

Review of Planning Application **21/00017/PP** – redevelopment of existing agricultural byre into a one bedroom dwelling house on the Isle of Colonsay

Background

The proposed development to convert the existing derelict agricultural building has been refused because it would add a twelfth unit to a private access that already serves eleven. In refusing planning permission, ABC has stated that “the proposal is not consistent with the provisions of policies LDP 11 and SG LDP TRAN 4 which provides for the servicing of a maximum of five units off a private access before requiring the road be brought up to adoptable standards. Such works would be financially prohibitive in this instance and outwith the control of the applicant to implement.

The following points outline why a review of this decision is justified having regard to the Development plan and the statutory duty to determine in accordance with it unless material considerations indicate otherwise.

Relevant policy and guidance

Policy LDP 8 of the Local Development Plan seeks to support the strength of our communities through sustainable development to facilitate population growth. Supplementary guidance in SG LDP HOU 1 sets a general presumption in favour of the proposed development, as none of the exceptions apply. The proposal therefore accords fully with Policy LDP8.

This development will be accessible on foot from the ferry terminal, the island shop, the local café, the village hall and the service point. To that extent, the proposal accords with Policy LDP 11.

The issue for this review relates to the requirement in Policy LDP 11 for an appropriate standard of access. Detailed guidance in SG LDP TRAN 4 covers private access regimes, where acceptance of new development using existing private roads is subject to road safety and street design issues being addressed and will only be acceptable if:

- (i) the road is capable of commensurate improvements considered to be **appropriate to the scale and nature of the of the proposed development** and that takes into account the current access issues; and
- (ii) the applicant can secure ownership of the private road or access to allow for commensurate improvements to be made; or
- (iii) demonstrate that an appropriate agreement has been concluded with the owner for commensurate improvements to be made.

The guidance further adds that it expects consideration to be given in the design process to the potential need to make future improvements to the access up to and including an adoptable standard. For the use of an existing private road, the guidance text also says **that commensurate improvements require an informed assessment**. Such an assessment should explore the access issues related to the proposed additional development and the current situation on the private road, including any capacity for improvement of that road.

The supplementary guidance refers to the ABC's Roads Development Guides. Although these are not available on the council's website, we understand in the context of private roads on Colonsay, that they impose a blanket maximum of 10 houses.

The proposed development

Colonsay is an island community with a growing population. This has driven the value of some housing beyond the reach of many people in the community and those who might wish to make a life here. Converting this building to a dwelling would provide a small unit at a more affordable price. Additionally, the occupant would be moving out of the largest housing association dwelling on Colonsay, thus freeing that property for a family to move into. Therefore, allowing this proposal will significantly strengthen the small community on Colonsay.

The proposed dwelling would have vehicular access along a short stretch (less than 50m) of an existing private road serving 11 houses. In 2016, the byre at No.8 Glassard (which is at the far end of the private road) became the 11th dwelling in Glassard served by the private road thus already exceeding the local arbitrary limit set by ABC of 10 dwellings. This property's status was confirmed by planning permission for extensions and alterations.

The proposed conversion will be from an agricultural building. Although currently redundant, the byre could still be legally used as such and accessed by heavy agricultural machinery using the private road.

The byre might also be sold to the nearest dwelling providing ancillary accommodation which could be used for visitors and their cars.

The proposed use is for a small, 1 bedroom dwelling, involving light car traffic in the main (the applicant does not own a car), and given the proximity to the ferry and facilities at Scalasaig, lower vehicle use than might normally be expected. The proposed increase in traffic would be limited.

The existing road has been allowed to develop to access for 11 houses. It connects to a public road (B8087), which is single track with passing places throughout the island although within the visibility splays of this access point the public road actually widens such that passing is possible. This is the only place on the island where this is the case. The junction is on the outside of a bend in the public road, where visibility is good and traffic volumes are low. The existing gate is set well back from the public road to allow vehicles to pull up off the carriageway safely. There have been no incidents within the vicinity of this junction. In our assessment road safety and street design will not be compromised in any way by this development.

Given the limited additional use and the general safety of the junction at the public road, we do not consider that commensurate improvements are needed at all and do not consider that the road would need to be brought up to an adoptable standard. The cost would be disproportionate to any improvements to road safety that might be gained.

Conclusion

Our conclusion then is that the proposed development would comply with SG LDP TRAN 4 and therefore with policy LDP 11 and is in keeping with LDP 8. The proposed dwelling would thus comply with the development plan as a whole.

We note the reliance on ABC's road guidance for informing a development of this nature. We understand that this is likely to be reviewed very soon in the light of the National Roads Development Guide produced by Society of Chief Officers of Transportation in Scotland. It also appears to impose a blanket maximum with little regard for circumstances. Whilst it may be a useful guide for the council and applicants, we suggest that it could be applied flexibly and not used to outweigh the significant benefits in this particular case.

Allowing the development in this case will increase the available social housing stock on the island (which is at present quite limited) as well as providing an additional smaller dwelling on the island and the opportunity to further increase the population on Colonsay.

We would be happy to accept any reasonable conditions to ensure that the design and appearance of the development, its sustainability and any affordable access improvements can be secured.

Therefore, on balance, this development does accord with the development plan and there are no material considerations to indicate that planning permission should be refused. We suggest that the balance of considerations still weighs in favour of permission in this case. We invite you to overturn the original decision and grant permission for this small but significant development.