

PROPOSAL OF APPLICATION NOTICE REF: 21/02336/PAN

Applicant: TSL Contractors Ltd

Proposal: Proposal of Application Notice for Development comprising circa 90 residential units, care home, nursery and commercial unit with all associated external works and landscaping.

Site Address: The PCC Field, Land North West of Isle of Mull Hotel, Craignure

1.0 PROPOSED DEVELOPMENT

The submitted PAN relates to a future planning application for development comprising circa 90 residential units, care home, nursery and commercial unit with all associated external works and landscaping.

The applicant has confirmed that they intend to hold a public event on 8.12.21 between 2pm and 8pm at Craignure Village Hall, and will in addition notify local community councils and interested parties as per the Regulations. The proposals and public consultation event will also be advertised in the Oban Times and in the “out and about” magazine.

The applicant has also committed to a mail drop in respect of the proposals to all residents in the adjoining java housing complex.

Officers are content that the public consultation proposed is commensurate with the scale and nature of the proposals.

2.0 DEVELOPMENT PLAN POLICY

These submissions are not planning applications and therefore do not require to be evaluated and determined in accordance with Section 25 of the Planning Act against the Development Plan and its policies at this stage. However, in considering the merits of these PAN's a number of Development Plan Policies will inform the assessment of any future detailed applications as set out below:

'Argyll and Bute Local Development Plan' adopted March 2015

Relevant Policies which will require to be considered include:

- LDP STRAT 1 – Sustainable Development
- LDP DM 1 – Development within the Development Management Zones
- LDP 3 – Supporting the Protection Conservation and Enhancement of our Environment
- LDP 5 – Supporting the Sustainable Growth of our Economy
- LDP 6 - Supporting the Sustainable Growth of Renewables
- LDP 8 – Supporting the Strength of our Communities
- LDP 9 – Development Setting, Layout and Design

LDP 10 – Maximising Our Resources and Reducing Our Consumption
LDP 11 – Improving our Connectivity and Infrastructure

SG LDP ENV 1 – Development Impact on Habitats, Species and Our Biodiversity
SG LDP ENV 7 – Water Quality and the Environment
SG LDP ENV 10 – Geodiversity
SG LDP ENV 11 – Protection of Soil and Peat Resources
SG LDP ENV 13 –Development Impact on Areas of Panoramic Quality (APQs)
SG LDP ENV 14 –Landscape
SG LDP DEP 1 – Departures to the Local Development Plan
SG LDP SERV 2 – Incorporation of Natural Features/Sustainable Drainage Systems (SuDS)
SG LDP SERV 3 – Drainage Impact Assessment (DIA)
SG LDP SERV 5 –Waste Related Development and Waste Management Development
SG LDP SERV 7 – Flooding and Land Erosion – The Risk Framework for Development
SG LDP TRAN 4 – New and Existing, Public Roads and Private Access Regimes
SG LDP TRAN 5 – Off-Site Highway Improvements
SG LDP TRAN 6 – Vehicle Parking Provision

The LDP Policy evaluation will require to address the following general matters in future planning submissions:

- Landscape and Visual Amenity (an LVIA will be required with appropriate visualisations from agreed VP's)
- Land Use designations material to the proposal;
- Ecology and Nature Conservation;
- Cultural Heritage;
- Proposed landscaping and screening
- Design of SuDS proposals to promote biodiversity
- Traffic and Transport; (A Transportation Plan will be required for routing of traffic associated with transporting any large plant and construction materials for the site)
- Hydrology, Hydrogeology and Soils:
- Amenity and Health
- Recreation and Tourism;
- A design and access statement
- Construction methodology and waste plan
- Any Economic benefits associated with the proposals

In respect of LDP 2. Following the consideration of the emerging LDP 2 on 24.6.21 the unchallenged policies and proposals within LDP2 may now be afforded significant material weighting in the determination of planning applications at this time as they constitute the settled and unopposed view of the Council. Those unchallenged policies which are considered relevant to the proposal are set out below:

- Policy 19 – Schedule Monuments
- Policy 35 – Design of New and Existing, Public Roads and Private Access Regimes
- Policy 36 – New Private Accesses
- Policy 37 – Development Utilising an Existing Private Access or Existing Private Road
- Policy 38 – Construction Standards for Public Roads
- Policy 39 – Construction Standards for Private Access
- Policy 40 – Vehicle Parking Provision
- Policy 41 – Off Site Highway Improvements

- Policy 58 – Private Water Supplies and Water Conservation
- Policy 63 – Waste Related Development and Waste Management
- Policy 78 – Woodland Removal

The proposal will therefore require to be considered against any material and unchallenged policies of LDP in a dual assessment exercise with the current LDP Policies.

Members are requested to note that the PAN site is substantially unallocated within the LDP proposals map and is designated at Countryside. A section of the PAN boundary is within PDA 6/11 which is indicated in the LDP as being suitable for community facilities.

However the Council are proposing that some of the land be allocated in LDP 2 under H4022 for 80 housing units. Some of the redline boundary is outside the proposed allocation site. Objections have been made to this proposed change in the status of the land and therefore the views of the LDP Reporter on this matter will be a substantive consideration for any future planning application.

3.0 POTENTIAL MATERIAL CONSIDERATIONS

In respect of this proposal it is considered that the following matters will be material considerations in the determination of any future planning application;

- National Planning Framework 3 (NPF 3) (and potentially NPF4)
- Scottish Planning Policy 2014 (and any emerging SPP advice)
- Argyll & Bute Sustainable Design Guidance (2006)
- Argyll and Bute Proposed Local Development Plan (LDP 2).
- A&B Local Biodiversity Action Plan
- Statutory/Non-Statutory Consultee Comments
- Habitat Regulations and Appropriate Assessment
- Potential economic benefits of the proposal

4.0 CONCLUSION

This report sets out the information submitted to date as part of the PAN. Summarised are the policy considerations, against which any future planning application(s) will be considered as well as potential material considerations. The list is not exhaustive and further matters may arise as and when any planning application is received, and in the light of public representations and consultation responses.

5.0 RECOMMENDATION

That Members have regard to the content of the report and submissions and provide such feedback as they consider appropriate to allow these matters to be considered by the applicant in finalising any future planning application submissions.

Author of Report: David Moore

Date: 30.11.21

Reviewing Officer: Sandra Davies

Date: 01.12.21

Fergus Murray
Head of Development and Economic Growth