the adjacent campsite allocation whilst offering the potential for some more flexible windfall development through the removal of the allocation and provision of Settlement Area is considered the most appropriate approach. Therefore no change to PLDP2 is required.

**Reporter's conclusions:**

**Reporter's recommendations:**

<b>Issue 148</b>	<b>T4003 Appin Holiday Park - Appin</b>	
<b>Development Plan Reference:</b>	Tourism Allocation T4003 Appin Holiday Park – Appin (Chapter 10 Schedules, Page 122; Proposals Maps, Map 144)	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Appin Holiday Park (326) Sarah Brown (518)		
<b>Provision of the development plan to which the issue relates:</b>	The extent of and inclusion of Tourism allocation T4001	
<b>Planning authority's summary of the representation(s):</b>		
<ul style="list-style-type: none"> <li>• Two representations were received from Appin Holiday Park (326). They are summarised separately below.</li> </ul> <p><u>Appin Holiday Park (326) (1<sup>st</sup> Representation)</u></p> <ul style="list-style-type: none"> <li>• Proposed changes will remove access to existing holiday park.</li> <li>• The planning application 19/01819/PP would be set outside the PDA boundary.</li> <li>• A 5 year masterplan for the site based on Local Development Plan and Council guidelines has been created.</li> <li>• The boundary change would kill investment and development and go directly against Council guidance on supporting tourism. This allows unregulated operators to flourish outside of tourism sites.</li> <li>• The boundary change is squeezed too tightly to the existing development, cuts deeply into the ROA and removes 80% of developable land.</li> <li>• The revised boundary has failed to take into account the reason the PDA was first included and does not consider the people employed, geography of what is brownfield site, the fit in the surrounding landscape and the existing use.</li> <li>• The removal of the land shows contempt for the business.</li> <li>• Plans for staff accommodation, varied tourism accommodation, public and motorhome service area in an ROA and tourism PDA seem pointless due to the changes.</li> </ul> <p><u>Appin Holiday Park (326) (2<sup>nd</sup> Representation)</u></p> <ul style="list-style-type: none"> <li>• The adopted Local Development Plan maps out two key potential development areas for land encompassing the Appin Holiday Homes site namely a Rural Opportunity Area on the north of the A828 and Potential Development Area for Tourism (PDA 4002) covering the site on both sides of the A828.</li> <li>• PLDP2 proposes a Tourism allocation (T4003) covering a broadly similar area to PDA4002 but with two areas of land removed:</li> <li>• Area A – Land to the north east corner of PDA4002 encompassing former railway line, embankment and goods yard which is actively used and integral to the site.</li> </ul>		

- Area B – Land to the north-west corner of PDA4002 encompassing a former railway line and being largely undeveloped scrub woodland.
- Of the two areas Area A is of primary importance to the holiday park because:
- It is currently used as utility and storage for maintaining the park.
- It is key to future development plans and forms part of the long term business plan and is fundamental to the business and wider economic benefit it brings. Planning application 19/01819/PP for part use of the land for caravan stances is under determination.
- It has history of development and usage and its continued use would be consistent with LDP policies including SG LDP BUS 1 and 2 which prefer brownfield locations.
- The land is set back from the public highway, much of it not visible from the trunk road and is bordered by existing development. Visual impact from development would be minimal.

#### Sarah Brown (518)

- This is a sensitive loch with marine designations and a highly invasive carpet sea squirt.
- The proposed expansion increases the pressure on the loch ecosystem due to litter, run off etc and biosecurity from potential spread of INNS from additional users.
- The development is not appropriate to the services such as water, health, waste management.
- The development is not appropriate for the roads due to recent accidents, line of site and more children close to the roads.

#### **Modifications sought by those submitting representations:**

- Retain Local Development Plan PDA4002 as it is. Zone the land coloured yellow on RD160 for housing. (326) 1<sup>st</sup> Representation
- Reinstate area of land A for tourism in PLPD2 (326) 2<sup>nd</sup> Representation
- No further expansion of the site until issues raised have been addressed (518)

#### **Summary of responses (including reasons) by planning authority:**

#### Changes to site from adopted Local Development Plan to Proposed Local Development Plan 2 (326) 1<sup>st</sup> and 2<sup>nd</sup> Representations.

- PDA4002 is a Potential Development Area (PDA) for Tourism uses in the adopted Local Development Plan (LDP) (CD010, page 81) and (CD011, Map 147). The Action Programme notes the constraints of access/roads safety, masterplan/comprehensive approach required, nature conservation (otter specifically noted) and flood risk assessment (CD014).
- During the preparation of the Proposed Local Development Plan the site was reviewed as part of a wider review of LDP allocations and PDAs.
- The site was converted from the Potential Development Area to a tourism allocation in PLDP2 which demonstrates a continuing and enhanced support for tourism development at this site.
- The review of the site also resulted in a review of the site boundary which was intended to ensure the most appropriate boundary for the site in terms of both development potential and potential constraints.
- The boundary amendments resulted in three areas of land relating to PDA4002 not being included in allocation T4003. These are shown as areas 1, 2 and 3 on the document AD\*\*\*
- On the basis that (326) 1<sup>st</sup> Representation requests re-instatement of the site in its entirety in PLDP2 then each of these areas is addressed here in turn.

### Area 1 (326) 1<sup>st</sup> Representation

- As can be seen on AD\*\*\* and AD\*\*\* the revised boundary more appropriately follows the field boundary between the static caravan site and the adjoining field and broadly reflects boundary shown on RD160 between the “developed zone” and the “area outwith ownership”. On the basis of this readily discernible boundary no change is proposed to PLDP2.

### Area 2 (326) 1<sup>st</sup> Representation

- All of Area 2 is shown on RD160 as being the “area outwith ownership”, furthermore it is mostly characterised by steadily rising land that, in part, comprises of woodland. Development of this area would likely have a detrimental impact on the surrounding landscape due to the raised elevation of the land and the likely prominence development. Landscape concerns in this area are set out in the Landscape Capacity Assessment for Lorn and the Inners Isles which is a review of the Rural Opportunity Areas as contained in the adopted 2009 Local Plan where they fell within National Scenic Areas and Areas of Panoramic Quality. The study depicts the land relating to Area 2 as “red” meaning that it is classified as “not recommended for development”. The explanatory text for the red areas in this location specifically mentions landscape concerns for the area to the north of A828 and the land to the north of the disused railway line at the eastern end of the area assessed (CD031, pages 60-61). Further explanation of the purpose of the study can be found on page one of CD031.
- Where woodland is present, development would also likely have a detrimental impact on the trees and the habitats they provide.
- There is thin wedge of flatter land at the western extremity of Area 2 that contains trees and a track but this area is considered unsuitable due to it’s narrow width, proximity to the A828 and presence of trees. It is also within the aforementioned “Red” area shown in CD031, pages 60-61.
- On the basis of the above no change is required to PLDP2 for Area 2.

### Area 3 (326) 1<sup>st</sup> and 2<sup>nd</sup> Representations

- This is an area of generally rising land that contains a flat wedge shaped section that was likely part of the former railway.
- The area is within the area “red” area shown in the aforementioned Landscape Capacity Study (CD031, pages 60-61). The study includes adjacent areas of the holiday park as “orange” areas and describes this as an area that could potentially absorb development remarking in particular that “At the existing holiday park at Creagan there is scope for development, providing it is of a small scale and tucked against the landform.” Whilst the landscape sensitivities in this area are acknowledged it is recognised that the flat platform area would offer the opportunity to tuck development against the backdrop of the landform and tree belt. The PLDP2 allocation boundary has been set against the existing access track but it is considered that this boundary could actually be set to the edge of the tree belt to the north, in order that it takes in the flatter area, without significant risk to landscape impact. The inclusion of this area would help support the aims of the tourism allocation and wider economic objectives of the plan.
- The area for potential inclusion is shown on AD\*\*\* and is limited to the flatter area of land. It omits the actual tree belt and watercourse to the north as well as a sloping wedge of land containing a number of trees that lies between the flatter area and the access track.

- Since the PLDP2 consultation a planning application for, amongst other things, the formation of 10 caravan/motorhome pitches within Area 3....
- In conclusion, if the Reporter were so minded, there would be no objections to the inclusion of the area of land outlined in blue on AD\*\*\* within allocation T4003.

#### Include Housing with site as per RD160

- The site has been designated for tourism uses in both the adopted 2015 Local Development Plan and PLDP2. This designation provides support to the long standing tourism use on the site in order that it may provide continued contribution to the economy of the area. As set out in the PLDP2 Written Statement the allocations provide an effective land supply for new development during the lifetime of the plan (CD\*\*\*, page 10). To set aside part of the allocation for housing or to include housing as part of the allocated uses would be inappropriate as it would dilute the intended outcome for the site in supporting both provision of tourism facilities and the wider economy by utilising land set aside for those purposes for housing.
- PLDP2 makes adequate provision for housing through the allocation of housing sites in the plan as well as the settlement strategy through policies 01 and 02. On this basis there is no need to make provision for housing within this site.
- Notwithstanding the above, any applications for housing that directly support the management of the holiday park could, without prejudice, be considered under the current PLDP2 policies.

#### 518

- No representations have been received from SEPA or SNH regarding the site to the PLDP2 consultation.
- In response to planning application 19/01819/PP the Argyll and Bute Marine and Coastal Development Policy Officer raised no objection but referred the matter to SEPA with regards to impacts on marine water environment from sewage treatment (AD\*\*\*).
- In response to the same application SEPA raised no objection and made no reference to sewage treatment and the water environment but did provide advice regarding construction impacts (AD\*\*\*).
- Transport Scotland made no comment regarding the site to the PLDP2 consultation and made no objections, subject to conditions regarding access improvements and specifications to planning application 19/01819/PP (AD\*\*\*).
- Scottish Water made no comment regarding the site to the PLDP2 consultation and whilst providing advice, raised no objections to the planning application 19/01819/PP (AD\*\*\*).
- A planning application was granted on 17/12/2010 on the portion of T4003 set to the south of A828 for "Change of use from vacant land to extend and refurbish existing caravan park to facilitate an additional 7 caravans". As summarised in the officer's report of handling no objections (subject to various conditions and advisory notes) were received from SEPA, Scottish Water, Transport Scotland, Argyll and Bute Council Public Protection Services and the Flood Risk Assessor (AD\*\*\*).
- On the basis that allocation T4003 is a carry forward of the existing PDA4002 that is, in part, already developed it is not considered that the additional scale of development that could be brought forward through the allocation in its entirety (including the area subject of the objection reference 326 above) would; result in significant impact on the marine water environment or significant additional water users, result in significant road safety issues or

significant number of people being brought closer to the road, or raise significant concerns regarding infrastructure provision.

- In conclusion no change to PLDP2 with regards to objection reference 518 is required.

**Reporter's conclusions:**

**Reporter's recommendations:**

<b>Issue 150</b>	<b>X3002 - Bowmore</b>	
<b>Development Plan Reference:</b>	Allocation X3002 (Chapter 10 Schedules, Page 118; Proposals Maps, Map 75)	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Islay Community Council (384)  RSPB Scotland (540)  Scottish Natural Heritage (SNH) (596)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Allocation of site H4017 for mixed uses.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Waste Water Treatment Works (X3002)</b></p> <p><u>Islay Community Council (384)</u></p> <ul style="list-style-type: none"> <li>The allocation is adjacent to an open town sewage treatment plant. Existing residents claim there is an ongoing odour pollution problem. Building additional houses nearer the sewage plant would exacerbate the problem</li> </ul> <p><b>Habitats (X3002 and C3006)</b></p> <p><u>RSPB Scotland (540)</u></p> <ul style="list-style-type: none"> <li>The allocation X3002 has corncrake records from 2015 and surrounding area 200m 2010 records.</li> <li>The allocations X3002 and C306 are next to SPAs and SSSIs and any development proposed must ensure no impact on them.</li> </ul> <p><b>Landscape and Design (X3002)</b></p> <p><u>Scottish Natural Heritage (SNH) (596)</u></p> <ul style="list-style-type: none"> <li>There is a need to consider and respect coastline including, intricacy, scale and sensitivities, views from sea/adjacent coast, high landscape and visual sensitivity, undeveloped nature, key features such as cliffs and beaches.</li> <li>A need for defensible boundaries to avoid infill/expansion.</li> <li>A development brief should consider/address; landscape opportunities and constraints, aspiration for high quality mixed use development, high design standard that fits with seascape/landscape.</li> <li>Development should set out a robust landscape framework to safeguard/enhance landscape seascape character, draw on local vernacular and provide high quality, linked multifunctional external spaces.</li> </ul>		

## Modifications sought by those submitting representations:

### Waste Water Treatment Works (X3002)

- Any plans for more houses close to the sewage treatment plant be revoked

### Habitats (X3002 and C3006)

- Compensatory measures to be included for any loss of corncrake habitat through the planning process.
- Ensure any development in X3002 and C306 has no impact on adjacent SSSIs/SPAs

### Landscape and Design (X3002)

- Update Action Programme with the need for Development Brief to be informed by consideration of; landscape opportunities and constraints, scale and sensitivities of intricate coastline, views from sea/adjacent coast, respecting character of largely undeveloped coastline, aspiration for high quality mixed use development, high design standard to fit landscape/seascape, need for defensible boundaries, robust landscape framework, drawing on local vernacular, providing high quality, linked multifunctional external spaces.

## Summary of responses (including reasons) by planning authority:

### Site Histories X3002 and C3006

#### X3002

- Most of site X3002 is shown as Mixed Use allocation MU3002 in the adopted Local Development Plan (CD011, Map 156). X3002 has two additional areas of land included within the allocation boundary compared to MU3002 (AD\*\*\*, Additional Area 1 and Additional Area 2). These two areas of land were put forward through the LDP2 Call for Sites exercise and were shown as 'green' sites in the LDP2 Main Issues Report (CD013, pages 128, 201 and 213 (MIR site references 75 and 751)) meaning they were preferred for inclusion in LDP2. A third area, MIR site reference 752 was shown as an Amber site in the MIR meaning that further that consideration was needed (CD013, pages 128 and 214) and this site was not included in PLDP2.
- The current LDP allocation MU3002 is described in the Written Statement schedules as for "Mixed use – housing (including affordable), industry, business (Class 4) and community facilities" with an indicated 90 dwelling units, 1.9 ha industry/business use, 2 ha open space/community use.
- The Proposed Local Development Plan 2 Written Statement Schedules indicate that X3002 as being for "Mixed use – housing (including affordable), industry, business (Class 4) and community facilities" with an indicated 120 housing units (CD\*\*\*).
- To date the following planning consents for residential development have been granted on the allocation 13/02184/PP (20 units), 15/00247/PP (10 units), 16/02201/PP (20 units), 17/00852/PP (1 unit). All these consents have now been completed meaning that there are 51 dwellings currently on the allocation.

- The approved location and site plans (AD\*\*\*) set out the overall location and layout for the 51 dwellings (aside from some relatively small amendments made via Non Material Amendment applications).
- The location of the existing completed housing development within MU3002 meant that it was impractical to exclude it from the boundary of X3002. The indicative capacity of 120 units set out in PLDP2 therefore includes the 51 already completed leaving a balance of 69 units remaining.
- A masterplan, 15/00236/MPLAN, was approved on 22/4/2015 and is a material consideration in the determination of planning applications (AD\*\*\*)

#### C3006

- C3006 is Community Facilities allocation in Proposed Local Development Plan 2. The schedules in the PLDP2 Written Statement set out that allocation is for community uses related to the Columba Centre. (CD\*\*\*) The allocation currently contains the Ionad Chaluum Chille Ìle (Columba Centre) itself and some additional undeveloped land set to its west.
- C3006 is shown as Potential Development Area PDA 10/34 in the adopted Local Development Plan. The LDP Written Statement identifies it for “Mixed Use – education/residential”.

#### Waste Water Treatment Works (384)

- The waste water treatment works (WWTWs) concerned is set to the southern side of X3002 (AD\*\*\*)
- The approved masterplan sets out that the WWTWs uses the Aerofac system to achieve odour-free processing of waste. It notes that the Council requested consideration of adjacent uses due to concerns of potential noise and odour and this included suggestions that housing should be set well back for the works. The masterplan sets out that the land owners believe the risk of odour and noise to be very low, contending that there did not appear to have been evidence of nuisance events (AD\*\*\*, Masterplan Section 4)
- The approved masterplan makes further reference to the WWTWs suggesting that commercial uses or allotments could be sited adjacently (AD\*\*\*, Masterplan Section 5, paragraph b and c)
- The Council’s Environmental Health Officer was consulted on the masterplan application and their response noted that part of the site was in close proximity to the waste water treatment works. It set out that the works were designed with an Aerofac treatment system and that these were known to operate relatively odour free but that some odours from site activity such as offloading septic tank waste cannot be fully contained. The response recommended that any housing development be kept at a respectable distance from the site boundary and noted that applicant acknowledged Council concerns regarding the need to ensure that any land uses adjacent to the works should not give rise to noise nuisance problems.
- Whilst the allocation has been enlarged from the adopted LDP to PLDP2 it remains a mixed use allocation and therefore the matters raised within the masterplan regarding the location of uses in relation to the WWTWs remain valid. The two additional areas would potentially bring development closer to the works however the matters relating to their proximity can be adequately considered through a revised masterplan and through future planning applications through PLDP2 policy 14 (CD\*\*\*).

- The area shown as Additional Area 2 (AD\*\*\*) would offer more flexibility to the layout of the mixed use allocation allowing more land to come forward for development with the potential to re-arrange the indicative location of the mixed uses to allow some of the additional housing set out through the increase in the indicative site capacity from 90 to 120 units to be delivered. The masterplan principals already of locating non-residential uses in the areas closest to the WWTWs can be readily be applied again to this part of the site.
- The area shown as Additional Area 1 (AD\*\*\*) relates to an expansion of what are indicated to be longer term phases in the masterplan. Whilst it more directly relates to an area indicatively shown for housing and would bring that area closer to the WWTWs the same principals apply in that the arrangement of housing and non-housing uses can be considered through a revised masterplan and any future planning applications. These processes can fully consider the proximity of residential uses to the WWTW and bring forward suitable layout solutions. Again, the provision of the extra land in the allocation would help with the flexibility of the overall site layout and to potentially help realise the delivery of additional units.

#### Habitats (384)

##### X3002

- PLDP2 allocation X3002 is adjacent to the Laggan, Islay Special Protection Area and Laggan and Peninsula Bay SSSI details of which are contained in (AD\*\*\*). The qualifying interests for the SPA are listed as Barnacle Goose and Greenland white-fronted goose and these are the two bird species detailed in the SSSI citation.
- The Habitats Regulations Assessment for PLDP2 sets out the requirement for Appropriate Assessment of X3002 and this is detailed in paragraphs 13.11 and 13.12 (CD\*\*\*). The assessment concludes that X3002 would not have an adverse effect on the integrity of the Laggan SPA subject to mitigation measures. The mitigation proposed is that the following statement be added to the mini-brief for the site contained in the Draft Action Programme which accompanies the LDP. “For planning permission to be granted, development proposals must ensure that there would be no adverse effect on the integrity and qualifying interests of the Laggan Special Protection Area, either alone or in combination with other plans or projects, through recreational disturbance. To demonstrate this, a Recreation Management Plan should be prepared to accompany the planning application, for the approval of the planning authority in consultation with Scottish Natural Heritage”
- This statement is contained in the draft Action Programme for X3002 (CD\*\*\*).
- The same statement is also contained in the current Action Programme that accompanies the adopted Local Development Plan in relation to allocation MU3002 (CD014).
- The approved masterplan also sets out this issue and proposes the production of a recreation management plan within 6 months of its adoption (AD\*\*\*, Section 4).
- Scottish Natural Heritage commented on the draft HRA through the PLDP2 consultation process suggesting amendments to the wording of the conclusion for X3002 (CD\*\*\*). These have been incorporated in the current HRA (CD\*\*\*) and on this basis it is considered that SNH are in agreement with the Appropriate Assessment for the allocation.
- Whilst SNH did make comments relating to the draft HRA, they have not raised any objections to X3002 regarding habitats, species or biodiversity.
- As SNH noted in their response to the draft HRA the need for a project level HRA has been identified. It is therefore considered the potential effects on the SPA/SSSI can be adequately assessed at the planning application stage through PLDP2 policies 73, 74 and 75 (CD\*\*\*)

- It is also considered that potential impacts on corncrake habitats can be assessed at the planning application stage through PLDP2 policy 73.

#### C3006

- PLDP2 allocation C3006 is adjacent to the Bridgend Flats, Islay Special Protection Area, the Bridgend Flats SSSI and the Bridgend Flats, Islay RAMSAR details of which are contained in (AD\*\*\*)
- The draft HRA for PLDP2 sets out the requirement for Appropriate Assessment of C3006 and this is detailed in paragraphs 13.15 and 13.16 (CD\*\*\*). The assessment concludes that C3006 would not have an adverse effect on the integrity of the Bridgend Flats SPA.
- Scottish Natural Heritage commented on the HRA through the PLDP2 consultation process recommending editorial changes to the conclusion of the assessment (which have been incorporated) and noting agreement that no need for project level HRA had been identified (CD\*\*\*).
- Whilst SNH made comments relating to the draft HRA, they have not raised any objections to C3006.
- It is considered that any impacts on the SPA, SSSI and RAMSAR sites can be adequately dealt with through any planning application made on the allocation through PLDP2 policies 73, 74 and 75 (CD\*\*\*)

#### Landscape and Design X3002

- The objection largely relates to a need for the development itself to consider the impact on the landscape and the importance of high quality site layout and design and that these matters also be reflected in the Action Programme.
- The masterplan recognises the landscape sensitivities. The relationship of the site to Loch Indaal is set out in section 4 with recognition of the sites visibility across Loch Indaal and from the shore itself. The site analysis plan depicts a “sensitive development edge” on the western boundary facing Loch Indaal as well as the sensitive views to and from the loch. Section 5 at point 2 sets out the need for development to be fully integrated with the landscape and acknowledges prominence in the landscape highlighting need to carefully consider the design of development edges and the impact of massing of buildings on distant views to the site.
- The masterplan also recognises the importance of design. Design principals relating to consolidating Bowmore’s urban street and building character are detailed in masterplan section 5, points 3 and 4 (AD\*\*\*). can already be seen recognised in the street layout and design of the dwellings in the first phases on site.
- Open space and public realm considerations are set out at section 5 point d and routes at section 5 point e (AD\*\*\*).
- Whilst the approved masterplan does not include the additional areas of land included in the PLDP2 allocation it is considered that the range of existing principals can be readily applied to these areas. In particular for Additional Area 2 (AD\*\*\*) there is potential to further reflect and incorporate the Bowmore street and building character as well as the possibility to improve the development edge (which is already highlighted on the masterplan site analysis plan for the adjacent land). With reference Additional Area 1, whilst the inclusion of this area potentially brings development closer to the shore and the respective landscape sensitivity it is still considered that there is suitable stand-off distance between the allocation edge and

the shore to provide a development layout that would assimilate into the wider and local landscape setting.

- On the basis that the approved masterplan is a material consideration in planning applications, as would any successive approved masterplan, it is considered that the range of landscape and design considerations raised by the objector can be suitably considered through the planning application process, principally through PLDP2 Policies 05, 06, 08, 10 consider placemaking, green infrastructure and design matters (AD\*\*\*).
- With regards to the inclusion of such matters in the Action Programme, rather than replicate the masterplan principals in the document it is considered more appropriate to add wording that re-enforces the need to take into account any approved masterplan as a material consideration within the determination of planning applications. Given that there is not an updated masterplan in place to reflect the additional areas included in the allocation it is considered appropriate that the Action Programme contains wording that sets out the need for a revised masterplan in advance of further planning applications and that this should consider the sensitivities of the additional areas of land. These elements will be incorporated into the final version of the Action Programme that will accompany LDP2.

#### Conclusion

- On the basis of the above, no changes to PLDP2 are required, however, amendments to Action Programme will be made to reflect the need for a revised masterplan.

#### Reporter's conclusions:

#### Reporter's recommendations:

<b>Issue 152</b>	<b>X4001 - Connel - Saulmore Farm</b>	
<b>Development Plan Reference:</b>	Site X4001; Map Number 210 Saulmore; Oban, Lorn and The Isles Mixed Use Schedule, p122	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Ronald Fulton (3) Liam Orr (138)		
<b>Provision of the development plan to which the issue relates:</b>	Mixed Use Site Allocation X4001 Connel - Saulmore Farm - Hotel, tourism/leisure, golf course, housing. No built development to north of trunk road; (Site size 182.7 Ha)	
<b>Planning authority's summary of the representation(s):</b>		
<p><u>Ronald Fulton (3)</u></p> <ul style="list-style-type: none"> <li>I object as I farm this land and my family has been for the past 28 years. It is good fertile farm land. The farm is full of wildlife.</li> </ul> <p><u>Liam Orr (138)</u></p> <ul style="list-style-type: none"> <li>Object to development north side of the road. Area is undeveloped headland, visually prominent and its development would impact the tourist industry.</li> <li>Important to attract marine tourism.</li> </ul>		
<b>Modifications sought by those submitting representations:</b>		
<ul style="list-style-type: none"> <li>Remove allocation (3).</li> <li>Remove the allocation to the north of the main road from the development plan (138).</li> </ul>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<ul style="list-style-type: none"> <li>The site already enjoys a part implemented extant planning consent for an 18 hole golf course and club house (07/00324/DET ) (site plan).</li> <li>The site has had previous planning consent for housing in connection with the golf course.</li> <li>The site is already allocated within the current LDP</li> <li>The site's owners and prospective developers have been in discussion with the Local Authority during the spring of 2021 and have expressed their intention to begin implementation of the planning consent and a new planning application for other development in accordance with the allocation.</li> <li>Development of the site will be a significant investment in the area creating direct and indirect employment, and a significant enhancement to available tourist facilities in the area.</li> </ul>		

- No built development has been proposed on the headland to the north of the A85 trunk road, in accordance with the proposed allocation and this can be controlled in the future through planning policies of the LDP.
- The site is not identified as an area of landscape or nature protection. Any protected species or habitat can be adequately protected / mitigated through future planning application processes.
- The farm land to the south of the trunk road is not identified as protected agricultural land being of classes 4.2 and 5.3.

Conclusion

It is not recommended that any change to the plan is made in respect of these representations.

**Reporter's conclusions:**

**Reporter's recommendations:**

<b>Issue 159</b>	<b>AFA's Bute and Cowal</b>	
<b>Development Plan Reference:</b>	A1001 (Bute and Cowal Proposals Map Number 36), A1002 (Bute and Cowal Proposals Map Number 33), A1003 (Bute and Cowal Proposals Map Number 36), A1004 (Bute and Cowal Proposals Map Number 17), A1005 (Bute and Cowal Proposals Map Number 16)	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Mount Stuart Trust (434)  Jon Sear (39)  David Eaglesham (50)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Areas for Action	
<b>Planning authority's summary of the representation(s):</b>		
<p><u>Mount Stuart Trust (434)</u></p> <ul style="list-style-type: none"> <li>• Supports Areas for Action A1002 and A1003 for the proposed improvements to Rothesay Town Centre and business uses</li> <li>• Objects to A1001 as feels specific reference should be made to Mansion House and Yard proposals as a key Town Centre regeneration project</li> </ul> <p><u>Jon Sear (39)</u></p> <ul style="list-style-type: none"> <li>• Supports Area for Action A1002 but should be extended to include areas of Conservation Area which have a negative impact on the village</li> </ul> <p><u>David Eaglesham (50)</u></p> <ul style="list-style-type: none"> <li>• Believes that, in reference to A1001, "strategic, town centre, harbour development and management" is a vacuous statement. The AFA is meaningless in the absence of firm proposals and funding</li> <li>• Is concerned that it is not clear what waterfront development and environmental enhancements are proposed in terms of A1002. Feels that there is little scope for development on the foreshore. Environmental enhancement is not likely to happen in the absence of funding</li> <li>• Feels that nothing has happened within A1003 except uncoordinated development by individual businesses</li> <li>• Feels that nothing co-ordinated has happened within A1004</li> <li>• Feels that nothing co-ordinated has been proposed where most land uses are established with the exception of the former gasworks site.</li> </ul>		
<b>Modifications sought by those submitting representations:</b>		

- Mansion House and Yard to be included in A1001 as key project (434)
- Extend boundary of A1002 to include the vacant shore front commercial premises, side streets running from Marine Road, and the derelict tenements on Castle Street behind Anchor Tavern (39)
- Delete A1001 (50)
- Delete A1002 (50)
- Delete A1003 (50)
- Delete A1004 (50)
- Delete A1005 (50)
- Designate gardens on east side of Argyll Street (A1005) as Protected Open Space (50)

### Summary of responses (including reasons) by planning authority:

#### Mansion House and Yard (434)

- Whilst the Action Programme (CD051) does not refer to specific projects in terms of A1001, it does include the action of “stimulating investment and enhancement in Rothesay Town Centre...”; “increasing the competitiveness of Rothesay as an important tourist destination”; and “resolving gap sites and poor condition of built heritage”, these wider aims being applicable to a suitable project proposal for the Mansion House and Yard
- Application 20/00153/PP for proposals to the Yard was approved in October 2020 (ADXXX)
- On the basis of the above no change is proposed to the PLDP2

#### Boundary of A1002 (39)

- A1002 is identified in the Action Programme (CD051, no pagination) as “focusing on the potential of the bay, foreshore and immediate contiguous property and land in order to service the needs of the marine and leisure community”.
- The conservation area does not specifically relate to this goal as its recognition of special characteristics is based on its architectural and historic interest, rather than necessarily having a purpose of serving the marine and leisure community.
- Projects within the conservation area could be considered under other funding streams and regeneration schemes
- On the basis of the above no change is proposed to the PLDP2.

#### Deletion of AFAs (50)

- Partnership and Community Action in terms of AFAs are subject to resource availability during the plan period.
- A1001 is ongoing (previously named AFA 1/1 in the 2015 LDP), with Argyll and Bute Council and HIE taking the lead and key partners within the private sector as well as local communities, SPT, Visit Scotland and SURF.
- The Action Programme (CD051, no pagination) notes the actions that are identified for A1001

- A1001 has included a THI partnership project with funding from Heritage Lottery Fund, Argyll and Bute Council, HES and LEADER.
- Rothesay TH2 is ongoing within A1001 between 2017 and 2022
- On the basis of the above the aims for A1001 are not considered to be vacuous, as firm proposals and funding are in place.
- A1002 is a medium to long term proposal (previously named AFA 1/2 in the 2015 LDP) therefore it is recognised that there has been no progress to date in terms of work or allocation of funding
- The Action Programme identifies development within A1002 as not simply being (geographically) on the foreshore but “focusing on the POTENTIAL of the bay, foreshore and immediate contiguous property and land in order to service the needs of the marine and leisure community”
- A1003 is a medium to long term proposal (previously named AFA 1/4 in the 2015 LDP) therefore it is recognised that there has not yet been progress on this AFA
- A1004 is ongoing (previously named AFA 2/1 in the 2015 LDP and slightly expanded), with Dunoon Area Alliance and SURF taking the lead and Argyll and Bute Council and HIE as key partners.
- Progress to date within A1004 include ABC funding and project work through CHORD. A charrette has been held and a facilitator has been appointed. An Action programme has been identified.
- On the basis of the above it is considered that co-ordinated action has taken place and that firm proposals and funding are in place.
- A1005 is a medium to long term proposal (previously named AFA 2/2 in the 2015 LDP with an additional area to the south now included in the designation) however co-ordinated proposals are already underway, with a charrette having taken place for the area
- Partners for A1005 have already been identified as Dunoon Area Alliance and SURF, as well as ABC, HIE and SEPA
- Taking into account the above, it is considered that these AFAs, whether already underway with funding secured and proposals in place, or whether identified for opportunities and partnership or community action but awaiting resource availability, are key to supporting the PLDP2’s spatial strategy. No change is proposed to the PLDP2.

#### Designation of Protected Open Space (50)

- The areas of public parks and private garden (attached to the school) are a new addition to A1005 as part of PLDP2 as a result of the planning authority’s recognition of their significance.
- Argyll and Bute Open Space Audit (carried out by Land Use Consultants in 2009) recorded and assessed the overall provision and quality of open space in Dunoon (CD062 pp 30-35).
- As set out in the PLDP2 (CD049, para 9.29, p103) the audit will be updated during the lifetime of the plan and the area will be reviewed again at this point which will inform future decisions about designation proposals of new Open Space Protection Areas
- Proposals for A1005 are medium to long term. As such a review of the open space audit can be taken into account when developing proposals for A1005.
- Taking into account the above no change is proposed to the PLDP2.

<b>Reporter's conclusions:</b>
<b>Reporter's recommendations:</b>

<b>Issue 165</b>	<b>A2005 – Helensburgh Reservoirs</b>	
<b>Development Plan Reference:</b>	Schedules 10.0 :Helensburgh and Lomond; Areas for Action (page 108); Map Number 53 – Helensburgh North	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
RSPB Scotland (540) Luss Estates (1045)		
<b>Provision of the development plan to which the issue relates:</b>	Schedules 10: Area for Action A2005	
<b>Planning authority's summary of the representation(s):</b>		
<p><u>RSPB Scotland (540)</u></p> <ul style="list-style-type: none"> <li>We are supportive of this allocation based on 'environmental enhancement opportunities', the area to the North and North West support species such as Black Grouse, Merlin and Hen Harrier.</li> </ul> <p><u>Luss Estates (1045)</u></p> <ul style="list-style-type: none"> <li>This representation relates to Site reference A2005 'Helensburgh Reservoirs'.</li> <li>This site is identified as an Area for Action in the LDP Schedule and associated proposals map. This proposed allocation is essentially a 'roll over' of the allocation in the existing LDP, where the site also forms part of an Area for Action under reference AFA 3/9. In the existing LDP, the identified action is for 'Local, enhancement/redevelopment of redundant reservoirs'. Savills, on behalf of Luss Estates, made a submission to the Main Issues Report in December 2017, calling for this site to be subject to a clearer and more proactive policy that would stimulate action on the site, potentially incorporating a mixed use development with leisure facilities and tourist accommodation. It was also suggested that the boundary of the Area for Action should include land on the southern side of the A818.</li> <li>The Council has not accepted the calls for these changes and has instead continued to allocate the site as part of an Area for Action with the uses defined as 'Local, consideration of access, recreation and environmental enhancement opportunities'.</li> <li>While Luss Estates is pleased to note that this site continues to be identified as part of an Area for Action, it is disappointed to note that there has been no further development in the relevant schedule of the LDP to broaden the range of potentially acceptable land uses, and to include an element of commercial development.</li> <li>Luss Estates remains committed to developing this site working in tandem with the Council and the owners of the reservoirs, Scottish Water. Within the Action Programme that accompanies the LDP, the identified action for this site is 'To consider options for the enhancement/redevelopment of the redundant reservoirs for leisure/recreational purposes'. In this regard the Action Programme takes a slightly more positive stance towards the prospects of redevelopment on the site for 'leisure/recreational purposes' than the LDP schedule does itself. The LDP and Action Programme should be aligned and clear in their objectives and clearly identify potentially suitable land uses. Luss Estates considers that the strategic location of this site on a gateway into and from Loch Lomond and Helensburgh</li> </ul>		

means that it lends itself to the development of a tourist or leisure facility, such as a hotel, that could complement ideas to bring the reservoirs back into active use. A move to widen the scope of uses in this Area of Action, to include built development, would not compromise the wider objective to enhance the redundant reservoirs, but would most probably help stimulate these efforts by introducing a complementary commercial use(s) onto the site.

- The Action Programme identifies Scottish Water as the lead body responsible for taking forward this Area for Action. Surprisingly, Luss Estates is not identified by the Council as a potential partner in this exercise, despite it owning a significant area of land around the reservoirs, as identified on the attached plan.
- Given that there have been no actions to take development forward within the lifetime of the current LDP, Luss Estates is concerned that a proposal simply to roll over the existing allocation into the new LDP will not be enough to stimulate interest in this Area for Action. As such, a change in the policy position is again requested.

#### **Modifications sought by those submitting representations:**

- We would support the allocation being expanded to include the areas to the North and North West if the site was to be designated as an LNCS, LNR or country park. (540)
- The LDP policy and schedule as it relates to this Area for Action should be amended to include reference to the scope to develop tourist and or recreational facilities, to help stimulate efforts to bring the reservoirs back into active use. The Action Programme that accompanies the LDP should also be amended accordingly and Luss Estates should be identified as a Key Partner in this document given its extensive landholding within the immediate vicinity of the reservoirs. (1045)
- Outwith the LDP process, Luss Estates would welcome the opportunity to engage with the Council and other landowners to initiate ideas about how to kick start efforts to develop uses for this Area for Action. (1045)

#### **Summary of responses (including reasons) by planning authority:**

- The Area for Action identified at the former Helensburgh Reservoirs indicates that there may be some potential to investigate the opportunities for access, recreation, and environmental improvements around the reservoirs. Such actions would be compatible with their Greenbelt location, and build upon the current provision for access at the old skating pond.
- Commercial development such as that advocated by Luss Estates would not be compatible with the areas current inclusion within the Helensburgh Greenbelt. It is therefore not considered appropriate to widen the range of uses identified in the Area for Action brief in LDP2 at this time.
- The position with regard to implementation of this area for action will be kept under review, and will be considered as part of proposal B Helensburgh Strategic Development Framework, and taking into account the proposals associated with the redevelopment and relocation of parts of the Helensburgh Golf Club course on land to the south of the A818.
- No change to LDP2 is recommended at this time.

#### **Reporter's conclusions:**

**Reporter's recommendations:**

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<b>Issue 168</b>	<b>M4003 - Lon Mor, Glenshellach, Oban</b>	
<b>Development Plan Reference:</b>	M4003 Oban – Upper Soroba	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Patrick Freytag (80)		
<b>Provision of the development plan to which the issue relates:</b>	Minerals Allocation Site M4003, Oban – Upper Soroba, Chapter 10.0 Schedules p120, Proposals Map Book 201	
<b>Planning authority's summary of the representation(s):</b>		
<p><u>Patrick Freytag (80)</u></p> <p>The extension of the quarry.</p> <p>As we live in Nant Drive, the drilling and blasting is getting more severe. As our house is built on bedrock ,it shook, which is quiet worrying. My concern also is related to the reasoned burst of the main water pipe to Soroba, which occurred a few days after a blast at the quarry.</p>		
<b>Modifications sought by those submitting representations:</b>		
<ul style="list-style-type: none"> <li>• Control of the quarry extension (80)</li> </ul>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p>Site M4003 has not been extended in the PLDP2.</p> <p>Site M4003 was an existing allocation in LDP1 ref: MIN-AL 5/4. Its boundaries have been unchanged.</p> <p>The site is a working hard rock quarry with extant planning consent (08/02166/MIN).</p> <p>Conditions of the planning permission and licensing of the quarry operations are in force to control any potential amenity impacts such as blasting impact, and policies of the PLDP2 would be able to control any future planning applications to mitigate such impacts.</p> <p><u>Conclusion</u></p> <p>It is not recommended that any change to the Plan is made in respect of these representations.</p>		

**Reporter's conclusions:**

**Reporter's recommendations:**

<b>Issue 171</b>	<b>Chapter 2</b>	
<b>Development Plan Reference:</b>	Chapter 2 – Vision and Objectives para 2.1 -2.18 pages 4-7	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Helensburgh Community Council (92)  Craignure Bay Community Group (105)  Historic Environment Scotland (HES) (136)  Statkraft UK Limited (358)  South West Mull and Iona Development (SWMID) (388)  Scottish Sea Farms (435)  Gladman Developments Ltd (477)  RSPB Scotland (540)  Taylor Wimpey (1002)  Scottish Hydro Electric Transmission plc (1005)  Scottish Environment Protection Agency (SEPA) (1038)  Coriolis Energy (1039)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Chapter 2 – Vision and Objectives: paras 2.1 -2.18	
<b>Planning authority’s summary of the representation(s):</b>		
<p><b>Vision</b></p> <p><u>Helensburgh Community Council (92); Statkraft UK Limited (358); Gladman Developments Ltd. (477); RSPB Scotland (540); Scottish Environment Protection Agency (SEPA); (1038) Coriolis Energy (1039)</u></p> <ul style="list-style-type: none"> <li>• Section 2.4 refers to the overall objective of the Argyll and Bute Outcome Improvement Plan and then refers to six long term outcomes but there is no mention of climate change or global heating.</li> <li>• The vision makes reference to the need for an economically diverse and successful area based on sustainable and low carbon development but that is as far as it goes. With regard to climate change and global heating the vision should reference the contribution Argyll and Bute could make to addressing the climate emergency. Having the 2<sup>nd</sup> largest local authority area Argyll and Bute can play a very important role in the deployment of renewable energy, in particular wind, given the extensive Group 3 coverage.</li> <li>• Overall support of the vision however it should be strengthened by inserting the word “enhancing” after the words “...environment whilst protecting”.</li> <li>• Paragraphs 2.3/2.4 set out that the Argyll and Bute Outcome Improvement Plan is the guiding strategy and that its overall objective is “Argyll &amp; Bute’s Economic Success is Built on a Growing Population” and the LDP2 vision states Argyll and Bute has a growing population. This cannot be supported by evidence which shows previous and expected population decline for Argyll and Bute. The National Population Records show population</li> </ul>		

decline for Helensburgh to be faster than Argyll and Bute as a whole. It is questioned whether it is reasonable to state that the town's economic success should be based on population growth. The Sawmill field and golf club housing allocations and the Maritime Change Strategy might be mitigating factors that might return Helensburgh's population back to its 2001 level. However, it would be irresponsible to base Helensburgh's future economic success on population growth forecasts alone, other determining factors will be needed.

- The Proposed Local Development Plan should meet the aspirations of the vision and objectives and spatial strategy by encouraging housing growth and not reducing it from that of the adopted Local Development Plan, as is proposed.(477)
- As stated in Main Issues Report consultation response there should be a commitment to environmental protection, improvement and enhancement. An alternative vision wording is suggested. (1038)

## Objectives

### Coriolis Energy (1039) Statkraft UK Limited (358) Helensburgh Community Council (92)

- Objectives are set out covering various matters however the only mention of renewable energy or climate change comes under 'Connected Places' where there is reference to locational decision making and low carbon environments. The objectives should include encouragement of renewable energy developments and enabling a contribution to the attainment of Scotland's various energy, electricity and emission reduction targets.
- Helensburgh Community Council through its Architecture and Design Helensburgh applauds the council's adoption at paragraph 2.10 of the Place Principal in the preparation of design briefs. A&DH have used the Place Standard Tool to assess recent major planning applications and a number of improvements were recommended which were regrettably ignored by the council. The council should not wait until adoption of LDP2 before adopting the PST. Three major developments pending planning applications would benefit the use of the PST.
- At paragraph 2.12, as far as Helensburgh is concerned, add "Start-Ups and the exploitation, e.g. IoT in the field of Assisted Living: 3D Printing"
- At paragraph 2.14, for Helensburgh, add "Co-working opportunities"
- At paragraph 2.15, for Helensburgh, add "Homes to down size into"
- At paragraph 2.16, for Argyll and Bute, add "A carbon free environment"

## Paragraph 2.18

### Helensburgh Community Council (92)

- Paragraph 2.18 fails to include Community Councils in partnership working between the council and local communities.
- Question who and what spatial planners as the term is not listed in the glossary.

## **Modifications sought by those submitting representations:**

- The vision should reference the contribution Argyll and Bute could make to addressing the climate emergency (1039) (358)

- The objectives should include encouragement of renewable energy developments and enabling a contribution to the attainment of Scotland’s various renewable energy, electricity and emission reduction targets. (1039) (358)
- Insert the word “enhancing” after the words “...environment whilst protecting”. (540)
- Paragraph 2.18; include Community Councils in partnership working between the Council and local communities. Community Councils to be an integral feature of partnership working between the council and local residents. (92)
- It would be irresponsible to base Helensburgh’s future economic success on population growth forecasts alone. Other determining factors will be needed. (92)
- Do not wait until the adoption of LDP2 before adopting the Place Standard Tool. (92)
- At paragraph 2.12, as far as Helensburgh is concerned, add “Start-Ups and the exploitation, e.g. IoT in the field of Assisted Living: 3D Printing
- At paragraph 2.14, for Helensburgh, add “Co-working opportunities”
- At paragraph 2.15, for Helensburgh, add “Homes to down size into”
- At paragraph 2.16, for Argyll and Bute, add “A carbon free environment”
- The vision for the Local Development Plan 2 is: “Argyll and Bute is an economically diverse, and successful and environmentally sustainable area based on sustainable and low carbon development. It has a growing population with high quality, wellbeing enhancing and well connected places where people are able to meet their full potential without prejudicing the quality of life of future generations. It benefits both economically and socially from its outstanding natural, historic and built environment whilst protecting those very same special qualities that make Argyll and Bute a place that people choose to be.” (1038)

#### **Summary of responses (including reasons) by planning authority:**

Vision (92); (358);(477); (540); (1038); (1039)

- The six long term outcomes referred to are those contained in the Argyll and Bute Outcome Improvement Plan (CD\*\*\*, Page 12). These outcomes, therefore, cannot be amended by the development plan process. There has potentially been some confusion as to whether these are ABOIP or LDP2 outcomes and therefore for the purposes of clarification the wording at 2.5 could be amended slightly. If the Reporter were so minded the Council would have no objection to amending paragraph 2.5 to read “The ABOIP supports this with 6 long term outcomes:”
- The vision is intended to be a succinct and overarching statement. It is considered that the wording in the vision “...based on sustainable and low carbon development” adequately summarises the need to contribute to the issue of climate change and that to make more references to the area’s contribution to addressing the climate emergency would be too specific for such a statement. With regards to the objector’s reference to the potential role of the area in the deployment of renewable energy, the PLPD2 Written Statement at paragraph 5.27 recognises that the area does have a “comprehensive and diverse mix of potential renewable energy generation opportunities” and that “Argyll and Bute can continue to make a significant contribution towards meeting the Scottish Government’s targets for renewable energy generation.” It is therefore considered that the plan, primarily through Policy 30 and its supporting text (CD049, pages 53-56) adequately reflects the opportunities for renewable development in the area (whilst

balancing that against the need for protection against adverse impacts) and that there is no need to amend the vision to this end.

- Whilst certain development proposals will bring enhancements to special qualities of the area there will be also be situations where the LDP2 policy requirements are to protect or not harm rather than protect and enhance. Therefore, to set the word enhance in the vision could potentially presenting a misleading representation of the LDP2 outcomes. It is considered that the use of the word protect provides a suitable but succinct way of setting the balance between development and environmental considerations and as such no amendment to the vision is required.
- The two key changes sought by the objection (1038) involve adding the words “environmentally sustainable” in the part about an economically diverse and successful area and adding “wellbeing enhancing” into the part about high quality and well connected places. This is on the basis of a desire to see a commitment to environmental protection, improvement and enhancement. As set out above, the vision is intended to be a succinct and overarching statement. It is not considered necessary to insert the wording of environmentally sustainable area as this is already encapsulated in the terms “sustainable and low carbon development” and “protecting those very same special qualities”. It is also considered that “wellbeing enhancing” is adequately captured through the phrase “high quality places”. Therefore it is considered that adding the wording suggested will erode the succinctness of the vision with aspects that are already reflected in the wording and such no change is required.
- The PLDP2 vision of a growing population reflects the ABOIP overall objective for of economic success built on a growing population. The ABOIP sets out that the most significant challenge to the area relates to economy and employment (CD\*\*, Page 12). The PLDP2 objectives set out the framework of how the development plan can contribute to the overall aim of the Council and its ABOIP partners of delivering population growth and economic success. The population statistics and projections are noted but given the strong and over-arching direction provided by the ABOIP it is considered entirely appropriate to set a vision of a growing population. The PLDP2 vision simply reflects the aim of a growing population delivered through the work of the Council and its partners and as such it is considered that no change is required. The objection relating to basis economic success of Helensburgh being based on population growth alone more relates to the key objective of the ABOIP which cannot be amended through the development plan process.
- It is considered that the LDP makes a realistic but generous provision for housing with ample provision both on allocated sites, generous settlement boundaries, as well as a flexible approach to housing in the countryside. Further details are provided in issue XXX and in the Housing Topic paper which accompanies this.

#### Objectives (92) (358) (1039)

- As set out above, Policy 30 and its supporting text reflects the opportunities for renewable development in the area. It is not considered necessary to make specific reference to one economic sector within the objectives. The “Diverse and Sustainable Economy” objective sets out that the plan contains a flexible policy framework that supports a diverse range of economic growth and it is considered that this suitably captures the opportunities of range of economic sectors including renewable energy and as such, no change to PLDP2 is required.

- The adopted 2015 Local Development Plan makes no reference to the use of the Place Standard Tool within the determination of planning applications and its use is not specified within the PLDP2 policy framework so it is not therefore possible to require its use at this point. Through PLDP2 policies 05, 06, 08, 09 and 10 it is considered that PLDP2 provides a strong and robust framework for assessing the design and placemaking credentials of proposed developments. These policies cover a many of the relevant factors assessed through the Place Standard Tool and as such it is not considered necessary for LDP2 to make its use a requirement within the assessment of planning applications and therefore no change to PLDP2 is required.
- The PLDP2 objectives set out the general ways in which LDP2 will help achieve its stated vision across the whole plan area. It is not considered appropriate to make specific references to one geographic location and as such it is not considered necessary refer to start-ups (paragraph 2.12), co-working opportunities (paragraph 2.14) and homes to downsize into (paragraph 2.15). In terms of the objector’s request for an Argyll and Bute wide statement for a carbon free environment (paragraph 2.16), it is not considered an achievable objective for the plan period for the area to become carbon free. Low carbon environments is mentioned under the Connected Places objective. It is therefore considered that no change to PLDP2 is required.

Paragraph 2.18 (92)

- Paragraph 2.18 simply references working with a range of partners and makes no specific reference to anyone particular partner. It is therefore not considered necessary change paragraph 2.18 to make specific reference to Community Councils.
- Spatial planner is simply considered to be a more contemporary term for town planner. It is not considered necessary to change this terminology used at paragraph 2.18 or provide a glossary definition.

**Reporter’s conclusions:**

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**Reporter’s recommendations:**

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<b>Issue 172</b>	<b>Chapter 1</b>	
<b>Development Plan Reference:</b>	Chapter 1	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Helensburgh Community Council (92)  Historic Environment Scotland (HES) (136)  Statkraft UK Limited (358)  Mount Stuart Trust (434)  Scottish Natural Heritage (SNH) (596)  Coriolis Energy (1039)</p>		
<b>Provision of the development plan to which the issue relates:</b>	<b>Chapter 1</b>	
<b>Planning authority's summary of the representation(s):</b>		
<p><u>Helensburgh Community Council (92)</u></p> <ul style="list-style-type: none"> <li>LDP 2 makes no mention of partnership working with Community Councils, the key partnership role of Community Councils in the development and implementation/delivery of LDP2 needs to be built in to LDP2.</li> </ul> <p><u>Historic Environment Scotland (HES) (136)</u></p> <ul style="list-style-type: none"> <li>The introduction to the plan makes no reference to the historic environment, it would be helpful to refer to Our Place in Time – the national strategy for the historic environment.</li> </ul> <p><u>Statkraft UK Limited (358); Coriolis Energy (1039)</u></p> <ul style="list-style-type: none"> <li>Section 1.5 should make reference to the need to address climate change, and acknowledge that SPP and NPF 3 date from 2014 and are currently under review.</li> <li>Section 1.8 should be updated to refer to the Climate Change (Emissions Reduction Targets)(Scotland)Act.</li> <li>It would also be appropriate to reference the Planning (Scotland) Act 2019, which contains provision for NPF4, Master Plan Consent Areas, and Local Place Plans.</li> </ul> <p><u>Mount Stuart Trust (434)</u></p> <ul style="list-style-type: none"> <li>Support implementation of plan through action plans/strategic development frameworks.</li> </ul> <p><u>Scottish Natural Heritage (SNH) (596)</u></p> <ul style="list-style-type: none"> <li>Clarification of the status of Supplementary Guidance referred to in paragraph 1.5 and at 1.15 should be provided.</li> </ul>		
<b>Modifications sought by those submitting representations:</b>		
<ul style="list-style-type: none"> <li>The key partnership role of Community Councils in the development and implementation/delivery of LDP2 needs to be built in to LDP2.(92)</li> <li>At paragraph 1.8, add a reference to Our Place in Time(136)</li> <li>The plan should be updated to refer to more recent legislation e.g. the Planning (Scotland) Act 2019.(358);(1039)</li> </ul>		

- Clarification of the status of Supplementary Guidance referred to in paragraph 1.5 and at 1.15 should be provided.(596)
- 

**Summary of responses (including reasons) by planning authority:**

- The plan refers to Community Planning partners at para 1.7, and that the implementation of the plan will require partnership working ...including...community groups at para 1.10.(92)
- The current wording at paragraph 1.8 states “including”. It would not be possible here to mention every strategy/policy that links to the PLDP2. (136)
- The Economic Strategy was selected for specific mention due to its importance in terms of the overarching strategy (1.6) – the ABOIP – whose overall objective is economic success.(136)
- Our Place in Time is referenced in Chapter 4. The PLDP2 should be read as whole and individual parts not considered in isolation (CD049, para 1.11)(136)
- The LDP2 was prepared in the context of the most up to date and relevant information available. Updated references have been provided, where practicable including references to updated climate change targets, however, these updates are not considered so significant as to change to overall direction of the plan, nor to warrant introducing notifiable modifications to the plan, thereby creating further delay. (358);(1039).
- The status of Supplementary Guidance with regard to LDP 2 is considered to be sufficiently clear. The majority of Supplementary Guidance which accompanied LDP 1 has been incorporated in to the policies of LDP 2. Where additional Supplementary Guidance is required this has been indicated in the plan e.g. Houses in Multiple Occupation at para 8.12.(596)
- Taking into account the above no change is proposed to the PLDP2.

**Reporter’s conclusions:**

**Reporter’s recommendations:**

<b>Issue 173</b>	<b>M3006 – Ballygrant</b>	
<b>Development Plan Reference:</b>	Allocation H3006 (Chapter 10 Schedules, Page 114; Proposals Maps, Map 71)	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Kilmeny Farm Ltd (167)		
<b>Provision of the development plan to which the issue relates:</b>	The extent of minerals allocation M3006	
<b>Planning authority's summary of the representation(s):</b>		
<u>Kilmeny Farm Ltd (167)</u> <ul style="list-style-type: none"> <li>Request that the allocation is extended as per the area shown on the map (RD212)</li> </ul>		
<b>Modifications sought by those submitting representations:</b>		
<ul style="list-style-type: none"> <li>Extended minerals allocation M3006 as per the area shown on the map (RD212)</li> </ul>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<u>(167)</u> <ul style="list-style-type: none"> <li>Minerals allocation M3006 is currently a minerals allocation (reference MIN-AL 10/1) in the adopted 2015 Local Development Plan (CD010, Map 74). Both of these allocations are for hard rock (CD049 page 114 and CD010, Page 70).</li> <li>Prior to this it was also a hard rock minerals allocation (reference MIN-AL 10/1) in the 2009 adopted Local Plan, albeit with a differing allocation boundary (CD006 Pages 64 and 65 – Mid Argyll, Kintyre and Islay Maps and Page 131 – Written Statement).</li> <li>The allocation boundary was amended for the adopted 2015 LDP in response to the planning consent 08/01400/MIN for “Extension to quarry working (plus 1.36ha) formation of new site access to A846, relocation of asphalt and stone processing plant and site restoration proposals” (AD***). The principal changes extended the allocation to the south east to reflect the approved extension to the quarry and removed an area to its north which became Area for Action AFA3001.</li> <li>In describing the site and the proposal, the officer’s report for 08/01400/MIN states that “The site currently produces some 30,000 tonnes of mineral annually, amounting to an average despatch rate of 8 loaded HGV’s per day.” and “There has been a relatively constant local demand of some 30,000 tonnes/annum and it is intended that the quarry extension will operate to satisfy this ongoing demand.” (AD***)</li> </ul>		

- Condition 1 attached to 08/01400/MIN sets out that extraction of aggregates shall cease by 31<sup>st</sup> December 2029. (AD\*\*\*)
- The objector has not provided any justification of need for the proposed enlargement of the quarry.
- As set out in the officer's report for 08/01400/MIN an Environmental Impact Assessment was carried out for the application. The area indicated on the map supplied by the objectors (RD212) is potentially larger than the actual area set out for the quarry extension in 08/01400/MIN. No Environmental Impact Assessment Report has been submitted with the representation.
- PLDP2 Policy 31 relates to minerals and sets out the framework for assessment of proposals for mineral extraction (CD049, pages 57-58) and therefore such proposals can be adequately assessed through the planning application process.
- In conclusion, there is existing planning consent until 31/12/2029 which is beyond the LDP2 plan period, no evidence of need for the additional area has been submitted and no Environmental Impact Assessment Report has been submitted. On that basis and given that proposals can be assessed through the planning application process it is considered inappropriate to allocate the land concerned within H3006 and therefore no change to PLDP2 is required.

**Reporter's conclusions:**

**Reporter's recommendations:**

<b>Issue 175</b>	<b>Proposed Settlement Area – Craighouse and Keills</b>	
<b>Development Plan Reference:</b>	Proposals Maps, Map 87	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Sheena Ferrand (188) Kirsten Gow (368)		
<b>Provision of the development plan to which the issue relates:</b>	Inclusion of land within the Settlement Areas of Keills and Craighouse, Isle of Jura	
<b>Planning authority's summary of the representation(s):</b>		
<p><u>Sheena Ferrand (188)</u></p> <ul style="list-style-type: none"> <li>• The objector owns a croft on Jura which is subject to a registration application to the Crofting Commission.</li> <li>• On completion of the application the objector intends to form three additional crofts two of which may well be affected by changes to Settlement Zones. (RD75 and RD76) and (RD77 and RD78).</li> <li>• Concern that proposed removal of the Settlement Zones will void the possibility of acquiring planning permission for two new crofting houses on the land.</li> <li>• There appears to be no reason for the removal of these areas from Settlement Zone.</li> </ul> <p><u>Kirsten Gow (368)</u></p> <ul style="list-style-type: none"> <li>• A small section of land designated as Settlement Zone in the adopted Local Development Plan has been removed from the Proposed Plan. (RD181)</li> <li>• It is unclear why the land has been removed as it is similar to other areas that have remained in the Settlement Area including adjacent areas which are also behind the existing line of housing but well behind the height of the Settlements at Keills and Ballard.</li> <li>• Preliminary discussions have taken place with interested parties regarding using the land for affordable homes as part of a collective housing project. Although early in the process much ground work has been undertaken.</li> <li>• Removing the land from Settlement would mean starting from scratch including finding a willing land owner with suitable land.</li> <li>• Only affordable housing is being considered for the land and there would be no objection for this to be a stipulation if the land were included in the Settlement Area.</li> </ul>		
<b>Modifications sought by those submitting representations:</b>		
<ul style="list-style-type: none"> <li>• Allow the areas to remain in the Settlement Area (RD75 and RD76) and (RD77 and RD78). (188)</li> <li>• Reinstatement of the Settlement Area boundary (RD181) (368)</li> </ul>		

## Summary of responses (including reasons) by planning authority:

### History

- During the preparation of Proposed Local Development Plan 2 a review of the Settlement Zones of Craighouse and Keills (CD\*\*\*, Map 87) was undertaken. This sought to identify potential areas for inclusion in the Settlement as well as areas for potential removal.
- The review was informed by a site visit and assessment of the “Landscape Capacity Study for Housing – Island of Jura” (AD\*\*\*)
- Both of the Settlements of Craighouse and Keills are within the Jura National Scenic Area (AD\*\*\*)

### (188)

- The objector has not provided precise location plans for the areas they wish to see included in the Settlement Area but the maps provided (RD75 and RD76) and (RD77 and RD78) indicate the broad areas referred to.
- RD75 and RD76 refer to the settlement of Keills. The Landscape Capacity Study highlights the sensitivity of development to the east of the ridge where existing development is located (AD\*\*\*, Pages 31-21 plus 2 following maps). Compared to the adopted 2015 Local Development Plan Settlement Zone boundary (CD011, Map 90), the PLDP2 Settlement Area boundary has been drawn tightly around the existing development curtilages at this location (CD\*\*\*, Map 87). It appears that the area of land the objector is referring to would now fall within the Countryside Area where proposals would be assessed against PLDP Policy 02 (CD\*\*\*, Pages 12-13). Whilst the Landscape Capacity Study does indicate some opportunities for development, potentially for infill, along the elevated ridge where the objection relates to this remains a sensitive landscape.
- Proposed Local Development Policy 02 does allow for the consideration of planning applications in the Countryside Areas and in all but a limited number of situations, requires the submission of a Landscape and Visual Impact Assessment that demonstrates to the satisfaction of the Planning Authority, that the proposal can be successfully integrated into its landscape setting.
- It is considered that the framework set out in Policy 02 along with Policy 70 relating to National Scenic Areas (CD\*\*\*, Pages 94) is appropriate for assessing development proposals at this location.
- RD77 and RD78 relate to the settlement of Craighouse. The Settlement Area boundary in this general area was amended in the preparation of PLDP2 to reduce the westward extent of the Settlement Area with the amended boundary line drawn to reflect the 10m contour line. (CD011, Map 90 and CD\*\*\*, Map 87) and (AD\*\*\*)
- The Landscape Capacity Study does identify constraints in this general area (AD\*\*\*, Pages 31-32 plus 2 following maps and Pages 33-45 plus 2 following maps). However it is considered that there may be some potential development opportunities on the land either side of the road leading to Keills, immediately to the rear of the existing shorefront line of development. The Settlement Boundary for PLDP2 has been reduced to the west and this responds to the sensitivities raised in the study whilst still retaining some of the land in the Settlement. The amended Settlement Area boundary also reflects the established development pattern created by the Croft Park development (circa 2007/08) to the north which is comprised of a day care centre incorporating six special needs units and six semi-detached dwelling houses.

- It appears that the area of land the objector is referring to would now fall within the Countryside Area and as such would be assessed under Policy 02. Given the sensitivities of the location it is considered that the Settlement Area boundary set to the 10m contour provides an appropriate balance between the landscape sensitivities and the context of the land being adjacent to the Keills road and Croft Park to the north. As set out above, the framework set out through Policy 02 and Policy 70 would still allow the consideration of development proposals on the land within the Countryside Area.

(368)

- The land raised by the objector is part of the land set the south of that addressed under RD77 and RD78 above. It falls within the same area of assessment in the Landscape Capacity Study as area RD77 and RD78 (AD\*\*\*, Pages 31-32 plus 2 following maps and Pages 33-45 plus 2 following maps). It was removed from the Settlement Area as part of the aforementioned review during the preparation of PLDP2 and now falls within the Countryside Area.
- The land appears to be somewhat constrained in terms of providing access for development. On this basis and given the sensitivities raised in the Landscape Capacity Study it is considered that the revised Settlement Area boundary provides for the appropriate Settlement Area in this location. As set out above Policy 02 and Policy 70 would still allow the consideration of development proposals on the land subject to the objection.

Conclusion 188 and 368

- On the basis of the above it is considered that no change is required to the PLDP2 Settlement Boundaries at Craighouse or Keills.

**Reporter's conclusions:**

**Reporter's recommendations:**

<b>Issue 176</b>	<b>Proposed Settlement Areas, Clachan Seil, Isle of Seil</b>	
<b>Development Plan Reference:</b>	Proposals Maps, Map 163	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Martin and Myra Waddell (44)  Donald MacDougall (198)  GF + Company (Scotland) Ltd (1046)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Inclusion of land as Settlement Area at Clachan Seil	
<b>Planning authority's summary of the representation(s):</b>		
<p><u>Martin and Myra Waddell (44)</u></p> <ul style="list-style-type: none"> <li>Proposals Map 163 does not accurately show the full curtilage of the property Fasgadh.</li> <li>All the other dwelling houses in Clachan Seil have the whole of their respective curtilages shown in the Settlement Area but with regard to Fasgadh only the house is in the Settlement Area.</li> <li>On the submitted Title Plan (RD9) all the area shown in the red boundary has been excluded from Settlement Area even though it exclusively comprises garden ground to the house. All the ground within the red boundaries has long been developed as garden ground.</li> <li>The area shown in blue on the Title Plan was acquired in 2014 by the previous owner.</li> </ul> <p><u>Donald MacDougall (198)</u></p> <ul style="list-style-type: none"> <li>Map no. 163 has removed the Settlement Area and substituted it with Countryside Area.</li> <li>At the last review the Reporter increased the Settlement Area for the Croft and that area should clearly be marked as Settlement and not Countryside.</li> </ul> <p><u>GF + Company (Scotland) Ltd (1046)</u></p> <ul style="list-style-type: none"> <li>A revision to the existing Settlement Zone and two small housing sites have been promoted through the Local Development Plan 2 process.</li> <li>Proposed Local Development Plan 2 seeks to remove the Settlement Area status of the land at Oban Seil Crofts and place it within the Countryside Area.</li> <li>The effect would potentially jeopardise future development potential.</li> <li>The removal of the Settlement Area status seems incongruous and unjustified. There are areas of similar scale in the adopted LDP that have been retained as Settlement Area in PLDP2.</li> <li>There is no justification provided in PLDP2 for the change.</li> <li>Under Policy 02 any proposed development outside Settlement Area would require a Landscape and Visual Impact Assessment unless they were infill and rounding off. This contrasts with Policy 01 relating to Settlement Areas where this is not required.</li> </ul>		

- A Landscape Capacity Study of the objector's land has been carried out to examine small scale infill and rounding off relating to the existing settlement. The study assessed six sites; two were judged to have low-medium development capacity and the remaining four medium landscape capacity. The study should be considered by the Council in light of the decision to remove the Settlement Area.

**Modifications sought by those submitting representations:**

- Amend Map 163 to show the whole of the curtilage as shown within the red boundaries of the Title Plan (RD9) within the Settlement Area so as to be consistent with all the other dwelling houses in Clachan Seil (44)
- Change Countryside Area at Oban Seil Croft back to Settlement Area as marked in 2015 adopted Local Development Plan (198)
- The adopted 2015 LDP Settlement status that applies to the land at Oban Seil Crofts should be retained. (1046)
- An extension to the 2015 LDP Settlement Zone to accommodate additional small scale development shown on (RD335) including the sites referenced in the Main Issues Report as 31 and 311. (1046)

**Summary of responses (including reasons) by planning authority:**

(44)

- The 2017 Call for Ideas consultation asked for, amongst other things, suggestions of where settlements could accommodate future growth. No representations regarding the land concerned were received to this consultation. No representations regarding the land were received at the Main Issues Report consultation stage. The extent of the Settlement Area at this particular location was not considered as part of the PLDP2 preparations.
- It is not unreasonable to consider the Settlement Area taking in the curtilage of the dwelling house given the general character of the surrounding Settlement Area. However the Settlement Area reflects both the pattern of the existing, developed settlement as well as providing opportunities for further development and on that basis care is required in the setting of the Settlement Area boundaries.
- The submission at this late stage of the Development Plan process has not allowed for full assessment of the proposed change. Without the benefit of firm evidence such as a Certificate of Lawful use there is insufficient evidence to determine what the likely established and lawful curtilage of the dwelling is.
- Imaging available from Google Streetview show the land to the north and south of the dwelling house in a range of appearances over a number of years but assessment of these images in isolation do not provide the evidence considered necessary to make what would be potentially significant alterations to the Settlement Area. It is also difficult to ascertain the actual extent of the curtilage to its eastern boundary from the Streetview imagery given the distance from the road and proximity of the red line provided on RD9 to the foreshore.
- The current appearance when viewed from the road is \*\*\*\*\*
- The area shown in red on RD9 indicates the land ownership but that does not necessarily reflect the lawful curtilage of the dwellinghouse.

- The land is set within a Local Landscape Area and being located in close proximity to the shore is within a sensitive location. The land to the north of dwelling is also set between two identified Settlement Area clusters for Clachan Seil which increases its sensitivity to development.
- Proposals for development in Settlement Areas would be assessed under PLDP2 Policy 01 and outwith Settlement Areas would be assessed under Policy 02 (CD\*\*\*, Pages 10, 12 and 13). Policy 71 relates to development proposals in Local Landscape Areas (CD\*\*\*, Page 95).
- Policy 02 does allow for the consideration of planning applications in the Countryside Areas and in all but a limited number of situations, requires the submission of a Landscape and Visual Impact Assessment that demonstrates to the satisfaction of the Planning Authority, that the proposal can be successfully integrated into its landscape setting.
- On balance, given the sensitivity of the land concerned, both to the north and south of the dwelling, the lack of compelling evidence of the actual lawful curtilage and the framework that Policies 01 and 02 sets out for the consideration of development proposals it is considered that the PLDP2 Settlement Boundary is appropriate. On that basis no change to PLDP2 is required.

#### 1046 Background

- The objection relates to a number of matters, namely; the proposed inclusion of land that is currently Settlement Zone in the adopted 2015 Local Development Plan that is now Countryside Area in PLDP2 and the inclusion of seven additional areas of land as Settlement Area.
- The LDP Settlement Zones relate to three separate parts of the wider Settlement Zone of Clachan Seil (which is broken up into a number of separate parts) and the Settlement Zone known as Balvicar Bay further to the south.
- The seven sites proposed for inclusion as Settlement Area are shown on the objector's map RD335. Six of them are identified as areas 1 to 6 in the Landscape Capacity Study (LCS) submitted by the objector (RD332). A further seventh area of land proposed as Settlement Area is shown on the map (RD335) but was not included in the LCS. For the purposes here is referred to as site 7.
- The above matters can be split into two broad groups:
- Sites 1 and 2 along with the adjacent piece of the adopted 2015 LDP Settlement Zone for Clachan Seil which are all set on elevated land accessed via a minor road off the B844 (AD\*\*\*).
- Sites 3, 4, 5, 6 and 7 along with two pieces of the adopted 2015 LDP Settlement Zone for Clachan Seil as well as the Settlement Zone of Balvicar Bay which are all located on or nearby the B844 (AD\*\*\* and AD\*\*\*).
- The objection isn't implicitly clear as to whether it relates to re-inclusion of the existing LDP Settlement Zone purely on the area relating to the elevated land near sites 1 and 2 (as there is a property there called Oban Seil Croft) or whether it relates to all the Settlement Zone areas not included in PLDP2 as shown on (RD332). It has been assumed the objection relates to all these areas and as such they are addressed below.
- As set out by the objector, two of the proposed areas were submitted through the 2016 Call for Sites consultation (AD\*\*\*) and these were proposed for housing (10 units across the two sites). These were featured as sites 31 and 311 in the 2017 Main Issues Report (CD013, Pages 160 and 212). A masterplan taking in parts of the wider area and showing a range of development options including housing, community facilities as well as the provision other

facilities such as footpaths and picnic areas was submitted through the 2017 Call for Ideas consultation (AD\*\*\*).

- MIR Site 311 relates to objection Site 2 and MIR Site 31 relates to objection Site 3.
- The whole area relating to the objections is within a Local Landscape Area.
- Proposals for development in Settlement Areas would be assessed under PLDP2 Policy 01 and outwith Settlement Areas would be assessed under Policy 02 (CD\*\*\*, Pages 10, 12 and 13). Policy 71 relates to development proposals in Local Landscape Areas (CD\*\*\*, Page 95).

#### 1046 – Sites 1 and Site 2 and Re-instatement of LDP Settlement Zone as Settlement Area (Area A)

- Site 2 was featured as Site 311 in the MIR and was classified as an ‘Amber Site’ meaning that it may have had potential for inclusion in LDP2 but further assessment was required and/or that the site had an identified issue(s) that needed to be fully investigated (CD013 pages 128 and 212).
- The site was reviewed and a site visit undertaken, whilst the surrounding development context was noted it was considered that the large parts of the land submitted were unsuitable for development due to the panoramic quality of the vistas it offered across and out of the Local Landscape Area. Whilst some small areas of site 311 were considered to have some potential to absorb very limited development it was concluded that re-drawing the Settlement Zone in this location would be too intricate for the LDP2 process especially without detailed assessment of the landscape impact. Site 311 was therefore not included in PLDP2.
- The LCS (RD332) submitted with the objections assesses site 311/Site 2 as for potential development of up to 2 houses and highlights the sensitivity of the views across Balvicar Bay from the site.
- It is considered that the provision of Settlement Area across Site 2 would potentially lead to development that would erode the scenic qualities and landscape value available from the public view point of the adjacent road.
- Site 1 is situated to the north of the existing adopted LDP Settlement Zone and is assessed in the LCS (RD332) for the demolition of the barn and erection of residential units. It was shown on the masterplan submitted through the Call for Ideas as a potential location for rentable housing (AD\*\*\*).
- As part of the assessment of MIR Site 311 it was decided to remove the adopted LDP Settlement Zone (AD\*\*\*, Area A) from this location and replace it with Countryside Area as it was recognised that there may be some development potential around this general location but given the landscape sensitivities it was better placed in the Countryside Area with proposals for development assessed through Policy 02. This was considered would offer flexibility in that it would allow the exploration of development sites in the round through the development management process which, where applicable, would require an LVIA.
- It is therefore considered that any development proposals for sites 1 and 2 as well as the existing, adopted LDP Settlement Zone could be adequately assessed under PLDP2 Policy 02 and given the location within a Local Landscape Area, Policy 71.

#### 1046 – Sites 3, 4, 5, 6 and 7 and Re-instatement of LDP Settlement Zones as Settlement Areas

- Site 3 was featured as Site 31 in the MIR and was classified as a ‘Red Site’ meaning that it was not preferred for inclusion in LDP2 (CD013 Pages 128 and 160). It was not carried forward to PLDP2 as it was considered to be too isolated in what is a relatively open landscape and that

including the site for housing would extenuate the ribboning effect and sprawl of development along this part of Seil.

- There is an inconsistency in both in the LCS document and the Call for Sites information and the Masterplan submitted to the Call for Ideas as to whether site 311/Site 3 is intended for housing or a social care facility. The Call for Sites submission indicated housing (up to 10 units spread across the two sites submitted) (AD\*\*\*) and the Call for Ideas masterplan indicated a social care facility (AD\*\*\*). The LCS (RD332) indicates a social care facility on page 6 but three dwellings on pages 14 and 27. It is however maintained that either type of development would add to the existing ribboning effect along this stretch of road and contribute to further settlement sprawl across the countryside.
- Site 4 is part of a field on the landward side of the B844. The LCS (RD332) assesses Site 4 for a potential social care facility and this was similarly suggested on the masterplan submitted at the Call for Ideas stage (AD\*\*\*). The above concerns surrounding the open nature of the landscape and the potential development ribboning effect relating to Site 3 are applicable to this Site 4.
- Site 5 relates to a relatively narrow strip of field set against a rock escarpment on the landward side of the B844 just to the north of the adopted 2015 LDP Settlement Zone of Balvicar Bay. It is assessed for a residential unit in the LCS (RD332) and was noted similarly on the masterplan submitted at the Call for Ideas stage (AD\*\*\*).
- Site 6 relates to a small field on the seaward side of the B844 just to the north of the adopted 2015 LDP Settlement Zone of Balvicar Bay. It is assessed for a workshop and associated accommodation in the LCS (RD332) and was noted similarly on the masterplan submitted at the Call for Ideas stage (AD\*\*\*). The LCS (RD332) notes potential landscape impacts of development on Site 6 due to the openness of the land and the views across Balvicar Bay from the B844.
- Site 7 is not assessed in the LCS and was not delineated for a particular proposal on the masterplan submitted at the Call for Ideas stage (AD\*\*\*). The site is on the seaward side of the B844 and is set at a point where the landscape view of Balvicar Bay opens out to provide a scenic panorama. As such this is considered to be a particularly open and sensitive location within the landscape.
- The three areas of existing 2015 adopted LDP Settlement Zone that have been included as Countryside Area relate to:
  - Two parts of the Clachan Seil Settlement Zone comprising of a group of two dwellings along with the associated section of the B844 connecting them to a larger section of Clachan Seil to the north (AD\*\*\*, Area B) and a roughly linear cluster of dwellings set off access tracks to the south eastern side of the B844 (AD\*\*\*, Area C).
  - A single piece of Settlement Zone called Balvicar Bay which largely comprises a group of dwellings on alternative sides of the B844 (AD\*\*\*, Area D).
- As part of assessment of MIR site 311 these Settlement Zones were also considered and subsequently were not included as Settlement Area PLDP2, becoming Countryside Area instead.
- It was considered that these Settlement Zones perpetuated the ribboning effect between the main part of Clachan Seil and the settlement of Balvicar to the south.
- These fragmented pieces of Settlement Zone only cover some of the existing development in this corridor. The re-instatement of the aforementioned Settlement Zones as Settlement Area and the inclusion of proposed sites 3-7 as Settlement Area would see these become either enlarged or additionally fragmented and would encourage further ribboning and creep of development in what is generally a sensitive and open landscape.

- The potential impact of gradual sprawl and ribboning of development in the area along the B844 corridor is better assessed by the Countryside Area coverage shown in the PLDP2 Proposals Maps and the associated Policy 02. This is considered a more appropriate response as it will allow the exploration of any potentially suitable locations for development through the Development Management process which, where applicable, would require an LVIA.
- It is therefore considered that any development proposals for sites 3 to 7 as well as the existing, adopted LDP Settlement Zones concerned could be adequately assessed under PLDP2 Policy 02 and given the location within a Local Landscape Area, Policy 71.

1046 Conclusion

- Overall, the LCS (RD332) highlights the vulnerability of the landscape concerned. It sets out that some development could be accommodated at sites 1, 3, 4 and 5 in limited situations but that sites 3 and 6 development could only be accommodated in very limited situations. It is considered that the overall findings of the LCS provide justification for the Countryside Area approach where proposed individual sites will be assessed as per the requirements of Policy 02 with the LVIA where necessary.
- The study states that it is not a full LVIA and shouldn't be used solely to accompany a planning application. This adds further justification to the approach that sites should be assessed individually through Development Management process where the appropriate detailed appraisal can be carried out through the policy framework.
- It is therefore considered that the PLDP2 Proposals Maps and policy framework of Policy 02 and 71 provide a robust and appropriate method for assessing development proposals and that no change is required to PLDP2.

198 Re-instatement of LDP Settlement Zone as Settlement Area

- The objector wishes to see part of the adopted 2015 LDP Settlement Zone of Clachan Seil re-instated as Settlement Area. This is the same area as discussed for sites 1 and 2 above (AD\*\*\*, Area A).
- As the objector has set out, the adopted 2015 LDP Settlement Zone was enlarged at this location by Reporters through the adopted 2015 LDP Examination process (AD\*\*\*). However, given the aforementioned reasoning for inclusion of this Settlement Zone as Countryside Area in PLDP2 it is considered that, again, any development proposals can be appropriately assessed under PLDP2 Policies 02 and 71 and that no change is required to PLDP2.

**Reporter's conclusions:**

**Reporter's recommendations:**

<b>Issue 177</b>	<b>Proposed Settlement Zones/OSPA Removal - North Connel</b>	
<b>Development Plan Reference:</b>	Countryside Area and Open Space Protection Areas (Proposals Maps, Maps 197 and 198)	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Robin Dodman (1) Carole Ferguson-Walker and Alan Ferguson-Walker (229) Iain MacLean (544)		
<b>Provision of the development plan to which the issue relates:</b>	Countryside Area and Open Space Protection Areas as shown on Proposals Maps, Maps 197 and 198	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Land Opposite Oran View/Kilbrannan</b></p> <p><u>Robin Dodman (1)</u></p> <ul style="list-style-type: none"> <li>• The site is brownfield and was previously used as an RAF camp during World War 2.</li> <li>• Some foundations are present on site as well as a large air raid shelter and large stable and store which is in constant use.</li> <li>• The field is registered as an agricultural holding reference 691/0216.</li> <li>• It is not clear and could not be explained why the Open Space Protection is in place. PLDP2 indicates that OSPAs are areas such as sports fields or communal ground, none of which apply the site.</li> <li>• The field has never been accessible or used by the local community and such should not be designated as an Open Space Protection Area. The proposal would not affect the integrity or continued existing use.</li> <li>• The field has access from the road and easy access to services.</li> <li>• The change proposed would allow for daughter (a key worker) and young family who is currently living with them to remain in the area.</li> <li>• The house plot would provide annexe accommodation for the objectors reducing the need for support in later years.</li> <li>• The proposed change is in line with the Council's policy of encouraging young returning families and adjusting settlement boundaries to provide development and growth. The site is within the Tobermory to Dalmally Growth Corridor.</li> <li>• The need to protect certain areas from overdevelopment is acknowledged but the change would be for a family home and positioned to integrate into the landscape and minimise visual impact. It would not overlook, overshadow or interfere with existing properties.</li> <li>• The proposed change adheres to PLDP2 in terms of the following: <ul style="list-style-type: none"> <li>• Paragraph 2.15, 3.2, 3.5, Policy 01, Policy 02, Policy 08, Paragraph 5.1,</li> </ul> </li> </ul> <p><b>Ground at Achnaba, North Connel</b></p>		

Carole Ferguson-Walker and Alan Ferguson-Walker (229)

- The site lies east of White Lodge, west of New House Achnaba and immediately north of the C25 Bonawe road.
- The site forms part of woodland extending north and west. It has been subject to some tidying and management by the objectors.
- The land is identified as Ancient Woodland albeit of a plantation type but a single eco-friendly dwelling or hut could be built in sympathy to the surroundings and character.
- A previous planning application on the site was refused as the land was not within the Settlement. It was not supported as an infill despite the fact a number of planning permissions have been granted for new dwellings in the locality. Two of these plots, to the east of site, between it and Achnaba Lodge have been built out with contemporary dwellings.
- A plot between the site and White Croft granted outline planning consent in 2004. Consent has expired but the site is shown in the Settlement boundary.
- Land to the east, north of Achnaba Lodge is shown within the Settlement boundary despite not being developed or having planning history.
- Rationale for why the site is not in the Settlement has not been made clear. The Council may argue that there are breaks in the Settlement including this site but there is no basis for that when the whole settlement is looked at with some land identified as Settlement but not developed and other sites such as this one excluded. It might be by chance that the site was chosen rather as a break than one of the adjoining plots.
- No need for a visual break at this point as this part of North Connel cannot readily be seen from anywhere other than the road. Site is only identifiable from close to it and appears as a continuous settlement.
- Only other view is from the southern shore of Loch Etive circa 0.8 miles away. Difficult discern many of the dwellings due to the distance and woodland setting.

**Pier/Breakwater**

Iain MacLean (544)

- The Open Space Protection area covers the objector's breakwater/pier on the shore of Loch Etive in the vicinity of the Connel Ferry Bridge (shown on Proposals Map 198). It was granted planning consent in 1970 and has been used on and off since.

**Modifications sought by those submitting representations:**

**Land Opposite Oran View/Kilbrannan**

- Amend the settlement boundary running along the south side of the road (the C45) to allow for a house plot as shown in the Call for Ideas consultation (AD\*\*) (1)
- It is unclear if the Objectors seek an amendment to the OSPA (1)

**Ground at Achnaba, North Connel**

- Change the site (RD105) from Countryside Area to Settlement Area (Cust IDs)

**Pier/Breakwater**

- Redraw the line to exclude the breakwater/pier which is private facility/structure (544)

### Summary of responses (including reasons) by planning authority:

#### Land Opposite Oran View/Kilbrannan

(1)

- The site concerned is located within an OSPA as shown in PLDP2 which is principally situated in between the C25 Bonawe Road that runs from the A828 at North Connel and the northern shore of Loch Etive. The OSPA extends partly alongside the PLDP2 Settlement Area of North Connel. The objector has not provided a location plan but the location plan that accompanies this Schedule 4 sets out the general location.
- The OSPAs principal function is to protect the open aspect of the land on the seaward side of the road in that location. This is an area of land where there has been only minimal encroachment of development and its openness is considered an important feature of the local landscape setting. It allows for sweeping views across and along Loch Etive (even more so during the absence of deciduous leaves) including towards the Connel road bridge. The openness and almost completely undeveloped nature of this area of land is a strong component of its character which should be preserved. It has been included as an OSPA in both the adopted 2015 Local Development Plan (CD11, Maps 200 and 201) and the previous Argyll and Bute 2009 adopted Local Plan 2009. (CD007, Pages 62 and 63)
- The associated policy for OSPAs is set out in PLDP2 Policy 81 (CD\*\*\*, Pages 102 and 103). The explanatory text at bullet no. 4 sets out that OSPAs can include non-accessible areas that provide visual amenity functions. The OSPA concerned here would fall within that 4<sup>th</sup> bullet.
- The Settlement Area boundary for North Connel reflects the intention of the OSPA in aiming to direct development away from this sensitive area of land and focus development on the landward would side of the road (aside from where it turns sharply away from the coast). There are two housing allocations in North Connel (H4025 and H4027) shown in PLDP2 as well as a Settlement Area boundary that would allow for potential windfal development opportunities.
- Whilst the existing context and history of the land is noted, the amendment of the OSPA and/or the Settlement Area, even with small adjustments would potentially allow for the redevelopment or additional development of the land. This would represent an unacceptable erosion of this open space and the amenity value it provides by introducing a new development context, such as a dwelling and its associated curtilage or potentially other types of development. It would also potentially set a precedent for further development along this section of land which in turn would further erode the important qualities of the OSPA.
- The reasons and justification put forward by the objector on social and economic grounds are noted but they do not outweigh the harm to the important local setting that is protected through the OSPA and Settlement Area boundary. The circumstances of the objector would cease to become relevant if either the land or any resulting development changed ownership however the harm of the development would still remain.

#### Ground at Achnaba, North Connel

(229)

- The site comprises of mature woodland fronting the C25 Bonawe Road. There are a cluster of 5 dwellings immediately to the east and to the west is a similar area of woodland that sits between the site and a cluster of 3 dwellings.
- The site is shown within the Countryside Area on PLDP2 Proposals Map 197 and as such would principally be covered by Policy 02 (CD\*\*, Pages 12-13). The land immediately to the east and west is shown as Settlement Area and is principally covered by Policy 01 (CD\*\*, Page 12).
- The Development Plan position as shown on Proposals Map 197 is largely the same as the adopted 2015 Local Development Plan (CD11, Map 200) where the site is shown within the Countryside Zone and the adjoining land within the Settlement Zone with these areas all being covered by policy LDP DM1 (CD10, Page 20). Clause E of the policy specifically sets out a presumption against development that would extend existing development into the Countryside Zone.
- Prior the 2015 adopted LDP the site was shown within the Countryside Around Settlement in the 2009 adopted Local Plan (CD07, Page 63). The Report of Handling for planning application 14/02061/PPP (AD\*\*) sets out in detail the policy background for Countryside Around Settlements contained in both the Structure Plan and Local Plan which, in summary, sought to frame settlements and prevent their sprawl and coalescence. The report sets out how the proposal did not meet the definition of infill or rounding off.
- Both the 2009 adopted Local Plan and 2015 adopted LDP set out a policy presumption against development in this location.
- The Settlement Areas shown on PLDP2 Proposals Maps 197 that make up North Connel are separated by the Countryside Areas in order to prevent settlements merging and forming a continuous ribbon of development. This intention remains largely the same as described in the Report of Handling for 14/02061/PPP (AD\*\*). The application was refused, amongst other things, on the grounds that it would cause coalescence between two settlement areas detrimental to the rural character at the eastern edge of North Connel (AD\*\*). The refusal was upheld at appeal by the Local Review Body (AD\*\*).
- The provision of Settlement Area in LDP2 to the site proposed would create opportunity for a relatively lengthy unbroken ribbon of development at the periphery of this identified settlement which would be harmful to the fragmented development pattern of this area.
- The Settlement Zones shown through the successive plans have allowed for a proportionate level of development directly to the east of the site concerned but contained it within that zone.
- There are areas of nearby Settlement Area that are undeveloped and do not have extant planning consent however the boundaries to Settlement Areas are generally drawn both to define settlements and but also allow the potential for some growth. Whilst the comments from the objector that the undeveloped land with lapsed planning consent to the west of the site has been included in Settlement Area are noted, the plan should not be amended to show a continuous Settlement Area or alternatively swap around the Settlement Area and adjacent Countryside Area to the west. To do the latter would simply adjust the Settlement Area to suit the proposed intentions of a single landowner at one point in time. The Council could simply find itself in the reverse position again at the next review of the Development Plan.
- Notwithstanding these concerns regarding adverse impact the settlement pattern and character in this location, the policy framework set out by PLDP2 policy 02 (CD\*\*, Pages 12, 13) would still allow for due consideration of a proposal on the site. Under the provisions of the policy it is likely that a proposal would require the submission of a Landscape and Visual

Impact Assessment. Given the above concerns and the requirements set out through policy 02 the retention of the site as Countryside Area is the most appropriate approach for this site.

- Further to considerations of settlement character, 14/02061/PPP was also refused due to detrimental impact on the Ancient Woodland present on site (AD\*\*). The Report of Handling also notes that the Biodiversity Officer commented that a protected species survey would be required for bats and red squirrels (AD\*\*). Whilst PLDP2 contains suitable policy for the assessment of such considerations the absence of a tree survey and protected species survey for the site lends weight to the assertion that it should not be included in the Settlement Area.
- On the basis of the above, no change to PLDP2 Proposals Map 197 is required.

### **Pier/Breakwater**

(544)

- The objector has not provided a location plan for the breakwater/pier. However from the description provided the Council considers it to be as shown on the location plan that accompanies this Schedule 4, it being the only jetty shown within the OSPA on PLDP2 Proposals Map 198.
- The background and purpose of the OSPA is set out in the response to (1) above.
- It is important that the structures concerned remain within the OSPA in order to ensure that through the provisions of PLDP2 Policy 81 (CD\*\*\*, Pages 102 and 103) there is suitable protection of this area and the important amenity value it provides.
- It is not clear why the objector seeks to see the amendment to the OSPA but it should be noted that the coverage of the structures with the OSPA would not affect or prevent their use.

### **Reporter's conclusions:**

### **Reporter's recommendations:**

<b>Issue 178</b>	<b>Loch Cuin, near Dervaig, Mull</b>	
<b>Development Plan Reference:</b>	Proposals Maps, Map 195 and Proposals Map, Map Sheet - Mull	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Elizabeth Harford-Cross (1006)		
<b>Provision of the development plan to which the issue relates:</b>	The area around Loch Cuin, near Dervaig, Mull (P Proposals Maps, Map 195 and Proposals Map, Map Sheet – Mull). The boundaries of the Special Area of Conservation and Local Landscape Area.	
<b>Planning authority's summary of the representation(s):</b>		
<p><u>Elizabeth Harford-Cross (1006)</u></p> <ul style="list-style-type: none"> <li>The area is currently a 'countryside' area, but due to its outstanding landscape quality and rich wildlife would benefit from additional protection from adverse development. The loch frames the islands of Rum, Muck, Eigg, Canna and Skye as well as the Ardnamurchan peninsula. Recent development near the listed Croig harbour has had an adverse visual impact. This part of the coast is outside of the Special Area of Conservation which hugs the coast for most of the island.</li> </ul>		
<b>Modifications sought by those submitting representations:</b>		
<ul style="list-style-type: none"> <li>The boundary of the Special Area of Conservation surrounding the island should be extended into Loch Cuin, perhaps as far as Dervaig but certainly up to the Narrows beyond Croig.(1006)</li> <li>The area should be given Local Landscape Area status to prevent loss of unique qualities, to protect views to the north. The LLA could be extended to cover the Mornish peninsula including Lanagmull Bay further west.</li> </ul>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p><u>Background Information (1006)</u></p> <ul style="list-style-type: none"> <li>The objector has not provided a location map to illustrate the areas they wish to see amended. Authority Document AD*** shows the general area around Dervaig, Croig and Loch Cuin.</li> </ul> <p><u>Special Protection Area (1006)</u></p> <ul style="list-style-type: none"> <li>The Special Area of Conservation referred to by the objector is the Inner Hebrides and the Minches SAC. The qualifying interest is the Harbour porpoise (AD***).</li> <li>The selection of areas to be covered by a SAC is a national and European level process and therefore the amendment of the SAC boundary concerned is not within the remit of the Local Development Plan process.</li> </ul>		

- It is considered that potential impacts on habitats, species or biodiversity can be assessed at the planning application stage through PLDP2 policy 73.

#### Local Landscape Area (1006)

- The area concerned is not covered by a landscape designation. There is a Local Landscape Area set further to the south which lies immediately to the north of the Loch na Keal National Scenic Area (CD\*\*\*, Proposals Map, Map Sheet – Mull)
- The PLDP2 Local Landscape Areas are contained in the adopted 2015 Local Development Plan as Areas of Panoramic Quality. These in turn were shown in the 2009 adopted Local Plan. These areas were taken from the former Strathclyde Regional Scenic Areas.
- To include the area raised by the objector in a Local Landscape Area would require a significant alteration to the boundary of the LLA (or the creation of a new one) and this would entail the need for a wholesale review. This level of review would not be appropriate for the LDP examination process and would be better conducted during the preparatory phases of a development plan. It is therefore considered that any such amendment to include the area concerned would be premature in the development plan process.
- PLPD2 policies 04, 05 and 08 (CD\*\*\*) address matters relating to landscape. PLDP policy 02 requires the submission of a Landscape and Visual Impact Assessment in all but very limited circumstances for development proposed in the Countryside Area. It is therefore considered that the landscape impact of development proposals can be sufficiently assessed through the planning application process.

#### **Reporter's conclusions:**

#### **Reporter's recommendations:**

<b>Issue 179</b>	<b>Established Business and Industry Area – Port Ellen, Islay</b>	
<b>Development Plan Reference:</b>	Established Business and Industry Area, Port Ellen, Proposals Maps, Map 124	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Diageo (1026)		
<b>Provision of the development plan to which the issue relates:</b>	Extension to an Established Business and Industry Area in Port Ellen, Islay	
<b>Planning authority’s summary of the representation(s):</b>		
<p><u>Diageo (1026)</u></p> <ul style="list-style-type: none"> <li>Support for the Established Business and Industry Area which encompasses Port Ellen Distillery and would suggest it is extended to reflect the boundary of the recent planning permission reference 19/00917/PP.</li> </ul>		
<b>Modifications sought by those submitting representations:</b>		
<ul style="list-style-type: none"> <li>Extend the boundary of the Established Business and Industry Area to reflect the boundary of 19/00917/PP (1026)</li> </ul>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p><u>(1026)</u></p> <ul style="list-style-type: none"> <li>Proposed Local Development Plan 2 Policy 22 addresses Established Business and Industry Areas (EBIA) and sets out safeguarding of these areas of employment use (CD***, Pages 41-47).</li> <li>Policy 22 also sets out a sequential approach to new industrial and business developments with EBIA areas included in the preferred locations (table 2).</li> <li>Planning consent 19/00917/PP for “Erection of a new distillery at the Diageo Port Ellen Maltings site, including provision of new process and guest experience buildings, modification and downtakings of existing buildings, new site infrastructure and hardstandings, external tankfarm, boilerhouse, water treatment plant and SUD’s” was granted on 23/12/2019. The application relates to part of the Port Ellen Maltings site which, along with wider surrounding land was home to the former Port Ellen distillery. Many of the buildings relating to the former distillery have now been demolished. A history of the site can be found within in the design and access statement for 19/00917/PP (AD***).</li> <li>The approved plans indicate that the majority of the built development relating to the new distillery is within the existing developed area of Kiln Square which is contained within the EBIA. It appears some of the new distillery (mostly parking and access) would fall just outside the EBIA and take in some of the adjacent vegetated area which, from the historic mapping</li> </ul>		

and photos contained in the design and access statement, appears to have been the location of some of the former distillery buildings.

- The EBIA is depicted in the PLDP2 Proposals Map relate to areas of areas of existing industrial and business use. On the basis that the approved distillery is not yet built it is not considered to be existing and therefore it is not necessary to amend the existing EBIA to take in any of the approved built development that currently fall outside of it. Even if the distillery were complete at this point the EBIA would sufficiently cover enough of the operational areas to ensure that the appropriate policy protection was in place.
- The wider red line planning application boundary (AD\*\*\*) mostly relates to areas of mixed vegetation some of which appear to have been, in part, home to former distillery buildings. These areas do not currently contain existing business and industry uses and it therefore it would not be appropriate to include them in the coverage as they do not require the protection the policy offers.
- Furthermore, to enlarge the EBIA to take in these wider vegetated areas would then see them move up to the top tier of the sequential test order (preferred areas) as set out in the Policy 02 from their current position in the 2<sup>nd</sup> tier (other locations within the identified Settlements).
- Not extending the EBIA is considered to be the most appropriate response as it will avoid the potential to direct development towards the land but will still allow proposals to come forward under the relevant PLDP2 policy framework including Policy 01 - Settlement Areas.
- This additional land is relatively extensive (circa \*\*ha) and has not been assessed through the development plan process as being a preferred location for industrial and business uses and has not been subject to any consultation with the public, key agencies or other bodies. Given the proximity of the land to existing dwellings and a PLDP2 housing allocation (see Issue 189) it would be more appropriate for it to be submitted for consideration through the next Development Plan process.
- On the basis of the above it is considered that no change to PLDP2 is required.

**Reporter's conclusions:**

**Reporter's recommendations:**

<b>Issue 181</b>	<b>Proposed Tourism Allocation, Settlement Area or Masterlan Area - Tobermory</b>	
<b>Development Plan Reference:</b>	Proposals Maps, Map 214	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Argyll Properties Scotland Ltd (1016)		
<b>Provision of the development plan to which the issue relates:</b>	<b>A proposed Tourism Allocation, Settlement Area or Masterlan Area – Tobermory</b>	
<b>Planning authority’s summary of the representation(s):</b>		
<p><u>Argyll Properties Scotland Ltd (1016)</u></p> <ul style="list-style-type: none"> <li>• Tobermory is the main settlement on the Isle of Mull with the best range of services, largest population and highest tourism accommodation demand. Tourism land should be allocated generously for the 10 year plan period to underpin the Tobermory to Dalmally Growth Corridor.</li> <li>• The proposed site has already been used as a campsite during the Isle of Mull music festival weekend for a number of years without problems or known complaint. The festival is critical to the local economy bringing substantial numbers of people and income to Tobermory early in the season.</li> <li>• Growth in Scottish tourism and ongoing high demand for stop overs as a result of the Road Equivalent Tariff (RET) on the ferry has created substantial under provision for touring accommodation in particular. The land proposed could provide an accessible campsite in a location within walking distance of Tobermory services.</li> <li>• Although in a prominent position a low impact campsite development could be provided with very little visual or landscape impact. Enhanced planting and an attractive frontage would ensure a positive contribution to the village gateway with limited impact beyond the immediate environment and fulfil tourism demand.</li> <li>• There have been no new hotels in Tobermory for around 100 years. The objector has extensive sector experience having hotels in Drumnadrochit, Fort William and Oban as well as a number of holiday units around Tobermory. There is already a lack of tourism accommodation on Mull and demand must be satisfied in the long term to benefit the economy.</li> <li>• Maximum flexibility over the type of tourism accommodation for the proposed site would be welcomed in case further market research or developer interest indicates a hotel should be advanced.</li> <li>• A hotel would potentially have more impact than a campsite so would require detailed assessment at planning application stage.</li> <li>• Flexibility over the type of tourism accommodation is sought given the 10 year lifespan of LDP2.</li> <li>• PLDP2 Proposal D for strategic review of Tobermory is welcomed. The existing gateway to Tobermory is of poor quality having evolved organically. The site present an opportunity to enhance this.</li> </ul>		

- Designating the land as Countryside Area and/or without an allocation effectively prevents the site from being developed within the LDP2 lifespan. In order to realise the ambitions of Proposal D, sufficient developable land also needs to be identified to come forward during the 10 year plan period.

#### **Modifications sought by those submitting representations:**

- Include a tourism allocation on the land shown in document RD63 or that the Masterplan/Settlement Area is extended to incorporate land that could be developed under Proposal D during the lifetime of LDP2.

#### **Summary of responses (including reasons) by planning authority:**

##### **Site submission history**

- The site proposed by the objector was submitted through the 2016 Call for Sites process. In summary, it was proposed for tourism use that could potentially include a hotel, holiday units or campsite and was predicated on increased tourism accommodation demand and a lack of accommodation ([AD\\*\\*\\*](#)).
- The same site was also suggested by the site promotor through the Call for Sites for retail use but this has not been advanced as an objection to PLDP2.
- In response to the Call for Sites submission for tourism uses, further information regarding the predicted number of pitches for campervans, caravans and tents or the number of beds in the case of a hotel were requested from the site promotor along with additional information regarding vehicular access, flood risk and water supply and drainage ([CD\\*\\*\\*](#)).
- The response received indicated either 30-40 hardstanding pitches for touring motorhomes, campervans or caravans with approximately 15 tent pitches or a 30 bedroom hotel and or small apple crate type pods but that more detailed market research would inform the type of tourism use to be advanced ([CD\\*\\*\\* same as above – 1 email chain](#)).
- The response suggested how visibility splays could be achieved, how flood risk could be managed from the watercourse on the site boundary and set out plans for engagement with Scottish Water prior to the planning stage ([CD\\*\\*\\*](#)).
- Following assessment the site was classified as a 'red' site within the MIR ([CD013, Page 103](#)) meaning that it was not preferred for inclusion in LDP2 for one or more of the reasons stated in the MIR ([CD013, Page 45](#)).

##### **Response to Objection 1016**

- Both the original Call for Sites submission and the objection received to PLDP2 do not provide any certainty of the intended end use, which could range from a campsite to a hotel.
- A hotel would potentially involve a significant built development of both the physical building and associated parking and manoeuvring areas. No details have been submitted aside from the 30 rooms stated at the Call for Sites stage but it is assumed that building would require or seek additional floor space to accommodate eating facilities, function rooms and wider operational facilities. Also being located on the very periphery of the town it would likely require significant parking and manoeuvring areas for cars and potentially coaches if touring coaches became an intended market.

- A campsite, whilst likely requiring less physical built development than a hotel would still likely result in a noticeable development for the site if it took the form of 30-40 hardstanding pitches and 15 tent pitches along with any required facilities buildings and vehicle circulation space.
- The proposed site being set upon a plateau above the adjoining residential development is prominent within the landscape when viewed on the A848 approach to the site itself and Tobermory beyond. When viewed from this approach the nearby development beyond the proposed site is either set at lower levels or generally visually accommodated by its backdrop and therefore tends sit comfortably in its landscape setting. As a result the edge of the town is relatively contained within the landscape on the A848 approach. However, from the same vantage points the development of either a hotel or campsite on the site proposed would likely be far more intrusive and visually inappropriate in this sensitive, edge of settlement location as a result of the raised plateau topography. Therefore, there are significant concerns regarding the visual impact of development on the site on what would form the gateway to the town.
- Justification has been put forward based on demand. It is acknowledged that there has likely been an increase in tourism to the island since the introduction of an additional ferry on the Oban to Craignure route in 2016 and the Road Equivalent Tariff in 2015 and that this will likely have increased the number of campervan and mobile home numbers visiting the island. However there is an existing campsite (Tobermory Campsite) offering pitches for motorhomes, touring caravans and tents located approximately 1.5 miles outside of Tobermory. No evidence has been provided as to whether this campsite is operating at capacity or what the level of any unmet demand is. Likewise, no actual evidence has been provided as to whether there is any unmet demand for hotel rooms in Tobermory. There is not sufficient evidence of demand to outweigh the significant concerns regarding the landscape and townscape impact of the proposed uses.
- The Council Roads officer in response to the Call for Sites submission raised concerns regarding the potential to provide a safe access the site (CD\*\*\*, site reference 5). The agent within the additional information provided to the Call for Sites process asserted that suitable visibility could be achieved (CD\*\*\*). Whilst this has not been demonstrated via the submission of detailed plans, given that the proposal is not for housing where the importance of demonstrating a potentially effective site is greater, the Planning Authority is satisfied that, notwithstanding the landscape concerns, the matter could be assessed at a planning application stage.
- With regards to flood risk, there is a minor watercourse to the site boundary but the site does not feature on the SEPA Flood Maps. Whilst there are concerns regarding flood risk given that the SEPA Flood Risk and Land Use Vulnerability Guidance places holiday caravan, chalet, and camping sites within the “Most Vulnerable Uses” it is considered that, notwithstanding the landscape concerns, the matter could be addressed at a planning application stage through a Flood Risk Assessment.
- Similarly, notwithstanding the landscape concerns, matters of water supply and drainage could be addressed at a planning application stage.
- The Tobermory Strategic Development Framework (SDF) detailed at PLDP2 Proposal D (CD\*\*, Pages 19 and 20) is intended to work holistically on the future for Tobermory beyond the LDP2 plan period. Matters surrounding tourism accommodation could form part of the remit of the SDF to be discussed by stakeholders and assessed by the planning authority. Whilst the issues of landscape impact of this particular site remain, the wider matter of tourism infrastructure could be strategically examined through the SDF process. The site could potentially be discussed by the SDF stakeholders in terms of the strategic future of

Tobermory but this does not require it to be allocated for any use in LDP2 or included in the Settlement Area. The nearby Strategic Masterplan Area (SMA) depicted on the proposals maps (CD\*\*\*, Map 214) relates solely to the adjoining housing allocations where it seeks a holistic approach to site development from separate land owners (see Issue \*\*\*) and therefore the SDF process would not require inclusion of the land within this SMA.

- In conclusion, whilst certain matters for tourism uses could be considered in full at a planning application stage, significant concerns remain regarding the landscape and townscape impact of development on the proposed site and these concerns are not outweighed by the limited evidence of demand for either a campsite or hotel. Therefore no change to PLDP2 is required.

**Reporter's conclusions:**

**Reporter's recommendations:**

<b>Issue 182</b>	<b>Proposed Housing Allocation or Settlement Zone - Port Charlotte</b>	
<b>Development Plan Reference:</b>	Proposals Maps, Map 123	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Gilbert McCormick (218)		
<b>Provision of the development plan to which the issue relates:</b>	Proposed re-designation of land to allow housing development	
<b>Planning authority's summary of the representation(s):</b>		
<p><u>Gilbert McCormick (218)</u></p> <ul style="list-style-type: none"> <li>• Re-designate the field opposite the Port Mhor Centre in Port Charlotte for limited housing development.</li> <li>• The Port Mhor centre incorporates a restaurant, shower/toilet facilities, camping site, parking and facilities for visiting camper vans, and a playpark.</li> <li>• Current demand for new housing in the Rhinns of Islay are not being met.</li> <li>• The field is in a desirable location with stunning sea views.</li> <li>• It is only 5 minutes' walk along the existing footpath from Port Charlotte.</li> <li>• Mains water and electricity go through the field.</li> <li>• Scottish Natural Heritage used to have an interest in the field before the Port Mhor Centre was built but have indicated that they would not have any objections to limited development.</li> </ul>		
<b>Modifications sought by those submitting representations:</b>		
<ul style="list-style-type: none"> <li>• Re-designate the field opposite the Port Mhor Centre in Port Charlotte for limited housing development. (218)</li> </ul>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p><u>(218)</u></p> <ul style="list-style-type: none"> <li>• The proposed site is a steadily rising field fronting the A847 just outside the PLDP2 Settlement Area boundary of Port Charlotte. It is set within a SSSI and a Special Protection Area (CD***).</li> <li>• The 2016 Call for Sites consultation asked for the submission of sites for potential inclusion in Local Development Plan 2 which, with regards to housing, was for sites of 5 dwellings or more. The 2017 Call for Ideas consultation asked for, amongst other things, suggestions of where settlements could accommodate future growth. No representations regarding the proposed site were received to the either of these consultations. No representations</li> </ul>		

regarding the proposed site were received at the Main Issues Report consultation stage. The use of the land for housing was therefore not considered as part of the PLDP2 preparations.

- The submission of the land at this stage has not allowed opportunity for consultation with Key Agencies, infrastructure providers, other Council services and the general public. Given the location of the site within a SSSI and SPA, consultation with Scottish Natural Heritage would have been of importance. The lack of consultation has therefore not allowed for its full consideration. The potential site boundary and relevant supporting information should have been submitted during the Call for Sites and/or Call for Ideas. This would have allowed for full consultation and consideration through the development plan process of matters relating to site delivery and development impacts. Therefore it would be more appropriate for the site to be put forward by any interested parties for consideration during the appropriate plan preparation stage for the next development plan.
- PLDP2 contains a total of 5 allocations for housing and one mixed use allocation for Islay. The total number of units set out in the PLDP2 schedules for these allocations is 264 which would contribute to the 2020-2029 housing land supply target of 810 units for the Mid Argyll, Kintyre and the Islands administrative area.
- PLDP2 housing allocation H3017 is located on the northern edge of Port Charlotte. This allocation is has an indicated capacity in PLDP2 of 40 units (CD\*\*\*, Page 113). It is currently in the adopted 2015 Local Development Plan as housing allocation H- AL 10/7 (CD011, Map 126) where the indicated capacity is 30 units (CD10, Page 68). The capacity was increased for PLDP2 to reflect the potential for more efficient use of the land which to provide a density of around 20 dwellings per hectare. Outline planning consent reference 07/02313/OUT was granted in 2007 for 30 units on the allocation (AD\*\*\*). The Argyll & Bute Strategic Housing Investment Plan 2020/21 – 2024/25 details a potential 8 units for Port Charlotte for 2021/22 (CD009, Page 33) and it is understood that this currently relates to H3017. It is considered that H3017 is an effective housing site that is in a sustainable location with no significant constraint to delivery and which is expected to commence its first phase within the LDP2 plan period.
- In the adjacent Settlement Area of Bruichladdich extant planning consent 19/02485/PP for “Erection of 29 dwellinghouses installation of sewage treatment plant and formation of vehicular access. Formation of play park and football pitch” was approved on 09/07/2020. This is set on adopted housing allocation H- AL 10/5, whilst the reasons for not carrying forward the allocation into PLDP2 are set out elsewhere in this Schedule 4/in Issue \*\*\* the consent does represent further extant supply for the Rhinns of Islay area. Further opportunities also exist within the Rhinns of Islay within the Settlement Areas of Conisby, Bruichladdich, Port Charlotte, Nerabus, Port Wemyss, Portnahavan and Claddach (CD\*\*\*, Maps 78, 123, 119, 125, 86 respectively)
- It is therefore considered that there is sufficient housing supply made through the PLDP2 allocations and the Settlement Areas to cater for housing demand in the area.
- Without prejudice to any future consideration of the site, it is somewhat detached from Port Charlotte itself with only limited built context provided by the Port Mhor Centre opposite. The existing pedestrian connectivity with Port Charlotte is limited to either an adjacent unlit footpath or the road itself.
- Notwithstanding the above concerns and sensitivities, Proposed Local Development Policy 02 (CD\*\*\*, Pages 12-13) does allow for the consideration of planning applications in the Countryside Areas and in all but a limited number of situations, requires the submission of a Landscape and Visual Impact Assessment that demonstrates to the satisfaction of the Planning Authority, that the proposal can be successfully integrated into its landscape setting. PLDP2 Policy 73 relates to habitats, species and biodiversity, Policy 74 relates to sites

of international importance and Policy 75 relates to SSSIs and National Nature Reserves and all set out criteria for the assessment of planning applications (CD\*\*\*, Pages 96-97).

- On the basis of the above it would therefore be inappropriate to designate land in this location as a Potential Development Area, or an allocation, or to change it to Settlement Area as there is sufficient supply made through the PLDP allocations and the Settlement Boundaries to cater of housing demand in the area and the PLDP2 policy framework would allow for consideration of proposals on the site. Therefore it is considered that no change to PLDP2 is required.

**Reporter's conclusions:**

**Reporter's recommendations:**

<b>Issue 183</b>	<b>Proposed Housing Allocation – Pennyghael (Proposals Maps, Map 197)</b>	
<b>Development Plan Reference:</b>	Proposed Housing Allocations/Settlement Area – Tobermory (Proposals Maps, Map 197)	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Jeanette Gallagher (629) Hilarie Burnett (1022)		
<b>Provision of the development plan to which the issue relates:</b>	A proposed Housing Allocations/Settlement Area at Tobermory	
<b>Planning authority's summary of the representation(s):</b>		
<p><u>Jeanette Gallagher (629)</u></p> <ul style="list-style-type: none"> <li>• The objector was told by the chief planner in 1977 that the land would be ideal for housing. Only 3 plots were approved prior to the year 2000.</li> <li>• Request that the area shown on RD356 is considered for inclusion in the Tobermory town plan.</li> </ul> <p><u>Hilarie Burnett (1022)</u></p> <ul style="list-style-type: none"> <li>• The objector was told by the chief planner in 1977 that the land would be ideal for housing. Only 3 plots were approved prior to the year 2000.</li> <li>• In 2001 a response to an enquiry set out that more plots would likely be refused as the strategic planning department strongly favoured allocating the land for housing.</li> <li>• As a result the objector commissioned plans for a scheme of 17 houses in 2003. The proposal was never approved.</li> <li>• After 43 years it is now time for the authority to take account of the previous sensible ideas about “completing” this part of Tobermory and providing more housing.</li> <li>• The land was promoted at the early stages of the adopted 2015 Local Development Plan but was not subject of a representation to the Proposed Plan.</li> <li>• The objector was led to believe that as the land now consented was included in that plan it would be preferable to allow that land to be identified and be developed, as is currently happening, to prove market demands for further release in this area.</li> <li>• All discussions with planning officers during this period indicated that the remaining land was seen as appropriate for development and should be promoted for Local Development Plan 2.</li> <li>• The site was promoted at the Main Issues Report stage the land remains the same in adopted LDP Proposals Maps and the LDP2 Proposals Maps.</li> <li>• The site is on the north west of Tobermory, is rough grazing land, contains some trees and areas of undergrowth. A tree survey has been submitted with the objection that categorises the trees and indicates which should be removed. Only one category ‘B’ tree would need to be removed to facilitate access.</li> <li>• The land generally rises up from Erray Road to form a reasonably level plateau aside from the north eastern boundary where there is a steep gully as shown on a plan provided. Some re-profiling would be needed but no more than the already consented plots.</li> </ul>		

- The site has no particular biodiversity interest although given the presence of trees a full ecological survey would be undertaken prior to a planning application. Such a study was done on the now consented land and nothing of note was found.
- The site has no landscape designations, is well enclosed in the wider landscape and would be modest continuation to the settlement. Due to housing development or previous approvals the site is enclosed on three sides by housing land.
- Due to the topography it is unlikely that development would be visible from the sea approach or higher ground to the north west. Any slight impact can be mitigated through design and landscaping.
- There are no cultural or heritage site on the site or nearby
- The site is not within any defined floodplain. Due to the gully, watercourses on northern edge and to the south west and topography a flood risk assessment would be carried out for any planning application.
- The site has no history of previous use other than agriculture so likelihood of contamination is low.
- Access would be from Erray Road with the preferred point where it turns to the west and forms a junction to the golf club. All the required land is in the ownership of the owner. Access could also be taken from the existing private road that serves the consented dwelling 16/01626/PPP and existing dwellings. This road is due to upgraded in 2020 to near adoptable standard and could be utilised but would is not the preferred option as it would entail revisions to the consented plots.
- The adjoining land shown in blue (RD110) benefits from planning history for residential development including 5 plots in 2017 for which there are four purchasers waiting. The other plot has full planning consent which is in the process of being implemented with the access road and surface and foul water drainage to be implemented in 2020.
- Given the constraints of; the gully, trees and the need for a defensible edge to Tobermory the site will no more than 6-7 dwellings set in generous plots. That level of development has already been accepted on the objector's adjacent land and accepted as accessible from a new single access point. It is the sort of development that can be served by available infrastructure and absorbed into the landscape.
- The site has been assessed against the seven effectiveness criteria in PAN 2/2010:
- Ownership – owned entirely by the objector
- Physical – no significant aspect or stability issue, access can be provided, site is accessible to local services, flooding and drainage can be resolved, foul drainage already designed for consented houses and capable of accommodating the proposed site.
- Contamination – no known issues
- Deficit funding – no need for public purse
- Marketability – the objector is in the process of selling plots on the adjacent land and healthy demand has been shown for self builders
- Infrastructure – no known deficiencies
- Land Use – housing is the best use

**Modifications sought by those submitting representations:**

- That the land identified in red on RD110 be identified as a housing allocation or included in the settlement boundary of Tobermory as white land suitable for development. (1022)

- That the area shown on RD356 is considered for inclusion in the Tobermory town plan.

**Summary of responses (including reasons) by planning authority:**

1022

- The objector has made comments regarding previous advice given by various Council officers regarding the site. Any advice given has to be viewed as informal opinion and not a formal binding decision by the Council and also has no material effect on the consideration of this issue.
- The 2016 Call for Sites consultation asked for the submission of sites for potential inclusion in Local Development Plan 2 which, with regards to housing, was for sites of 5 dwellings or more. The 2017 Call for Ideas consultation asked for, amongst other things, suggestions of where settlements could accommodate future growth. No representations regarding the proposed site were received to the either of these consultations.
- The objector has stated that the site was put forward through the LDP2 Main Issues Report. No response regarding this site was received to the consultation.
- The site was therefore not considered as part of the PLDP2 preparations and was not included in the Proposed Plan.
- PLDP2 contains a total of 10 allocations for housing and one mixed use allocation for Mull (including one on the neighbouring island of Iona). The total number of units set out in the PLDP2 schedules for these allocations is 289 which would contribute to the 2020-2029 housing land supply target of 1110 units for the Oban, Lorn and the Isles administrative area. These allocations in addition to windfall opportunities are considered to be a generous yet proportionate and sustainable provision for Mull for the plan period and remainder of the 10 year period beyond. The three housing allocations and one mixed use allocation relating to Tobermory have a total capacity listed in the PLDP2 schedules of 129 units which will provide a generous and flexible provision for Tobermory. The site put forward here is therefore not required to meet the housing land supply target.
- The submission of the site at this stage has not allowed opportunity for consultation with Key Agencies, infrastructure providers, other Council services and the general public. This has therefore not allowed for full consideration of the site both in isolation and holistically alongside the adjoining land subject to the consent previously granted 16/01626/PPP. It appears that 16/01626/PPP has now lapsed but planning consent was granted for a single dwelling on plot 1 (reference 18/02244/PP) on 9/8/2019.
- The site and relevant supporting information should have been submitted during the Call for Sites and/or Call for Ideas. This would have allowed for full consultation and consideration through the development plan process of matters relating to site delivery and development impacts including, inter alia, flood risk, road access and capacity, biodiversity, landscape, nearby residential amenity, site capacity and affordable housing provision.
- The Tobermory Strategic Development Framework detailed at PLDP2 Proposal D (CD049, Pages 19 and 20) is intended to work holistically on the future for Tobermory beyond the LDP2 plan period, taking into account the take-up of the allocations, and examining future strategic issues. The area of land concerned could be raised and discussed within that process and these discussions, dependent on timing, could help inform options to be put forward and taken into consideration during the future process for the formation of the next development plan. The submission of the site at this late stage is therefore effectively considered to be premature in the Development Plan process.

- The site is set within Countryside Area within PLDP2 and the policy framework set out by PLDP2 policy 02 (CD\*\*, Pages 10, 12 and 13) would still allow for due consideration of a proposal through the planning application process on the site.
- The objector has made reference to the surrounding development context, however it should be noted that the undeveloped land immediately to the south west of the site that adjoins Raeric Road has had no recent planning consent for residential development with the most recent applications being from 2002 for four housing plots (refused) and 2001 for seven house plots (withdrawn).
- In conclusion, PLDP2 has made sufficient housing land provision and inclusion of the site, which was submitted at a late stage in the process, is not required. It is therefore considered that no change to PLDP2 is required.

Jeanette Gallagher (629)

- The site was not submitted through the either the Call for Sites, Call for Ideas or Main Issues Report consultation and therefore was not considered as part of the PLDP2 preparations and was not included in the Proposed Plan.
- As set out above, the submission at this stage has not allowed for consultation and full consideration of the site either on its own or in context of the adjoining land to the west which received planning consent for 5 dwellings (reference 14/01733/PP revised by 18/01162/NMA) one of which is now complete having been granted planning consent (reference 17/03212/PP) which superseded one of the plots (AD\*\*\*).
- As set out above there is considered to be sufficient provision of housing land in PLDP2, there is the potential for land to be raised as part of the Strategic Development Framework and, given the location of the land in the Countryside Area, development proposals could be considered under Policy 02.
- In conclusion, PLDP2 has made sufficient housing land provision and inclusion of the site which was submitted at a late stage in the process, is not required. It is therefore considered that no change to PLDP2 is required.

**Reporter's conclusions:**

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**Reporter's recommendations:**

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<b>Issue 184</b>	<b>Settlement Area and Environmental Designations – Claddach, Islay</b>	
<b>Development Plan Reference:</b>	Proposals Map 86 - Claddach	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Mairi Mcgregor (281) Eric Merrall (498)		
<b>Provision of the development plan to which the issue relates:</b>	The extent of the Settlement Area and environmental designations at Claddach, Islay	
<b>Planning authority's summary of the representation(s):</b>		
<p><u>Mairi Mcgregor (281)</u></p> <ul style="list-style-type: none"> <li>• Disappointment at seeing continued use of a designated area suitable for development/township.</li> <li>• Claddach headland could be argued as one township due to united rights to sand, seaweed etc in title deeds of crofts, the historic nature of crofts having two or more families, crofts having to work together and the Common Grazing still in existence.</li> <li>• Second home ownership is creating another clearance across Argyll which has impacted on communities. Denying families building their own home is exacerbating the problem.</li> <li>• The increasing number of tourists enjoy the results of the land management.</li> <li>• The PLDP2 map shows the creation of a township at the expense of the other crofts</li> </ul> <p><u>Eric Merrall (498)</u></p> <ul style="list-style-type: none"> <li>• PLDP2 Map 86 identifying the crofting township at Claddach is anomalous as it stops short of the last line of crofts, namely, Croft No.1.</li> <li>• Claddach is fragile and lacks the population to make public transport viable.</li> <li>• An extension to the township would support and encourage longer term housing development and would be sustainable as there is infrastructure in place up to and including croft No.1.</li> <li>• There should be development opportunity in the Claddach area as whole as it has always been a township.</li> <li>• Development should still be able to occur provided SSSI and landscape etc designations are resolved.</li> <li>• PLDP2 seems to be making development of this area very unlikely which is unfair given the development growth pattern over the decades.</li> <li>• The restrictions need to be relaxed a little in such areas and focus on high quality design rather than blanket sterilisation of large areas.</li> </ul>		
<b>Modifications sought by those submitting representations:</b>		
<ul style="list-style-type: none"> <li>• Not specified by objector. (281)</li> </ul>		

- Extend the Claddach crofting township area on Map 86 to include Croft No1. (498)

**Summary of responses (including reasons) by planning authority:**

(281)

- The Settlement Area of Claddach and its immediate surrounding countryside are within a SSSI and a Special Protection Area (CD\*\*\*). Further to the north is a Special Area of Conservation and a RAMSAR site (CD\*\*\*). The selection of these areas are national/European level/international processes and therefore the amendment of their boundaries is not within the remit of the Local Development Plan process.
- The area is also within a Local Landscape Area as shown on Proposals Map 86. To remove the area from the Local Landscape Area would require a significant alteration to the boundary of the LLA and this would entail the need for a wholesale review. This level of review would not be appropriate for the LDP examination process and would be better conducted during the preparatory phases of a development plan. It is therefore considered that any such amendment to include the area concerned would be premature in the development plan process.

(281 and 498)

- Neither objector provided a location map at the PLDP2 consultation stage to indicate proposed changes to the Settlement Area at Claddach.
- From the description provided it is understood that the objection (498) relates to land to the west of the existing Claddach Settlement Area between the Settlement Area itself and No.1, Claddach situated further along the road and shown on the location map accompanying this Schedule 4.
- Both objections (281) and (498) make general reference to the extent of the Claddach Settlement Area.
- The 2016 Call for Sites consultation asked for the submission of sites for potential inclusion in Local Development Plan 2 which, with regards to housing, was for sites of 5 dwellings or more. The 2017 Call for Ideas consultation asked for, amongst other things, suggestions of where settlements could accommodate future growth. No representations regarding the Claddach area were received to the either of these consultations. No representations regarding the area were received at the Main Issues Report consultation stage. The extent of the Claddach Settlement Area was therefore not considered as part of the PLDP2 preparations.
- The submissions regarding the Settlement Area at this stage of the development plan process have not allowed opportunity for their full consideration including, given the environmental designations, consultation with Scottish Natural Heritage in particular.
- Potential changes to the settlement area should have been submitted during the Call for Ideas stage. This would have allowed for full consultation and consideration through the development plan process. Therefore it would be more appropriate that the land in this area be put forward by any interested parties for consideration during the appropriate plan preparation stage for the next development plan.
- Any changes to the Settlement Area without due consultation would be premature in the development process.

- The Settlement Area shown on PLDP2 Proposals Map 86 encompasses a loose cluster of dwellings and provides for development opportunities in their vicinity through PLDP2 Policy 01 (CD\*\*\* Page, 12).
- The surrounding land is within the Countryside Area. Proposed Local Development Policy 02 (CD\*\*\*, Pages 12-13) does allow for the consideration of planning applications in the Countryside Areas and in all but a limited number of situations, requires the submission of a Landscape and Visual Impact Assessment that demonstrates to the satisfaction of the Planning Authority, that the proposal can be successfully integrated into its landscape setting.
- PLDP2 Policy 71 relates to Local Landscape Areas and sets out criteria for assessment of development proposals within them (CD\*\*\*, Page 95).
- PLDP2 Policy 73 relates to habitats, species and biodiversity, Policy 74 relates to sites of international importance and Policy 75 relates to SSSIs and National Nature Reserves and all set out criteria for the assessment of planning applications (CD\*\*\*, Pages 96-97).
- Through the above policies it is considered that proposals for development in the Countryside area could be adequately assessed through the planning application process. These policies provide a framework for the assessment of planning applications which includes a robust assessment of environmental and landscape impacts. They do not preclude opportunities for housing development in the area concerned.
- In conclusion it is considered that PLDP2 provides a suitable Settlement Area for Claddach and that a policy framework exists allows to opportunity for proposals in the surrounding Countryside Area to be made and adequately assessed. Therefore any changes to the Settlement Area boundary would be more appropriately dealt with through the next development plan process. Therefore it is considered that no change to PLDP2 is required.

**Reporter's conclusions:**

**Reporter's recommendations:**

<b>Issue 185</b>	<b>Dalavich</b>	
<b>Development Plan Reference:</b>	Proposals Maps, Map 173 - Dalavich	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Alan Mitchell (328)		
<b>Provision of the development plan to which the issue relates:</b>	Proposed inclusion of adopted 2015 Local Development Plan Potential Development Area PDA 5/115. Provision of new Open Space Protection Area Inclusion of pod campsite as Tourism Infrastructure on the Proposals Maps Extent of the Settlement Area Proposed ecological designation.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>PDA 5/115</b></p> <p><u>Alan Mitchell (328)</u></p> <ul style="list-style-type: none"> <li>• Adopted Local Development Plan Potential Development Area PDA 5/115 is not included on the PLDP2 Proposals Maps.</li> <li>• A masterplan has been agreed for the PDA and without this reference on the maps the public would be unaware of that masterplan.</li> </ul> <p><b>185A - Proposed Open Space Protection Area</b></p> <p><u>Alan Mitchell (328)</u></p> <ul style="list-style-type: none"> <li>• The chalet park is understood to be full according to the masterplan for PDA 5/115 therefore the valuable open grassed space within it should be protected by an Open Space Protection Area.</li> </ul> <p><b>185B - Tourism Infrastructure</b></p> <p><u>Alan Mitchell (328)</u></p> <ul style="list-style-type: none"> <li>• The PLDP2 maps does not show the area currently being developed as camping pops as tourism infrastructure.</li> </ul> <p><b>185D and 185C - Settlement Area</b></p> <p><u>Alan Mitchell (328)</u></p> <ul style="list-style-type: none"> <li>• 185D - The land allocated to the south of Dalavich is quite rare in that it is relatively level and of good quality grazing. It would be unpalatable for this valuable farm land to be built on when there is no demand and that once it is lost it cannot come back.</li> </ul>		

- 185C - The area marked residential on the Proposals Maps between the houses and the shore and the houses is important for nature such as bats and red squirrels.

#### **Modifications sought by those submitting representations:**

- Include PDA 5/115 on the PLDP2 Proposals Maps. (328)
- 185A - Designate Open Space Protection Area status to the open grassed area within the chalet park. (328)
- 185B - Include the pod campsite as Tourism Infrastructure on the Proposals Maps. (328)
- 185D - Look for an alternative site for residential including the poor grazing field on the opposite side of the Kilchrenan to Ford road. (328)
- 185C - Re-designate the strip of land between the houses and shore to a designation that will protect and conserve the nature of the land as a wildlife corridor and its ecological importance. (328)

#### **Summary of responses (including reasons) by planning authority:**

##### PDA 5/115 (328)

- Adopted 2015 Local Development Plan Potential Development Area PDA 5/115 is described within the Written Statement Schedules as being for Tourism/Leisure (CD010, Page 79) with the 2015 Action Programme setting out “Low density high quality tourism/leisure development” and that a master plan/comprehensive approach was required (CD014, Page 168). Prior to this it was included as the same PDA within the adopted 2009 Local Plan (CD006, Page 138 and Oban, Lorn and the Isles Map Book Page 97).
- Planning approval 13/01501/PP for “Relocation of existing plots 22 and 24 to new plots 4a and 8, additional new plots 5a, 18a and 37 and repositioning of chalets on plots 17 and 18” was accompanied by a masterplan which was approved by the Council (AD\*\*\*) and as a result became a material consideration in the determination of future planning applications.
- The masterplan officer’s report sets out that there was only limited development potential identified within the masterplan (AD\*\*\*) .
- On the basis that PDA 5/115 is largely developed and that the masterplan remains in place as a material consideration for future planning applications it is not considered necessary to include it within LDP2.

##### 185A - Proposed Open Space Protection Area (328)

- The objector has not supplied a location map to identify the land concerned. However, the masterplan approved alongside 13/01501/PP identifies areas of open space amenity/recreational grounds that are owned in common by all cabin owners (shown in yellow on AD\*\*\*) . From the description provided it is assumed that the central area annotated “Playing Field” is the subject of this objection.
- The masterplan also sets out that the existing OSPA to the southern end of the chalet park was, at that time, being considered for a number of options.
- The inclusion of the “Playing Field” or some or all of the yellow areas as OSPAs would offer them the same PLDP2 policy protection through Policy 81 (CD049, Pages 102 and 103) as the OSPA to the south of the chalet park. However, the masterplan clearly identifies the purpose of these areas and remains a material consideration. The masterplan also indicates for the

areas in yellow that “Intended use can only change with the unanimous (sic) agreement of all owners as set out in land certificate” (AD\*\*\*)

- The PLDP2 Written Statement sets out that the existing Open Space Audit will be updated during the lifetime of LDP2 (CD049, Page 103).
- It is not considered that there is immediate development pressure on the area(s) subject of the objection and that there remains sufficient protection through the materiality of the masterplan and therefore the provision of an OSPA is not necessary at this point.
- The matter would be more appropriately raised by the objector or any other interested parties at the relevant plan preparation stage of the next development plan and/or any relevant consultation through the aforementioned review of the Open Space Audit.

#### 185B - Tourism Infrastructure (328)

- The objector has not provided a location map to identify the land concerned however planning consent 19/01097/PP for “Use of land for the siting of 6 camping pods and composting toilet” was granted on 08/10/2019 (AD\*\*\*) and it is assumed to be this area that the objection relates to. The land is situated almost immediately to the south of PDA 5/115.
- The PLDP2 Written Statement addresses tourism uses and their contribution to the tourism network (CD049, Pages 48 to 50). It sets out that areas and facilities that are considered to contribute to the network and maybe vulnerable to change are safeguarded on the Proposals Maps (Tourism Infrastructure).
- The camping pods here are a relatively new development and will potentially contribute to the tourism network, however due to their size, nature and age they are not considered to be particularly vulnerable to change at this time. It is therefore considered that it is not necessary to include them as Tourism Infrastructure on the Proposals Maps. Furthermore PLDP2 Policy 24 would still offer protection should such considerations become relevant within a planning application.

#### 185D - Settlement Area (328)

- The objector has not provided location maps to identify the areas of land concerned however from the descriptions provided they are assumed to be the Settlement Area covering the field at the southern end of Dalavich and the Settlement Area between the existing semi-detached housing and the shore located to the south the community centre.
- Through PLDP2 Policy 01 (CD049, Page 12) the Settlement Area to the south of the settlement offers potential encouragement to development. It is not an allocation so is not specified for a particular type of development.
- It directly adjoins the existing developed area and its facilities which include a shop/café and community centre and as such is considered a suitable location for potential, flexible settlement expansion.
- PLDP2 Policy 83 relates to safeguarding agricultural land (CD049, Page 104-105) and it is considered that such matters can be adequately considered through the planning application process.

#### 185D - Settlement Area (328)

- The Settlement Area between the houses and the shore forms a natural part of the settlement make-up taking in green infrastructure services and connectivity with the

adjacent water. It is therefore considered appropriate that this area remains within the Settlement Area.

- Sites of Special Scientific Interest, Special Areas of Conservation and Special Protection Areas are National/European level designations and so cannot be made through the Development Plan process.
- Local Nature Reserves are formed through a process outwith the Development Plan process.
- PLDP2 Policy 76 relates to Local Nature Conservation Sites (LNCS) (CD049, Page 98) which are shown in Technical Note TN05 (CD\*\*\*). At this stage there is insufficient information regarding the biodiversity interests of the area of land to include it within an LNCS.
- PLDP2 Policy 73 relates to habitats, species and biodiversity. It is considered that impacts on such matters relating to the land concerned could be adequately assessed through the planning application process.
- The land/adjacent land is shown as Semi Natural Ancient Woodland on the Ancient Woodland Inventory (AD\*\*\*). PLDP2 Policy 77 relates to forestry, woodland and trees (CD049, Pages 98-101) and it is considered that potential development impacts on trees could be adequately assessed through the planning application process.
- Furthermore, Policy 06 relating to green infrastructure (CD049, Pages 26-27) sets out that new non householder developments will have to demonstrate that the proposal would not have a negative impact on green infrastructure or cause loss or fragmentation of green networks.
- It is therefore considered that no change is required to the Proposals Maps in respect of habitats, species and biodiversity.

**Reporter's conclusions:**

**Reporter's recommendations:**

<b>Issue 186</b>	<b>Proposed Potential Development Area - Fishnish, Mull</b>	
<b>Development Plan Reference:</b>	Proposals Maps	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
TSL Contractors Ltd (379)		
<b>Provision of the development plan to which the issue relates:</b>	Re-inclusion of adopted Local Development Plan Potential Development Area PDA4013	
<b>Planning authority's summary of the representation(s):</b>		
<p><u>TSL Contractors Ltd (379)</u></p> <ul style="list-style-type: none"> <li>• The objection relates to the removal of PDA4013.</li> <li>• The site was previously consented as gravel extraction site.</li> <li>• Planning consent was granted in May 2011 for a commercial pier to assist with transportation of timber.</li> <li>• This development occupies approximately 50% of the site.</li> <li>• Following discussions with the planning authority it was agreed that the balance of the site would be suitable for further commercial marine development for berthing, taking ashore and maintenance of small commercial vessels operating from Mull.</li> <li>• The timber pier was completed in 2014 and since then market research, funding and viability has been undertaken.</li> <li>• The site has been removed from PLDP2 without contact or consultation.</li> <li>• The requirement for the facility is greater than ever. Market research shows marine activity for fishing and tourism boat trips has increased considerably.</li> <li>• At present small vessel operators have to maintain vessels off island due to lack of on-island facilities meaning travel to the mainland during their off season which impacts on efficiency.</li> <li>• The facility would provide increased local employment and encourage local marine engineering skills.</li> </ul>		
<b>Modifications sought by those submitting representations:</b>		
<ul style="list-style-type: none"> <li>• Re-instate PDA4013. (379)</li> </ul>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<ul style="list-style-type: none"> <li>• PDA4013 is a Potential Development Area for Business/Industry in the adopted 2015 Local Development Plan (CD049, Written Statement Page 81, Proposals Maps Map 184).</li> <li>• It was included as a result of the Examination of the adopted Local Development Plan following it's submission through the Proposed Local Development Plan consultation (CD073, Page 379 – 385) and (AD***)</li> </ul>		

- The site is a former quarry which had been granted consent for gravel extraction in 1988 which was renewed in 1995.
- Planning consent was granted on 13/05/2011 (reference 11/00341/PP) for “Formation of commercial pier and associated access, hardstanding and bunded oil tank.” (AD\*\*\*)
- This pier is operational and is situated to the northern end of PDA4013.
- There have been no planning applications on the remainder of the PDA.
- In preparation of the Main Issues Report a review of adopted LDP PDAs was undertaken. The site was included as a ‘red’ site within the MIR (CD013, Page 127) meaning it was not preferred for inclusion in LDP2. The MIR set out a number of reasons why sites might have been categorised as ‘Red’ (CD013, Page 45). No representations were received to the MIR consultation regarding the site.
- On review of the objection here, it is noted that the timber pier only occupies part of the PDA and that at the adopted LDP Examination the Council supported the inclusion of the site on the basis of its potential to deliver marine related activities.
- The lack of inclusion of the site in LDP2 means that any proposals for development would be assessed under PLDP2 Policy 02 (CD049, Pages 10 and 12-13). Whilst it is considered that proposals could be adequately assessed under Policy 02 it is acknowledged that the PDA was only included at the Examination stage of the adopted LDP. On this basis it is considered that the removal of this PDA from the Development Plan could be considered as premature and that the inclusion of the site as a PDA in Local Development Plan 2 would allow some further time for the development of potential options for the site.
- The original site submission to the 2015 Proposed Local Development Plan consultation (AD\*\*\*) and the objection here to PLDP2 predicate the inclusion of the land in the Development Plan on the basis of marine relate uses. PDA4013, as per Reporter’s conclusions at the previous Examination, is currently set out for Business/Industry in the LDP Written Statement Schedules. Given the coastal location of the site it is considered appropriate that any inclusion of the site in LDP2 is specified for marine related uses as this will help safeguard the site for these purposes and avoid the potential loss of a valuable coastal land resource to wider uses.
- In conclusion, for the reasons set out above, if the Reporter were so minded, the Council would have no objections to the inclusion of the area relating to PDA4013 as a Potential Development Area for “Marine Related Employment” in LDP2. Although the timber pier is operational it would still be appropriate to include it within any PDA as proposals may potentially include development on or around this structure.

**Reporter’s conclusions:**

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**Reporter’s recommendations:**

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<b>Issue 187</b>	<b>Proposed Settlement Area and Amendment to Open Space Protection Area Kilchrenan</b>	
<b>Development Plan Reference:</b>	Proposals Maps, Map 187	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Janice and Roddy MacEachen (1037)		
<b>Provision of the development plan to which the issue relates:</b>	The inclusion of an additional area in the Settlement Area for Kilchrenan and associated removal of area within the Open Space Protection Area	
<b>Planning authority's summary of the representation(s):</b>		
<p><u>Janice and Roddy MacEachen (1037)</u></p> <ul style="list-style-type: none"> <li>• A small extension to the extent of the settlement boundary and corresponding reduction in the extent of the adjacent Open Space Protection Area at Kilchrenan is sought.</li> <li>• The extension to the immediate north of former allocation H- AL 5/20 seeks to rectify an error in the previous boundary which excluded land where planning permission had previously been granted.</li> <li>• The drawing (RD192) shows the boundaries of planning consents 07/02089/OUT and 11/00551/PPP both of which are partly outwith the allocated site.</li> <li>• The proposed extension to the north adjacent to the burn is land which potentially could be utilised for 1 or 2 small holiday chalets.</li> <li>• The proposed settlement boundary extension would not impact on the setting of the war memorial.</li> <li>• It is proposed that the fencing surrounding the memorial would be removed and re-erected to coincide with the revised settlement boundary and therefore provide more land for public enjoyment.</li> </ul>		
<b>Modifications sought by those submitting representations:</b>		
<ul style="list-style-type: none"> <li>• Extend settlement zone and reduce Open Space Protection Area as indicated (RD193). (1037)</li> </ul>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p><u>History (1037)</u></p> <ul style="list-style-type: none"> <li>• The objection relates to land largely adjacent to adopted 2015 Local Development Plan housing allocation H- AL 5/20 (CD011, Map 191). This allocation takes in two distinct areas of land both of which have their own distinct planning and development history. The lower area of land at the southern area of the allocation received planning consent for 6 dwellings (08/00006/OUT) on 11/04/2008 which has now lapsed.</li> </ul>		

- The northern section on the higher ground has received a number of planning consents with the more recent consents from circa 2017 indicating a total site layout of seven plots, three of which are complete. AD\*\*\* taken from planning consent 17/01100/PP demonstrates this overall layout and can be summarised as follows.
- Plots labelled 'Ardgowan' and 'Gowan Brae' are complete (2011 and 2015 respectively).
- Plot 1 (known as Cuilean) is complete (2018).
- Plot 2B was granted planning permission for a single dwelling (17/01100/PP) on 06/07/2017 with 19/02237/PP granting consent for a dwelling of amended design on 08/01/2020.
- Plot 3 was granted planning permission (17/01569/PP) for a single dwelling on 21/08/2017
- Plot 4 was granted planning permission in principle (17/01747/PPP) for a single dwelling on 11/10/2017 which was renewed under 20/01833/PPP on 22/12/2020.
- Plot 5 was granted planning permission in principle (17/01748/PPP) for a single dwelling on 11/10/2017 and then planning permission for a single dwelling (20/01775/PP) on 25/01/2021.
- On the basis of the allocation being formed by two distinct areas and the established development and planning history to date on the northern section it was decided to amend the allocation boundary for Proposed Local Development Plan 2.
- These amendments saw the retention of the allocation as (H4026) for the southern area only with the northern area removed from the allocation and set within the Settlement Area for Kilchrenan (CD\*\*\*, Map 188). A strip of land to the western edge of H- AL 5/20 was not included in the Settlement Area as it contains a tree belt that is set alongside the adjacent watercourse.

(1037)

- The objection relates to a single piece of continuous land (RD193) but with two reasons put forward for the amendments to the Settlement Area and Open Space Protection Area that relate to different parts of that land. The first reason relates to the extent of planning consents 07/02089/OUT and 11/00551/PPP which more relate to the southern areas shown on RD193 and with second reason based on the potential provision of two chalets which more relate to the northern areas shown on RD193.
- Overall, the proposed changes would bring the Settlement Area closer to the adjacent war memorial and reduce the area of Open Space Protection Area that surrounds it. It appears from RD193 that the proposed Settlement Area would stop short of the existing boundary fence line to the south and west of the war memorial.
- With regards to the areas shown within approvals 07/02089/OUT and 11/00551/PPP (AD\*\*\*), these have been plotted (07/02089/OUT outlined in blue and 11/00551/PPP outlined in red) on AD\*\*\* and this when viewed in conjunction with approved plans shows one of the residential plots being set further to the north than the one more recently approved through 17/01100/PP on plot 2B (AD\*\*\*). This is more so the case with 11/00551/PPP.
- The war memorial is set on top of a knoll of rising land and is set within in a dramatic landscape backdrop, especially when viewed from the south. It has a skyline presence within views from the south and the public road to the north east. It is a striking feature in the landscape.
- The war memorial is not a Listed Building or a Scheduled Monument but it is a local landmark feature. It would likely have been sited in this prominent visual location due to the cultural significance and importance of what it reflects and memorialises. The Open Space Protection

Area reflects this significance by seeking to create sufficient space around the memorial to ensure that its visual setting and prominence is maintained for future generations.

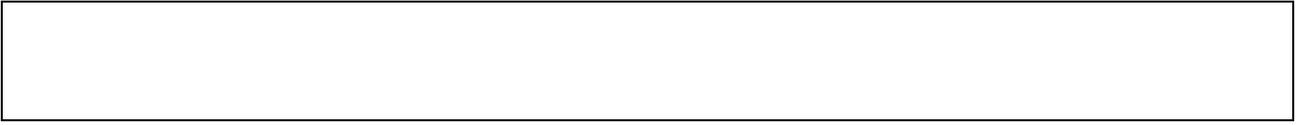
- The additional areas indicated by the objector through RD192 and RD193 (particularly the outline of 11/00551/PPP) would introduce the opportunity for further or amended house plot development closer to the war memorial that would potentially be set on a higher topography. Notwithstanding the previous consents which have now both lapsed the provision of a dwelling within this proximity to the memorial through both its built form and the amount of land re-profiling that would be required would detrimentally erode into the important setting that is preserved by the OSPA.
- The proposed Settlement Area that would extend further to the north of the areas relating to the aforementioned planning applications is set largely to the west/north west of the memorial. This is relatively steeply sloping ground and the introduction of Settlement Area to this location would allow for built development that could include chalets or other development such as further housing. Such development would likely require re-profiling of the land and the overall impact would also likely erode the landscape setting of memorial.
- Taken altogether, development across any of the area proposed would likely disrupt the natural topography of land and introduce platforms and associated embankments. It would bring the properties and their curtilages including any associated access, parking, fencing and other structures and paraphernalia within a proximity that would not preserve the landscape setting of the memorial.
- Whilst development of H- AL 5/20 has already had some impact on the setting of memorial the more recent layout for the site set out through the consents approved on Plots 1, 2B, 3, 4 and 5 provide a more suitable landscape response by standing development further away from the memorial than what could potentially occur under the proposals suggested.
- The adopted 2015 LDP allocation H- AL 5/20 has provided for a generous area that has seen consents for seven plots come forward. This area has now largely been carried forward into PLDP2 with what is considered to be a generous Settlement Area that will continue to provide encouragement for development.
- Provision a formal fenced area to take in the land that would remain in the OSPA would not compensate the harm that would be caused by further erosion of its setting through development. Whilst it might create a larger fenced off area, the OSPA is related to preserving visual amenity and the setting of this important cultural landmark rather than providing for a physical recreation space and so this would not outweigh the harm of reducing the OSPA in size. PLDP2 Policy 81 (CD\*\*\*, Pages 102 and 103) sets out the role and policy protection of such greenspace amenity areas.

#### Conclusion

- The Open Space Protection Area and Settlement Area boundary provide for an appropriate setting for the important cultural landmark of the war memorial. The proposed amendments would encourage development that would potentially cause an unacceptable erosion of this setting. No change to Proposed Local Development Plan 2 is therefore required.

#### Reporter's conclusions:

#### Reporter's recommendations:



<b>Issue 188</b>	<b>Proposed Settlement Zone - Glenegedale</b>	
<b>Development Plan Reference:</b>	Proposals Map 96 – Glenegedale and Islay, Jura and Colonsay Map Sheet	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Alasdair & Rachel Whyte (439)		
<b>Provision of the development plan to which the issue relates:</b>	The inclusion of land as Settlement Area	
<b>Planning authority's summary of the representation(s):</b>		
<p><u>Alasdair &amp; Rachel Whyte (439)</u></p> <ul style="list-style-type: none"> <li>The land where there are nine houses in close proximity (5 of which received planning permission in principle on 12/8/2019) should be shown as Settlement Area rather than Countryside Area to note that it is a residential area.</li> <li>The land is 738 metres from the airport, 750 from a large guesthouse and five other houses and 750 metres from and industrial site with four business and so is hardly countryside.</li> </ul>		
<b>Modifications sought by those submitting representations:</b>		
<ul style="list-style-type: none"> <li>Include the land concerned as Settlement Area on the Proposals Maps (439)</li> </ul>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p><u>Alasdair &amp; Rachel Whyte (439)</u></p> <ul style="list-style-type: none"> <li>The adopted 2015 Local Development Plan Proposals Maps show three distinct areas of Settlement Zone relating to the LDP identified Settlement of Glenegedale (CD010, Map 99). The same areas are shown as Settlement Zone in the adopted 2009 Local Plan (CD006, Mid Argyll, Kintyre and Islay Maps, page 79)</li> <li>A review of this Settlement Zone was undertaken during the preparation of Proposed Local Development Plan 2 and as result the southernmost part was not carried forward as Settlement Area to PLDP2 but instead was included as Countryside Area (CD049, Map 96 and Mid Argyll Map Sheet). The character of the land was considered to relate more so to the general surrounding countryside than the two other parts of Glenegedale that contain an established mix of dwellings and business premises.</li> <li>Other amendments were made to the western part of the LDP Settlement Zone that saw omission of three Potential Development Areas for housing and a housing allocation along with relatively significant reductions to the area taken forward as Settlement Area. This was on the basis that the land relating to these areas was considered too extensive for the settlement setting with the resulting Settlement Area considered to represent the more linear existing development pattern of this part of Glenegedale.</li> </ul>		

- The objector has not provided a location map to define the area relating to the objection but from the description provided it is understood to relate to the aforementioned southernmost area of Settlement Zone. This section of Settlement Zone is situated on either side of the A846 and forms a rough 'L' shape.
- Part of this section of Settlement Zone (on the south western side of the A846) received planning permission in principal (reference 18/00811/PPP) on 05/07/2018 for 3 dwellings with Plot 1 (northernmost plot) receiving a further planning permission (reference 19/01135/PP) for a single dwelling house on 31/10/2019 (AD\*\*\*). This single dwelling has not yet been implemented.
- Another part of this same Settlement Zone (on the north eastern side of A846) received 5 individual planning consents for detached dwellings (references 19/01280/PPP, 19/01281/PPP, 19/01282/PPP, 19/01283/PPP, 19/01284/PPP) on 12/08/2019. The overall layout can be seen on the approved plan for 19/01284/PPP (AD\*\*\*).
- It is taken that these eight consents plus the existing property known as Glenmachrie located towards the southern end of the Settlement Zone represent the 9 dwellings raised by the objector with the objection considered to relate to the extent of LDP Settlement Zone in this location.
- The land is not considered to be in close enough proximity to the other parts of Glenevedale to be considered part of its settlement character and is instead is currently be seen in the context of the largely open surrounding countryside. Even in the light of the extant consents, the land concerned is still considered to form part of this wider surrounding countryside rather than part of the established character of the settlement itself. Even if the consented dwellings are constructed it is still considered that the resulting character would still be more akin to a cluster of houses in the open countryside rather than part of Glenevedale.
- Proposals for development in Settlement Areas would be assessed under PLDP2 Policy 01 and outwith Settlement Areas would be assessed under Policy 02 (CD049, Pages 10, 12 and 13).
- Policy 02 does allow for the consideration of planning applications in the Countryside Areas and in all but a limited number of situations, requires the submission of a Landscape and Visual Impact Assessment that demonstrates to the satisfaction of the Planning Authority, that the proposal can be successfully integrated into its landscape setting.
- The aforementioned planning consents only relate to part of the LDP Settlement Zone in this location (AD\*\*\*) and if fully developed would still leave significant areas of undeveloped land in this Settlement Zone (Settlement Area if carried forward to LDP2). Given the wider, largely open surrounding landscape it is considered that approach under Policy 02 is more appropriate to this particular location as, where applicable, it would require proposals to be supported by an LVIA.
- On the basis of the above it is considered that no change is required to PLDP2.

**Reporter's conclusions:**

**Reporter's recommendations:**

<b>Issue 189</b>	<b>Port Ellen and Surrounding Area, Islay</b>	
<b>Development Plan Reference:</b>	Sites H3020 and H3021 (Chapter 10 Schedules, Page 113; Proposals Maps, Map 124). Countryside Area and Remote Countryside surrounding Port Ellen, Islay Proposals Map (A1 sheet) Islay, Jura and Colonsay	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Diana Buller (73) Donald Holyoake (74) Islay Community Council (384) Roland Worthington-Eyre (464)		
<b>Provision of the development plan to which the issue relates:</b>	Re-designation of two areas of land on the edge of Port Ellen to Settlement Area/housing area Housing Allocations H3020 and H3021 Re-designation of land at the Oa, Islay to allow housing development	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Land at the Oa</b></p> <p><u>Roland Worthington-Eyre (464)</u></p> <ul style="list-style-type: none"> <li>• The objector owns 160 acres of land on the edge of Port Ellen (RD211) and in 2004 received planning consent for houses on the land.</li> <li>• In 2006 a meeting with councillors indicated they were in favour of one more plot however due to changes in the planning process consent was dependent on the Local Plan designation and the application was refused.</li> <li>• Since that time times have changed, Port Ellen is busier with tourism and economic opportunity.</li> <li>• There is a need and demand for more housing for existing and incoming people both in Port Ellen and outside the settlement where there is more space.</li> <li>• The land proposed is suitable for development outside of Port Ellen as; it is a 5 minute drive to Port Ellen, there is existing housing on the hillside, service infrastructure is in place, there is no objection from Scottish Natural Heritage, the land has sea views, it has plateaus going into the hillside and has an approved Native Woodland Scheme which will improve biodiversity and minimise environmental impact of a few additional houses.</li> </ul> <p><b>Land adjacent to Settlement Area, Port Ellen</b></p> <p><u>Diana Buller (73)</u></p> <ul style="list-style-type: none"> <li>• The unused field next to Cairnmore Wood is not included for housing.</li> <li>• It is adjacent to older and new development.</li> </ul>		

- There is great and urgent housing need for Port Ellen and population is being lost due to people not being able to find a home. Work is available but people cannot be housed. Enquiries have been received asking to build on the land.

Donald Holyoake (74)

- Objection to the lack of inclusion of the land to the rear of Livingstone Way, Port Ellen in the Settlement Area.
- The inclusion of the land would not compromise the settlement character of Port Ellen.
- The land is easily reached from existing infrastructure and construction of sensitive housing development would benefit the area.

**Housing Allocations H3020 and H3021**

Islay Community Council (384)

- Sites H3020 and H3021 are registered crofts and as such alternative sites should be sought

**Modifications sought by those submitting representations:**

- Re-designate part of the objectors land to allow limited housing on one of more of the sites shown on the supplied map. Those sites being B2 – one house, B3 – one house and B4 – four houses. (RD211) (464)
- Include the field next to Cairnmore Wood in the housing zone (73)
- Include the land above Livingstone Way in the Settlement Area (74)
- Alternative sites for housing should be sought (384)

**Summary of responses (including reasons) by planning authority:**

Background Information - PLDP2 Allocations History, Port Ellen

H3025

- Housing allocation H3025 is currently housing allocation H- AL 10/8 in the adopted Argyll and Bute 2015 Local Development Plan (CD011, Map 127). The Written Statement indicates a capacity of 40 units (CD10, Page 68). Prior to this it was also a housing allocation (same reference) in the Argyll and Bute 2009 adopted Local Plan (CD067, Pages 80 and 81) with an indicated capacity of 38 units (CD006, Page 128).
- Planning application 13/02675/PPP for “Site for the erection of 5 dwellinghouses” was approved on 11/01/2017 and related to a portion of the allocation fronting the A846. The consent is subject to a section 75 agreement that sets out a delivery mechanism to ensure that 25% of the units on the allocation will be affordable and sets out commuted sums to be paid towards off site open space provision. (AD\*\*\*) This consent was renewed by planning application 19/02383/PPP which as approved on 13/8/2020.
- Two further planning consents have been issued; 20/01365/PPP for “Site for the erection of 2 dwellinghouses (description amended 27.10.20)” approved on 12/11/2020 and 20/01955/PPP for “Site for the erection of 3 dwellinghouses” approved on 12/01/2021. These two consents are also on the portion of the allocation fronting the A846 (although providing a different overall layout to 13/02675/PPP) (AD\*\*\*).

- The officer reports for 20/01365/PPP and 20/01955/PPP set out that the remainder of the allocation has been sold to a registered social landlord and that there was no requirement for a Section 75 agreement for affordable housing or open space provision for the consents (AD\*\*\*).

#### H3020 and H3021

- Housing allocations H3020 and H3021 are currently a single Potential Development Area (reference PDA 10/15) for low density housing in the adopted Argyll and Bute 2015 Local Development Plan (CD011, Map 127 and CD10 Page 71). Prior to which it was also a Potential Development Area (same reference and use) in the Argyll and Bute 2009 adopted Local Plan (CD067, Pages 80 and 81 and CD006, Page 135).
- Planning application 13/02862/PP for “Erection of 18 affordable dwellings (4 - 1 bed units, 10 - 2 bed units and 4 - 3 bed units), formation of new vehicular access and associated Masterplan for PDA 10/15.” was approved on 05/03/2014. The application contained a masterplan that set out a layout for 46 units across PDA 10/15 (AD\*\*\*). The 18 approved dwellings are now all complete. 13/02862/PP was amended by 15/02842/NMA (amendments to house types and site layout). (AD\*\*\*)
- Planning application 19/00182/PP for “Erection of 8 dwellinghouses and formation of vehicular access” was approved on 23/04/2019. This consent has been partly superseded by planning consent 20/00253/PP for “Erection of 4 dwellinghouses (amendment to planning permission 19/00182/PP) which was approved on 01/05/2020. When complete, these two consents will provide another 10 dwellings on the allocation. (AD\*\*\*)
- A masterplan application 20/01281/MPLAN for PDA 10/15 was approved on 12/11/2020 which indicates a potential delivery of a total of 85 units across the PDA as well as 8 units on an adjacent windfall site which has received planning consent. (AD\*\*\*)
- PDA 10/15 has been depicted in PLDP2 as two allocations to reflect differing landownership and are both covered by a Strategic Masterplan Area designation to reflect the need for a coordinated approach to development.

#### Land at the Oa (464)

- The land owned by the objector is situated on the Oa peninsula near Port Ellen on Islay. Parts of the land are set within the Countryside Area and parts with the Remote Countryside Area as shown in the Proposed Local Development Plan Proposals Maps. The majority of the land is also within a PLDP Local Landscape Area.
- The Oa area has seen some past sporadic development which includes housing and associated access tracks. Some of this previous development is particularly noticeable on the sea approach to Port Ellen including the public ferry service from Kennacraig on the mainland to Port Ellen.
- The examination into the 2015 Local Development Plan dealt with objections relating to a similar area of land to that submitted here. The objector sought re-designation of the land either as a Rural Opportunity Area, Potential Development Area or an area for the creation of working crofts. The Reporter concluded that due to the adequacy of the housing land supply and the panoramic quality of the landscape that there was no reason to change the plan (AD\*\*\*).
- The general location for the housing being sought (RD210 and RD211) remains the same as that examined for the adopted 2015 Local Development Plan (AD\*\*\*) and this remains a particularly sensitive landscape.

- The exact locations of the housing plots sought by the objector are not absolutely possible to discern due to the lack of clarity of the map based on the map provided (RD211). It would appear that; plot B2 is in the Countryside Area, plot B3 is probably Countryside Area (although this is not certain given proximity of the Remote Countryside in that location) and the with regards to the four plots sought at B4, three appear to be in the Countryside Area with the southernmost one appearing to fall in the Remote Countryside.
- Notwithstanding the noted sensitivity of the area, Proposed Local Development Policy 02 (CD\*\*\*, Pages 12-13) does allow for the consideration of planning applications in the Countryside Areas and in all but a limited number of situations, requires the submission of a Landscape and Visual Impact Assessment that demonstrates to the satisfaction of the Planning Authority, that the proposal can be successfully integrated into its landscape setting. Policy 02 only allows for a limited range of specific categories of development in Remote Countryside Areas.
- PLDP2 Policy 71 relates to Local Landscape Areas and sets out criteria for assessment of development proposals within them (CD\*\*\*, Page 95).
- Through policies 02 and 71 it is considered that any proposals for development in the area put forward by the objector could be adequately assessed through the planning application process.
- PLDP2 contains a total of 5 allocations for housing and one mixed use allocation for Islay. The total number of units set out in the PLDP2 schedules for these allocations is 264 which would contribute to the 2020-2029 housing land supply target of 810 units for the Mid Argyll, Kintyre and the Islands administrative area. The three housing allocations relating to Port Ellen; H3020, H3021 and H3025 (which are detailed above) have a total capacity listed in the PLDP2 schedules of 86 units which provide a generous and flexible provision for Port Ellen. The background information above details the progress that is being made in the delivery of these allocations. In addition, the Port Ellen Settlement Area provides opportunity for windfall development.
- On the basis of the above it would therefore be inappropriate to designate land in this location as a Potential Development Area, or an allocation, or to change it to Settlement Area as there is sufficient supply made through the PLDP allocations and the Port Ellen Settlement Boundary to cater of housing demand in the area and the PLDP2 policy framework would allow for consideration of proposals in that area.

#### Land adjacent to Settlement Area, Port Ellen (73) (74)

##### 73

- The objector did not provide a location map at the PLDP2 consultation stage but from the description provided it is understood that the objection relates to land to the east of the dwelling "Imervale" which is shown on the PLDP2 Proposals Maps as being within the Countryside Area adjacent to the Settlement Area.
- The 2016 Call for Sites consultation asked for the submission of sites for potential inclusion in Local Development Plan 2 which, with regards to housing, was for sites of 5 dwellings or more. The 2017 Call for Ideas consultation asked for, amongst other things, suggestions of where settlements could accommodate future growth. No representations regarding the proposed site were received to the either of these consultations. No representations regarding the land were received at the Main Issues Report consultation stage. The use of the land for housing was therefore not considered as part of the PLDP2 preparations.

- The land concerned is open and undeveloped and generally covered in mixed vegetation. It is in a sensitive location on the seaward side of the road. It offers largely uninterrupted views of Kilnaughton Bay.
- The current Settlement Area boundary marks a definitive edge to the development pattern on the seaward side of the road which is characterised by a generally linear ribbon of development.
- It is not clear whether development is envisaged as a continuation of the existing development pattern or as more comprehensive development of the wider land. Either way, the submission for consideration of what is potentially a relatively large area of land either as an allocation, Potential Development Area or Settlement Area should have done through the plan preparation stages.
- The submission of the land at this stage has not allowed opportunity for consultation with Key Agencies, infrastructure providers, other Council services and the general public. This has therefore not allowed for its full consideration. The potential site boundary and relevant supporting information should have been submitted during the Call for Sites and/or Call for Ideas. This would have allowed for full consultation and consideration through the development plan process of matters relating to site delivery and development impacts. Therefore it would be more appropriate for the land in this area to be put forward by any interested parties for consideration during the appropriate plan preparation stage for the next development plan.
- Notwithstanding this, as set out for representations 464 above, Policy 02 would still allow the consideration of development proposals on the land and would likely require an LVIA. Given the landscape sensitivities in this location the Countryside Area designation is considered appropriate.
- As set out above, through the provision of the three housing allocations for Port Ellen and the Settlement Area as proposed, there is sufficient land in PLDP2 to cater for housing demand.

#### 74

- The objection relates to land to the rear of Livingstone Way which is shown on the PLDP2 Proposals Maps as being within the Countryside Area, adjacent to the Settlement Area.
- The objector did not provide a location map at the PLDP2 consultation stage but from an earlier submission to the Main Issues Report the land is understood to relate to the location shown in AD\*\*\* (which is reflected in the Schedule 4 location plans). The inclusion of the land as Settlement Area was therefore considered during the preparation of PLDP2 and for the reasons set out below it was not included.
- The existing five detached dwellings set to the northern side of Livingstone Way are relatively well contained in the landscape and sit against the rising land to their rear. Development of the land set partly to their rear as suggested by the objector would introduce additional development in this rising landscape and would damage the sense of containment that the settlement has in this location. Development would be potentially set against the skyline rather than being contained within the landscape backdrop and this would be harmful to the landscape and townscape character of Port Ellen. The land concerned can be readily seen from the public realm including the A846 around the Ramsay Hall area and along Back Road.
- The Settlement Area boundary in the Livingstone Way area represents an appropriate edge to the Settlement. The land concerned is set within the Countryside Area where PLDP Policy 02 would be applicable (CD\*\*\*, Pages 12-13). As set out for representation 464 above, Policy

O2 would still allow for consideration of development proposals on the land and would likely require an LVIA. Given the landscape and townscape sensitivities of potential development further up the hillside in this location the Countryside Area designation is considered appropriate.

- As set out above, through the provision of the three housing allocations for Port Ellen and the Settlement Area as proposed, there is sufficient land in PLDP2 to cater for housing demand.

### **Housing Allocations H3020 and H3021**

- The wording of the original objection did not make it clear if the objection related to both H3020 and H3021 or just H3020. Post consultation clarification has been sought and the objector has confirmed that that objections relates to both H3020 and H3021 (AD\*\*\*).
- The Development Plan history for H3020 and H3021 are set out above.
- The most recently approved masterplan for the site states that “The site originally was used for crofting and has through each of the phases been subject to an application to decroft through the crofting commission” (AD\*\*\*, Page \*\*\*). It is not clear if this statement relates to the full extents of H3020 and H3021 as information on the Registers of Scotland Crofting Register only indicates H3020 to be in croft land. The information held on the Crofting Register confirms two areas relating to the first two phases of development on H3020 have been decrofted.
- On the basis that matters relating to croft land appear to have been adequately handled at the appropriate stages of the development process it is not considered that crofting status of the land itself is sufficient reason to not include the allocation in PLDP2.
- The site has been in successive development plans as a Potential Development Area and has now received two masterplan consents and consent for total of 28 dwellings of which 18 are now complete. Whilst the development of the remainder of the site would result in the loss of croft land this is outweighed by the potential delivery of additional homes on an existing development plan site that has already started to deliver units.

### **Reporter’s conclusions:**

### **Reporter’s recommendations:**

<b>Issue 190</b>	<b>Chapter 3</b>	
<b>Development Plan Reference:</b>	Climate Change	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Theresa Nelson (133)  Fred. Olsen Renewables Ltd (164)  Alan Mitchell (328)  Scottish Government Planning and Architecture Division (353)  Statkraft UK Limited (358)  Scottish Renewables (382)  Woodland Trust Scotland (441)  Innogy Renewables UK (483)  Kirsten MacDonald (490)  Strathclyde Partnership for Transport (SPT) (499)  Scottish Natural Heritage (SNH) (596)  Homes for Scotland (624)  Scottish Power Renewables (626)  Scottish Hydro Electric Transmission plc (1005)  Coriolis Energy (1039)  Elizabeth Bland (1049)</p>		
<b>Provision of the development plan to which the issue relates:</b>		
<b>Planning authority's summary of the representation(s):</b>		
<p><u>Theresa Nelson (133); Scottish Natural Heritage (SNH) (596)</u></p> <ul style="list-style-type: none"> <li>• Requests clarification of what “non environmentally protected countryside” means.</li> <li>• Suggests that para 3.2 be reworded to make clear Countryside Areas can include European sites, other designations and Wild Land Areas.</li> </ul> <p><u>Fred. Olsen Renewables Ltd (164)</u></p> <ul style="list-style-type: none"> <li>• The LDP 2 should adopt a more forward looking approach to climate change, which will fundamentally change how people live, work, and visit Argyll and Bute; where they live, what type of houses they will live in and how they will be heated and powered, and how the travel. This requires a fundamental change to how planning policy is prepared and implemented.</li> <li>• The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 received royal assent on 31st October 2019. This contains more challenging targets; (a)2020 is at least 56% lower than the baseline, (b)2030 is at least 75% lower than the baseline, and (c)2040 is at least 90% lower than the baseline. The LDP2 should therefore reflect these more challenging targets within the spatial and settlement strategy, with a more favourable view and weight</li> </ul>		

given to sustainable forms of development which will contribute towards meeting these targets.

#### Alan Mitchell (328)

- Develop a proper working definition of the term Residential and include in LDP2.

Scottish Government Planning and Architecture Division (353); Statkraft UK Limited (358); Scottish Renewables (382); Woodland Trust Scotland (441); Scottish Power Renewables (626); Coriolis Energy (1039)

- The LDP should be updated to refer to the most recent IPCC report, see [https://www.ipcc.ch/site/assets/uploads/2018/11/pr\\_181008\\_P48\\_spm\\_en.pdf](https://www.ipcc.ch/site/assets/uploads/2018/11/pr_181008_P48_spm_en.pdf)
- The LDP should reflect the latest climate change targets with reference to net zero emissions by 2045.

#### Woodland Trust Scotland (441)

- What is meant by a “flexible approach to sustainable development”?
- The spatial strategy, but especially the individual area maps, should also identify ancient and native woodlands present in the Argyll and Bute area.

#### Innology Renewables (483)

- Some forestry loss and peat disturbance may be unavoidable, however still be acceptable.

#### Kirsten MacDonald (490)

- Objects to the delineation of settlement boundaries, as these should be more flexible in order to allow affordable housing/housing to meet local needs to be provided in locations where pressure for second homes and tourist accommodation, reduce the available housing supply, thereby depleting the young (18-35) economically active population.

#### Strathclyde Partnership for Transport (SPT) (499)

- Support

#### Scottish Natural Heritage (SNH) (596)

- At para 3.2 use the phrase "Countryside Areas" rather than "non environmentally protected countryside".
- Para 3.5 states in relation to Countryside Areas that “these are areas where suitably scaled new development which in the opinion of the Council as Planning Authority is able to meet the sustainable development criteria outlined in policy 2A”. Policy 2A does not seem to include these criteria.

#### Scottish Hydro Electric Transmission plc (1005)

- Scottish Hydro Electric Transmission plc SHE Transmission wishes to make the point that part of SHE Transmission’s strategy for expanding the electricity transmission network will in some circumstances require new infrastructure in order to meet the needs of a growing renewable energy sector and support the transition to Net Zero. The importance of this sector to the future of sustainable energy generation is significant for the Argyll

and Bute region and Scotland to continue to realise its potential, leading the way in renewable energy generation. This should be acknowledged in the LDP2 strategy. SHE Transmission would request that support and acknowledgement for the electricity infrastructure, which is needed to support the renewable energy generation sector, is also recognised in the LDP2. More specific reference should be made in the LDP2.

#### Homes for Scotland (624)

- Require clarification of the contents of the Sustainability Check List.

#### Elizabeth Bland (1049)

- Over the coming 10 years climate change is predicted to produce rising sea levels. If one metre rise is likely to impact several low lying coastal road connections on Mull with high tide flooding and storm damage. Is it time for some future feasibility studies for alternative routes or sea wall developments against this threat. Any low lying coastal development plans in Argyll and Bute should take into account this possibility/likelihood of sea level rise impacts on our coasts.

#### **Modifications sought by those submitting representations:**

Scottish Government Planning and Architecture Division (353); Statkraft UK Limited (358); Scottish Renewables (382); Woodland Trust Scotland (441); Scottish Power Renewables (626); Coriolis Energy (1039)

- References in the plan to the Climate Change (Scotland) Act 2009 should be revised to reflect that it is amended by the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019, and the plan should be amended to reflect Scotland's new targets (set by the 2019 Act) to reach net zero greenhouse gas emissions by 2045, with interim targets of 56%, 75% and 90% reductions in emissions by 2020, 2030 and 2040. For consistency with the 2045 target, references to "low carbon economy" and "low carbon" should be amended to "net zero economy" and "net zero emissions" where appropriate.

#### Innology Renewables (483)

- At para 3.43 replace the word 'avoid' with 'minimise and mitigate where necessary'

#### Kirsten MacDonald (490)

- Insert after 3.6:  
3.7 "Development proposals which extend beyond a settlement boundary will not be permitted unless the following criteria apply:  
(A) the settlement boundary delineation has been represented in public documents with a level of OS detail that could not reasonably show that viable development land may exist beyond the presented delineation and would accord with settlement policies.  
(B) an extended delineation would be of a size that can reasonably be supported by existing infrastructure and preferably show a nearby topographical boundary to contain that extension.  
(C) that the extension could yield viable development land when the adjacent settlement zone may have been too restricted to be deliverable at least through the life of LDP1.  
(D) only in settlements where there is little deliverable development with the settlement envelope

(F) only in settlements that the Council has identified there is an acute shortage of housing ."

**Summary of responses (including reasons) by planning authority:**

Theresa Nelson (133); Scottish Natural Heritage (SNH) (596)

Non-environmentally protected countryside in terms of PLDP2 is that which doesn't have an environmental designation such as Wild Land, Green Belt, Remote Countryside and is defined in the glossary of the Plan.

Fred. Olsen Renewables Ltd (164) Scottish Government Planning and Architecture Division (353); Statkraft UK Limited (358); Scottish Renewables (382); Woodland Trust Scotland (441); Scottish Power Renewables (626); Coriolis Energy (1039)

The PLDP2 is written at a snap shot in time. As such, and particularly in reference to the fast changing developments concerning climate change and carbon reduction it will inevitably become out of date in terms of specific targets and references as these progress. This can be accommodated though in the Action Programme which can be updated more readily and or Supplementary Guidance if required. This is recognised in para 1.15 of the PLDP2. The vision of the PLDP2 articulated in para.2.7 is embedded in achieving sustainable low carbon development.

Alan Mitchell (328)

The PLDP2 uses the term residential only in so far as its common understanding or dictionary definition.

It is believed that the objector has mistaken the purpose of the Settlement Zone/Settlement Areas, potentially believing that they refer to residential development. PLDP2 does not contain a mapping designation of "residential" and Policy 01 does not restrict development to purely residential uses within settlement areas.

On this basis it is not considered necessary to provide a definition of "residential" within LDP2.

Woodland Trust Scotland (441); Scottish Power Renewables (626)

The PLDP2 is seeking to create a flexible approach to development by no longer proscribing acceptable scales of development for each type of settlement or countryside zone, but all development must be sustainable.

Woodland Trust Scotland (441)

There is no need for the PLDP2 to identify all designations, safeguards and protections. Such GIS databases are held online for planners and the public to use. These datasets are not Argyll and Bute's and can be updated at anytime. Increasingly these are being held at a national level. Mapping all these data sets in the PLDP2 increases the likelihood that the Plan becomes out of date and makes it less clear to view.

Innology Renewables (483)

Given the importance of peat and woodland for carbon sequestration it is considered appropriate that the sustainable development principles set out in LDP2 seek to promote the avoidance of loss of woodland and peatland to development, rather than merely minimise and mitigate.

Kirsten MacDonald (490)

PLDP2 Policy 02 – Outwith Settlement Areas, specifically introduces significantly more flexibility for proposals outside settlement areas to be considered and assessed as acceptable by the Plan. Settlement boundaries are essential to assist in the delivery of a sustainable settlement hierarchy and strategy, with most development and population focussed close to services and community infrastructure.

Planning applications within Settlement Areas would be assessed through PLDP2 Policy 01 (CD049, Page 12) which, subject to criteria, is generally supportive of development. The general character of the Settlement Areas is that their boundaries are relatively generous and as well as including the developed areas also include areas of undeveloped land which provide a flexible range of potential development opportunities.

It is inevitable that some settlements will be afforded more generous Settlement Areas than others for a number of reasons including, inter alia, topography, landscape designations, nature conservation designations, historic environment designations and existing development patterns and character.

Scottish Natural Heritage (SNH) (596)

Para.3.2 is attempting to explain the strategy whereby we are only introducing a more flexible approach in certain areas. Not all of the areas outside settlement boundaries will have a more flexible approach applied. Those that have greater degrees of environmental protection, particularly landscape protection will not see greater flexibility. The Council feels the sentence adequately describes the strategies intention without the reader needing to understand the PLDP2 definition of Countryside Area and without unintentionally implying that the whole of the countryside is to be more flexible.

The development criteria within Policy 02 (A) are prefixed with a presumption in favour of sustainable development and the remainder of the LDP2 is referred to in the first section of Policy 02. Whilst the criteria within the policy do not of themselves create a “Sustainability Checklist” the Council feels it is important to emphasize the holistic approach of the Plan to allowing only what is considered sustainable development.

Homes for Scotland (624)

Technical Note LDP2 TN06: Sustainability Checklists will cover this content.

Elizabeth Bland (1049)

Climate change is now increasing the likelihood of more intense and prolonged rainfall and extreme weather events with a consequent increase in flood risk. The impacts of flooding experienced by individuals, communities and businesses can be devastating and long lasting and it is vital that the Local Development Plan 2 fully addresses flood risk as required by The Flood Risk Management (Scotland) Act 2009.

At a strategic level, the council works in partnership with other local authorities, Scottish Water, SEPA, Scottish Forestry and the National Park authorities to prepare Local Flood Risk Management Plans and there are two which cover Argyll and Bute.

[Highland and Argyll Local Flood Risk Management Plan 2016-2022](#) and the [Clyde and Loch Lomond Local Flood Risk Management Plan 2016-2022](#). The lead authorities responsible for preparing these plans were Highland Council and Glasgow City Council respectively.

The two plans identify 16 Potentially Vulnerable Areas (PVA's) within Argyll and Bute. PVA's are defined as catchments identified as being at risk of flooding and where the impact of flooding is sufficient to justify further assessment and appraisal.

In all of the PVA's the Local Development Plan 2 has a role in ensuring that new development is not located in areas likely to flood or to exacerbate flood risk in other locations taking account of the principal source(s) of flood risk in each PVA.

In addition the Plan also has a role, where needed, to protect areas identified for flood alleviation and flood prevention schemes through the use of Area for Action (AFA) and Open Space Protection Area (OSPA) designations. At the time of writing there are six flood prevention schemes being developed in Argyll and Bute: Campbeltown; Helensburgh waterfront; Oban (Lon Mor); Tarbert harbour and Clachan village in Kintyre, and Lochgilphead Front Green.

Due to the increasing impacts of climate change it is becoming increasingly difficult to predict whether potential development sites will be subject to flooding or not. With increasing rainfall, higher storm frequency/intensity and rising sea levels, the threat of flooding is increasing from a variety of sources.

In the past the known incidences of significant flooding in Argyll and Bute have largely coincided with town centre waterfronts. Other flooding areas have been associated with wind driven tidal incursion; inadequate culverts that are vulnerable to being blocked and on tightly confined flood plain areas bordering river courses. Land liable to erosion, landslip or subsidence is also a material planning consideration. In Argyll and Bute, these conditions are mainly associated with coastal erosion (e.g. in the vicinity of sand dunes and machair) or with increased risk of landslip (e.g. the A83 at the Rest and be Thankful) or weathering (e.g. at Gruline on Mull).

Policies 55,56 & 57 of the PLDP2 set the framework for dealing with these issues.

#### Kirsten MacDonald (490)

Requests for essentially a new policy allowing development beyond a settlement boundary are completely negated by the Policy 02 which covers that issue.

The additional framework proposed by the objector would result in a somewhat complex assessment methodology and unduly onerous post adoption assessment of settlements by the Council.

The proposed framework might also reduce the flexibility that Policy 02 already seeks to provide.

#### Conclusion

No changes to the Plan are considered needed in response to these representations

#### **Reporter's conclusions:**

<b>Reporter's recommendations:</b>

<b>Issue 191</b>	<b>Proposed Tourism Infrastructure - Craignure, Mull</b>	
<b>Development Plan Reference:</b>	Proposals Maps, Map 168	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Shieling Holidays (Mull) Ltd (611)		
<b>Provision of the development plan to which the issue relates:</b>	Land adjoining an area depicted as "Tourism Infrastructure" on Proposal Map 168	
<b>Planning authority's summary of the representation(s):</b>		
<p><u>Shieling Holidays (Mull) Ltd (611)</u></p> <ul style="list-style-type: none"> <li>The area depicted on the submitted map (RD326) has not been included in the area depicted as Tourism Infrastructure on Proposal Map 168.</li> </ul>		
<b>Modifications sought by those submitting representations:</b>		
<p><u>(611)</u></p> <ul style="list-style-type: none"> <li>Include the area depicted on the submitted map (RD326) in the area depicted as Tourism Infrastructure on Proposal Map 168.</li> </ul>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p><u>Inclusion of the area as Tourism Infrastructure (611)</u></p> <ul style="list-style-type: none"> <li>The Tourism Infrastructure locations as depicted on the PLDP Proposals Maps relate to PLDP Policy 24 - "Existing Tourism Uses" (CD**, Pages 48-49) which seeks protect facilities on the tourism network as identified on the Proposals Maps (or granted consent under LDP2) from redevelopment or change of use to non-tourism uses.</li> <li>The wider site relating to Sheiling Holidays Mull provides a range of tourism accommodation including camping facilities, caravan and motorhome pitches, shieling tents and self-catering cottages. The area depicted on the map submitted by the objector is not currently in use for the provision of tourist accommodation and but in part comprises part of the formal caravan park landscaping and partly rough vegetation.</li> <li>The more recent planning history relating to the site (18/00047/PP and 19/02120/PP) shows the approximate area of the land concerned to be in the same ownership as the wider campsite (as depicted by the blue/red line site boundaries AD** and AD** respectively). There is no information held on the Registers of Scotland mapping search website for the caravan park itself however the land adjoining the land under consideration is shown as "Torosay Castle and Grounds" with the land ownership boundary appearing to approximately correspond with that shown on the planning history and the objector's map (R326). On the</li> </ul>		

balance of probability it is considered that the land concerned is part of the same ownership as the wider caravan park.

- On the basis that there is no active tourism accommodation occurring on the land in question then there is no actual need for it to be covered by the Tourism Infrastructure designation on the Proposals Maps as the change would only have the effect of offering the protection set out in Policy 24. Furthermore, on the basis that the land in question is under the same ownership as the wider campsite then the control over potential change or redevelopment to non-tourism uses, (the subject of Policy 24) would remain with the objector.
- Proposals for new tourism accommodation on the land concerned could be adequately considered under the policies contained in PLDP2, with these primarily being PLDP2 Policy 02 – “Outwith Settlement Areas” (CD\*\*, Pages 12-13) and PLDP2 Policy 24 - “Existing Tourism Uses” (CD\*\*, Pages 48-49) without the need for the land to be included by the Tourism Infrastructure area on the Proposals Maps.
- If planning consent for tourism accommodation was to be granted on the land during the LDP2 plan period and then this would also be covered by PLDP2 Policy 24.
- On the basis of the above the Council considers that no change to the plan is required.

**Reporter’s conclusions:**

**Reporter’s recommendations:**

<b>Issue 194</b>	<b>Proposed Potential Development Area for Housing - North Connel</b>	
<b>Development Plan Reference:</b>	Written Statement Chapter 10 Schedules, Pages 120 and 121, Proposals Maps, Map 197 and Map 198	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
D & J Campbell Ltd (1021)		
<b>Provision of the development plan to which the issue relates:</b>	Inclusion of adopted 2015 Local Development Plan Potential Development Area PDA 5/74 plus adjoining land in Local Development Plan 2	
<b>Planning authority's summary of the representation(s):</b>		
<p>D &amp; J Campbell Ltd (1021)</p> <ul style="list-style-type: none"> <li>• The land concerned lies to the north of the C25 Bonawe Road and includes the yard of the objector and 2015 adopted Local Development Plan Potential Development Area PDA 5/74.</li> <li>• The land has no landscape or biodiversity designations, is not in a defined floodplain and there are no heritage sites either within or close by.</li> <li>• Access is via an existing private road owned by the objector which has been improved to allow HGV movements from the yard to the C25.</li> <li>• The land has been home to the objector's haulage business for many years but expansion of the business on the land is reaching its natural limits and the company is looking for sites elsewhere close to Oban to relocate to. Relocation is hoped for during the lifespan of LDP2.</li> <li>• Relocation would be welcomed by the neighbours due to the 24 hour nature of the business and the noise it generates.</li> <li>• The land to north of the haulage yard is not brownfield in the same way and was previously seen as suitable for development. It would not extend the settlement further north than existing development immediately to the east. Renewed planning consent has been granted (19/01891/PPP) for a site for a dwelling house to the east of the land concerned where the development was considered acceptable in landscape terms, in accordance with the settlement pattern with no adverse environmental, services or access impact. On this basis housing on PDA 5/74 should not be seen differently.</li> <li>• The land meets the 7 test of effectiveness set out in Planning Advice Note PAN 2/2010</li> <li>• Ownership – owned entirely by the objectors</li> <li>• Physical – No significant aspect or stability issues known. Access utilising existing private road. No flooding issues and drainage can be resolved.</li> <li>• Contamination – No known contamination issues but remediation required for haulage yard.</li> <li>• Deficit funding – Public purse not required</li> <li>• Marketability – Houses and self-build plots sold in the locality</li> <li>• Infrastructure – No known deficiencies in provision for the site</li> <li>• Land Use – Housing is the best use for the land</li> </ul>		
<b>Modifications sought by those submitting representations:</b>		

- Reinstate PDA 5/74 and enlarge it to take in the existing haulage yard, all for housing (1021)

#### **Summary of responses (including reasons) by planning authority:**

##### Title of point e.g. Natural Heritage (Cust IDs e.g. 17) PO

- PDA 5/74 is a Potential Development Area in the adopted 2015 Local Development Plan. The Schedules in the Written Statement set out that the intended use is for low density housing with a 25% affordable requirement.
- The Local Development Plan Action Programme (April 2015) sets out for PDA 5/74 that the site is for “Low density high quality housing development with 25% affordable housing.” It also notes “Check for EPS – otter; avoidance of any negative impact on GCR Site”. Constraints listed are; water capacity, sewerage capacity, access constraint/road safety issue and that a masterplan/comprehensive approach is required (CD\*\*, Page 164)
- It appears from the aerial photography shown on location plans that accompany this Schedule 4 that part of the boundary for PDA 5/74 overlaps the northerly end of the haulage yard.
- The site was assessed as part of a site assessment process prior to the LDP2 Main Issues Report. The assessments helped inform whether allocations and PDAs contained in the adopted 2015 LDP were to be carried forward to PLDP2. One of the reasons for not carrying forward allocations and PDAs that were unlikely to be developed was that their retention would have a detrimental effect on the planning for the overall provision of infrastructure such as water, sewerage, power and roads by the Council and its partners. This was set out (with regards to allocations) within the MIR (CD013, Pages 19-20). The MIR also stated at paragraph 2.5 that “the plan also contains “Potential Development Areas”, which have known constraints and further investigation has revealed that some of these sites are unsuitable or undeliverable.” (CD013, Page12)
- Following assessment PDA 5/74 was classified as an ‘Amber Site’ within the MIR (CD, Page 103) meaning that it may have had potential for inclusion in LDP2 but further assessment was required and/or that the site had an identified issue(s) that needed to be fully investigated (CD013, Page 45).
- With regards to PDA 5/74 the principal reasons for its omission from PLDP2 were that the PDA appeared to be landlocked by the existing, operational haulage yard to the south, the existing residential development to the east (plus the single plot approved under \*\*\*\* and subsequently renewed thereafter) and the surrounding countryside to the west and north. This situation was considered to pose a significant constraint to its delivery.
- No representations were received to the Main Issues Report regarding the site.
- There was, and still remains, no planning consent or relevant application for redevelopment of the haulage business for housing. It was only through the consultation that the Planning Authority became aware of an intention to relocate the business.
- There is no extant planning consent for housing on PDA 5/74, aside from the aforementioned plot. This plot would take its access through the existing residential development to the east and effectively contributes to landlocking effect on the PDA. Notwithstanding the context of this adjacent built and consented layout it is considered highly unlikely that a new access to serve the comprehensive development of the PDA could be taken through the road serving this residential area to the east.

- In order for full consideration of inclusion in PLDP2, the submission of the additional land (approximately 0.37ha) in addition to that included in PDA 5/74 should have been made through the 2016 Call for Sites process where the full impact of the whole site could have been taken into account as the Call for Sites asked for a range of background information to be submitted to aid consideration such as access provision, proposed site capacity, infrastructure provision, ground conditions and development time frame. This would also have allowed the full site to be assessed through the SEA process.
- It remains unclear as to whether a suitable access can be provided for comprehensive development of the land concerned and what level of remediation is required for the haulage yard and how these would affect the delivery of the site.
- In conclusion the suitability of a site comprising of PDA 5/74 and the additional haulage yard land has not been fully appraised and consulted on through the MIR and PLDP2. There is no compelling evidence that the haulage business will relocate during the lifetime of LDP2 and therefore inclusion of the site would have a detrimental effect on the planning for the overall provision of infrastructure for the area.

**Reporter's conclusions:**

**Reporter's recommendations:**

<b>Issue 196</b>	<b>Proposed Settlement Zone - Port Appin</b>	
<b>Development Plan Reference:</b>	Proposals Map 204 – Port Appin	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Alex Crichton (171)		
<b>Provision of the development plan to which the issue relates:</b>	Proposed inclusion of land within the Settlement Area	
<b>Planning authority's summary of the representation(s):</b>		
<p><u>Alex Crichton (171)</u></p> <ul style="list-style-type: none"> <li>• The current Settlement Zone excludes the property (Sheanbeag), outlined in red on RD73</li> <li>• The property was constructed in 1963, has clearly defined boundaries and direct road frontage.</li> <li>• The unoccupied ground immediately across the road is within the Settlement Zone.</li> <li>• It would be incongruous to exclude the property from the settlement given that the LDP2 10 year lifespan may see houses within the settlement zone built facing the property but with the Sheanbeag remaining excluded.</li> <li>• Across the road are several properties within the Settlement Zone accessed off private roads that are further away from the village centre than Sheanbeag.</li> </ul>		
<b>Modifications sought by those submitting representations:</b>		
<ul style="list-style-type: none"> <li>• Include the property shown on RD73 in the Settlement Zone. (171)</li> </ul>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p><u>(171)</u></p> <ul style="list-style-type: none"> <li>• The 2017 Call for Ideas consultation asked for, amongst other things, suggestions of where settlements could accommodate future growth and where people would not want to see future expansion. No representations regarding the land were received to this consultation. No representations regarding the land were received at the Main Issues Report consultation stage. The extent of the Settlement Area in this location was therefore not considered as part of the PLDP2 preparations.</li> <li>• The Proposed Local Development Plan 2 Settlement Area for Port Appin (CD049, Map 204) has been carried forward unchanged, aside from some minor amendments relating to the boundary of housing allocation H4019, from the Settlement Zone contained in the adopted 2015 Local Development Plan (CD010, Map 207).</li> <li>• The land immediately surrounding the property concerned (Sheanbeag) is currently undeveloped. Part of the land across the road is within the Settlement Area and, upon which,</li> </ul>		

to south west of Sheanbeag separate planning consents for new four dwellings fronting the road have been granted. One of these is compete (reference 13/00908/PP), one under construction (reference 15/02459/PP) and two currently with extant planning consent (references 19/02456/PP and 19/01118/PPP). These consents alone could potentially see dwellings extending to almost across the road from Sheanbeag.

- Whilst the adjacent land on the same side of the road from Sheanbeag is undeveloped housing allocation H4019 is located a short distance further to the south west. The 2020 HLA shows programming for of 6 units for 2022/23.
- Given the extent of the nearby PLDP2 Settlement Area and the emerging potential development context offered by the existing planning consents and the housing allocation it is not unreasonable that the curtilage of Sheanbeag be considered for incorporation into the Settlement Area.
- The potential for pressure for further extensions of the Settlement Area to the north east of Sheanbeag on either side of the road is a possible issue. However, it would be limited by the defensible boundaries offered by the existing Sheanbeag curtilage and adjacent access track as well as the access track on the other side of the road.
- The development potential offered by the Sheanbeag curtilage is limited given its overall size.
- The property is within the Lynn of Lorn National Scenic Area (AD\*\*\*). In certain circumstances it would be more appropriate to consider inclusions of Settlement Areas that fall with NSAs earlier in the development plan process to allow consultation at the PLDP2 stage. However, given the scale of the land concerned, its limited development potential and surrounding context it is considered the inclusion would not likely risk significant adverse impacts on the NSA. Furthermore, proposals for development would still need to be assessed through PLDP2 policy 70 relating to NSAs (CD049, page 94).
- Proposals for development in Settlement Areas would be assessed under PLDP2 Policy 01 and outwith Settlement Areas would be assessed under Policy 02 (CD049, Pages 10, 12 and 13). Given the scale and wider setting of the land concerned it is considered that whilst proposals could be assessed through Policy 02 that the approach of Policy 01 would be suitable to assess proposals on the land.
- Potential impact on trees located on or near the land could be adequately assessed under PLDP2 Policy 77 (CD049, pages 98-101).
- On the basis of the above, if the Reporter were so minded the Council would have no objection to the land outlined in red on the Schedule 4 location plans being changed from Countryside Area to Settlement Area.

**Reporter's conclusions:**

**Reporter's recommendations:**