

**Committee Planning Application Report and Report of Handling as required by Schedule 2 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 relative to applications for Planning Permission or Planning Permission in Principle**

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**Reference No:** 21/02465/PP  
**Planning Hierarchy:** Local  
**Applicant:** Mr and Mrs Adam & Lisa Murphy  
**Proposal:** Erection of dwellinghouse, formation of vehicular access and installation of a private wastewater treatment plant  
**Site Address:** Land North of 1 Ardmish, Isle of Gigha.

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**DECISION ROUTE**

Local Government Scotland Act 1973

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**(A) THE APPLICATION**

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

- Erection of dwellinghouse
- Erection of Polytunnel
- Erection of shed
- Installation of private wastewater treatment plant
- Formation of access

**(ii) Other specified operations**

- Not applicable.
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**(B) RECOMMENDATION:**

It is recommended that planning permission be granted subject to conditions and reasons appended in the report.

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**(C) CONSULTATIONS:**

**Argyll and Bute Council Roads and Amenity Services** – Defer Decision. Responded 03.02.2022. This has been subsequently resolved and the required additional details are recommended to be requested through suspensive planning condition.

**Scottish Water** – No objection. Responded 21.01.2022.

**Health and Safety Executive** – No comment to make on the planning application. Responded 28.01.2022.

**Core Paths** – No response.

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**(D) HISTORY:**

No relevant planning history.

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**(E) PUBLICITY:**

Regulation 20 Advert – Expired 25.02.2022

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**(F) REPRESENTATIONS:**

**(i) Representations received from:**

There have been a total of 14 objections and one expression of support. Details of those who made submission are included in appendix B. The issues are summarised and commented upon below.

**Objection**

Mrs Julie Kane 6 Meadowcroft Harrogate HARROGATE HG1 3JY  
12.02.2022  
Mr tony philpin Tighcruinn Isle Of Gigha Isle Of Gigha Argyll And Bute  
03.02.2022  
Mrs Tracey Helm Gigulum Isle Of Gigha Isle Of Gigha Argyll And Bute  
04.02.2022  
Mrs Jan Robertson 8 Garden Street Galston KA4 8HX 08.02.2022  
Mr Ian Pinniger Tigh An Ruadh Ardminish Isle Of Gigha Isle Of Gigha Argyll  
And Bute 14.02.2022  
Mrs Audrey Dickie Gigulum Cottage Isle Of Gigha Argyll And Bute PA41  
7AD 03.02.2022  
Mr John Martin 10 Grianan Isle Of Gigh Argyll And Bute PA41 7AE  
26.02.2022  
Mr John MacDonald Cnoc An Lein Isle Of Gigha Argyll And Bute PA41 7AD  
05.02.2022  
Mrs Heather MacLean 102 Herries Road Glasgow Glasgow G41 4AN  
06.02.2022  
Ms Jacqueline Cochrane North Drumachro Isle Of Gigha Isle Of Gigha  
Argyll And Bute 02.02.2022  
Mr Malcolm Henderson North Drumachro Isle Of Gigha Isle Of Gigha Argyll  
And Bute 02.02.2022  
Miss Fiona Henderson 1 Ardminish Isle Of Gigha PA41 7AA 03.02.2022  
Ms Rhona Martin 9 Grianan Isle Of Gigha Isle Of Gigha Argyll And Bute  
23.02.2022  
Mrs Karen Durnin 7 Ardminish Isle Of Gigha Isle Of Gigha Argyll And Bute  
06.02.2022

**Support**

The Isle Of Gigha Heritage Trust Craft Workshop 1 Isle Of Gigha PA41 7AA  
17.02.2022

NB Full details of all representations can be viewed on the Council's website [www.argyll-bute.gov.uk](http://www.argyll-bute.gov.uk)

**(ii) Summary of issues raised:**

**Development contrary policies of the Argyll and Bute Council Local Development Plan 2015**

'The development is contrary to Policy LDP STRAT 1 (Sustainable Development)... The development does not respect landscape character – the building is not to scale with adjacent properties. The development is contrary to Policy LDP 3 (Supporting the Protection, Conservation and Enhancement of our Environment)... The established character and local landscape and seascape in terms of its location, scale, form and design.'

'There are many available plots elsewhere on the island instead over development of the village.'

'I feel this island has been overdeveloped'

'The proposed build appears to be one and a half storeys it is out of sync with the other single storey residencies on in this side of the village. Building on this site would affect the integrity of Ardmish Village turning it into a township.'

'The overdevelopment of Gigha is changing the topography of Gigha which will be lost forever.'

'Building on this site would affect the integrity of Ardmish Village spoiling the heritage of the village and the island.'

'...development on this site would create another gap site next to it to the south, thus encouraging future development.'

'It is not in accordance with Argyll and Bute Council's sustainable development policies... Does not respect the character of the landscape.'

Officer Comment

*The site of the proposal is located in the village of Ardmish which is designated as a Key Rural Settlement in the Argyll and Bute Council Local Development Plan 2015. Key Rural Settlements are also within the designated 'Settlement Zone' of the settlement strategy outlined in Policy DM1- Development Within the Development Management Zones. The proposal is for a single dwellinghouse which is classified as a small scale development. Within Key Rural Settlement Zones encouragement is given to sustainable forms of small scale development on appropriate sites subject to assessment against all other material policy considerations. Sustainable development on suitable site is encouraged within the 'Settlement Zone' with restrictions placed on proposed development within designated development management zones such as the 'Countryside Zone' and 'Very Sensitive Countryside Zone.' Planning application reference number 21/02465/PP has been assessed by officers against all relevant policies of the Argyll and Bute Local Development Plan including Policy LDP STRAT 1 (Sustainable Development) and Policy LDP 3 (Supporting the Protection, Conservation and Enhancement of our Environment). In this assessment it has been concluded that the proposal is a small scale development which has been suitably designed in terms of size, scale and location to respect the development pattern, built form, amenity and landscape character of the surrounding locality.*

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## **Road Safety**

'The proposed site is situated right next to the main single track throughfare.... Currently there are already 11 entrances to varying properties/establishments/car parking/footpaths and so it is a short but extremely busy stretch of road already...At the south of the aforementioned stretch of road there is already a blind corner.'

'The access to the site is close to what is already a dangerous corner... vehicles travelling south on the single track road would come over the brow of the hill into vehicles existing from the site.'

'Safety aspect of the road. It is the main link on the island used by traffic, cyclists and pedestrians and there is already a dangerous corner in proximity to the site'

'The access to the proposed site is adjacent to what is a dangerous blind corner immediately outside No. 1 Ardmish. Traffic going south along the single track main road would be in danger of moving over the brow of the hill into vehicles existing from the proposed site.'

'Another exit onto a single track main road very close to a blind bend.'

'Access to the site is situated between a blind corner to the immediate south and blind summit on the brow of the brae to the immediate north of the Argyll and Bute Council maintained single track road which poses significant risk to pedestrians.'

'Access going on to an already busy single track road near a dangerous blind corner.'

'The proposed site is between 1-2m below the current road level, with a vertical, not graded drop. This makes formation of the bell mouth more difficult with surface water and runoff from the road then requiring dispersal, and inhibiting clear sightlines.'

'This road is already busy with traffic. There are a number of entrances already on to the road in the same area. There is already a blind corner close to the access to the proposed plot so to have another access entrance near I feel would be an added danger to road users and pedestrians alike.'

## Officer Comment

*Policy SG LDP TRAN 4 – New and Existing, Public Roads and Private Access Regimes accepts development utilising new and existing public roads, private roads and private access regimes is subject to road safety and street design issues being addressed. Argyll and Bute Council Roads and Infrastructure were consulted on the proposal and issued a consultation response which recommended 'Defer Decision' on the basis that the applicant needed to firstly provide a scaled plan showing the service bay and the turning and parking area for 2 vehicles, within the application site with dimensions of the turning and parking area. Secondly the applicant needed to provide a plan showing the visibility splays within the site edged red was also required. Following discussions with the agent on behalf of the applicant and further submission of revised plans it was established that the land required for the visibility splays was within the same ownership as the owner of the site of the application. The land required for a service bay was therefore either within the site edged red, formed part of the council owned road verge or would be within what is shown on submitted plans as land edged blue as it would be within the same ownership as the applicant. On this basis officers have recommend that a suspensive condition is recommended to be added to the decision notice which requests that prior to commencement to development the submission of further plans will be required to show the satisfactory formation of the access, service bay and parking and turning area. With the attachment of this condition development cannot commence without satisfactory plans*

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*being submitted and approved by the council's roads engineer. On this basis any road safety issues will be satisfactorily addressed prior to the proposed dwellinghouse being built.*

### **Community Nature Reserve and Biodiversity**

'The plot is placed on an area of ground which I understood had been given over to members of the community last year to establish a Community Nature Reserve.'

'This proposed site is on a previously unaffected and natural area of the island which was at one point earmarked as a conservation area. Building here would affect the natural flora and fauna of the area.'

'Building in an area which I understand was designated as a Community Nature Reserve which would result in alteration to the landscape with considerable negative results.'

'This development falls within an area of outstanding natural beauty and within a proposed nature reserve.'

'It was also marked as a conservation area. Any building would have an adverse effect on the native flora and fauna.'

'This land has been designated as a nature reserve and would spoil the enjoyment of a nature walk to the shore.'

'This development would not protect, conserve or enhance this area of biodiversity... this area has already been identified as an area for the establishment of a nature reserve.'

'The site is a natural habitat for wildlife and insects.'

'As far as I was aware this plot was part of an area for a nature reserve.'

'It will remove areas of semi natural vegetation in designated community nature reserve.'

'The area of ground had last year been given over to the community as part of a larger piece of ground to be developed as a Community Nature Reserve.'

'The Trust have not consulted Members with regards to removing this piece of ground from the Nature Reserve.'

### Officer Comment

*The applicant has advised in the submission of the planning application that the land is within the ownership of The Isle of Gigha Heritage Trust. Therefore the proposed establishment of a Community Nature Reserve is a private matter between the Isle of Gigha Heritage Trust and members of the community. Argyll and Bute Council as the Local Planning Authority do not get involved in private land ownership issues. The site of the proposal is not within an area designated for its natural environment and biodiversity and therefore does not have the legislative environmental protection that a site such as a Site of Special Scientific Interest (SSSI) would be granted or the significance as a material planning consideration in the assessment of an application. The site is not within an Area of Outstanding Natural Beauty (these are areas designated for their landscape character in England). The site is also not within the equivalent designation in Scotland which is a National Scenic Area (NSA).*

### **Consultation by The Isle of Gigha Community Trust**

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'There has been no consultation with trust members regarding plans to sell plots of land'

'The island is "Community Owned" and the Members of the Trust elect the Directors/Trustees to manage the Island it is usual procedure for major transaction to be referred to members. The sale of this plot... has not been referred to members for comment and a vote at the Members meeting.'

'There appears to have been no consultation with the trust members.'

'No consultation with Trust members per the constitution.'

'The board of the Isle of Gigha Heritage Trust have not provided a sound economic case for the sale of this site.'

'There has been no consultation on the merits of the site with Trust members.'

### Response

*Consultation between Isle of Gigha Heritage Trust Members the local community and Isle of Gigha Heritage Trust is a private matter. Argyll and Bute Council as the Local Planning Authority does not get involved in private matters which may arise in the course of the assessment of a planning application. Private matters are not a material consideration in the assessment of a planning application.*

### **Flooding**

'It will disrupt the water table as the area is very wet and has a lot of natural flora and fauna.'

'The area is permanently boggy and local island knowledge will verify that this area is on occasion prone to flooding due to tidal and metrological conditions.'

'The developer relies solely on the SEPA floodmap in their claim that their site doesn't flood... the site has flooded and has an assemblage of wetland flora.'

'The site is very wet indeed. The water table is frequently right at the surface for much of the year... There would need to be significant drainage of the site before it is capable for development.'

### Officer Comment

*The site is not shown as having a risk of either coastal, river or surface water flooding in accordance with SEPA Flood Risk Maps. On this basis SEPA are not required to be consulted on the planning application and instead SEPA's Standing Advice is used by Argyll and Bute Council as the planning authority to assess flood risk. There is a SEPA Flooding (1:200 year) coastal medium probability shown on the SEPA Flood Maps land to the east of the site. However this flood risk is not shown for the land within the site and therefore it has been concluded that there is not significant flood risk on the site.*

### **Views**

'The positioning of the plot will be detrimental to views enjoyed by people already occupying properties.'

'It will tower above the bungalows to the south of the dwellinghouse in the village obstructing the beautiful view of the beach and the sea.'

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'Where this building plot is being proposed is an open space with views out over the Sound of Gigha. These views will be changed forever for many who already live here.'

Officer Comment

*Disruption of views is not a material planning consideration in the assessment of a planning application.*

**Effect on Footpath**

'The building will be sited right next to the pathway to the beach.'

'The north border of the proposed site appears to infringe on the pathway which leads down to the shoreline.'

'Beside a public footpath which is used throughout the year by locals and visitors alike.'

'The site is at an access to a key footpath and will erode amenity for residents and visitors alike.'

Officer Comment

*The site is adjacent to a footpath however the development does not obstruct the footpath and the footpath does not cross the site. The proposed development will therefore not have a significant impact on the use of the footpath.*

**Commercial use**

'Are the potential builders planning more commercial use with the construction of the vegetable plot and the polytunnel.'

Officer Comment

*The planning application is for a residential dwellinghouse and has been assessed as an application for a residential dwellinghouse. These comments are not material to the determination of this application.*

**Impact on water supply**

'Building on the proposed site would have an effect on the island's water supply, especially when taking into account the other building taking place on the island... As the proposed build includes a polytunnel this presumably means using an increased water supply.'

Officer Comment

*Scottish Water were consulted on the proposal and have no objection to the planning application. They stated in their consultation response: 'There is currently sufficient capacity in GIGHA Water Treatment Works to service your development. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.' This indicates that Scottish Water do not have any significant concerns in regard to the development's impact on the public water supply on Gigha.*

**General comments – support**

'The Isle of Gigha Heritage Trust Board would like to express support for this application which is being applied for on Trust owned land. The Trust created a Plot for Sale Policy a

number of years ago to promote the provision of housing in order to facilitate the sustainable development of the island and the continuity of Gigha. The aim of creating this policy is to encourage people to move into the community, who will live on the island permanently, and who will contribute to the social and economic regeneration of the island.

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**(G) SUPPORTING INFORMATION**

Has the application been the subject of:

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|-------|--|----|
| (i)   | Environmental Impact Assessment Report:  | No |
| (ii)  | An appropriate assessment under the Conservation (Natural Habitats) Regulations 1994:  | No |
| (iii) | A design or design/access statement:   | No |
| (iv)  | A report on the impact of the proposed development eg. Retail impact, transport impact, noise impact, flood risk, drainage impact etc: | No |
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**(H) PLANNING OBLIGATIONS**

Is a Section 75 agreement required: No

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- (I) Has a Direction been issued by Scottish Ministers in terms of Regulation 30, 31 or 32: No**
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- (J) Section 25 of the Act; Development Plan and any other material considerations over and above those listed above which have been taken into account in the assessment of the application**

- (i) List of all Development Plan Policy considerations taken into account in assessment of the application.**

**'Argyll and Bute Local Development Plan' Adopted March 2015**

LDP STRAT 1 – Sustainable Development  
LDP DM 1 – Development within the Development Management Zones  
LDP 3 – Supporting the Protection Conservation and Enhancement of our Environment  
LDP 8 – Supporting the Strength of our Communities  
LDP 9 – Development Setting, Layout and Design  
LDP 10 – Maximising our Resources and Reducing our Consumption  
LDP 11 – Improving our Connectivity and Infrastructure

Local Development Plan Schedules



**'Supplementary Guidance to the Argyll and Bute Local Plan 2015' (Adopted March 2016)**

**Landscape and Design**

SG LDP ENV 14 – Landscape

**Historic Environment and Archaeology**

SG LDP ENV 16(a) – Impact on Listed Buildings

**General Housing Development**

SG LDP HOU 1 – General Housing Development Including Affordable Housing Provision

**Sustainable Siting and Design**

SG LDP Sustainable – Sustainable Siting and Design Principles

**Resources and Consumption**

SG LDP SERV 1 – Private Sewage Treatment Plants & Wastewater Systems  
SG LDP SERV 5(b) – Provision of Waste Storage & Collection Facilities within New Development

**Transport (Including Core Paths)**

SG LDP TRAN 4 – New & Existing, Public Roads & Private Access Regimes  
SG LDP TRAN 6 – Vehicle Parking Provision

**(ii) List of all other material planning considerations taken into account in the assessment of the application, having due regard to Annex A of Circular 3/2013.**

- Scottish Planning Policy

*Argyll and Bute proposed Local Development Plan 2 (November 2019) – The unchallenged policies and proposals within pLDP2 may be afforded significant material weighting in the determination of planning applications at this time as the settled and unopposed view of the Council. Elements of the pLDP2 which have been identified as being subject to unresolved objections still require to be subject of Examination by a Scottish Government appointed Reporter and cannot be afforded significant material weighting at this time. The provisions of pLDP2 that may be afforded significant weighting in the determination of this application are listed below:*

- Policy 35 – Design of New and Existing, Public Roads and Private Access Regimes
  - Policy 36 – New Private Accesses
  - Policy 39 – Construction Standards for Private Access
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**(K) Is the proposal a Schedule 2 Development not requiring an Environmental Impact Assessment: No**

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

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

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

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**(O) Requirement for a hearing:**

There is a total of 14 no. objections and one expression of support to the application. However, the land-use planning related issues raised are not considered to be unduly complex and, as such, it is considered that a fully informed assessment and determination can be made with reference to this report.

On this basis, and having regard to the approved guidelines for hearings, it is considered that a hearing would not add value to this assessment.

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

Planning permission is sought for 'Erection of dwellinghouse, formation of vehicular access and installation of a private wastewater treatment plant,' at Land North of 1 Ardmish, Isle of Gigha, Argyll. The site of the proposal is located in the settlement of Ardmish. Policy DM1- Development Within the Development Management Zones encourages sustainable forms of small scale development on appropriate sites subject to assessment against all other material policy considerations. The site of the application comprises of vacant land located within the Key Rural Settlement Zone of Ardmish identified in the Argyll and Bute Local Development Plan 2015. The principle of the proposal therefore is considered to comply with the settlement strategy.

Policy SG LDP Sustainable – Sustainable Siting and Design Principles sets out the planning authority's requirements for siting and design. The site of the application is located on vacant land with residential houses located to the west of the site and also to the south of the site. The proposed 2 bedroom dwellinghouse will be single storey with useable living area within the roof. The proposed two bedroom dwellinghouse will be set back within the site from the C22 public road with a new access formed onto the C22 public road with a parking and turning area at the front of the dwellinghouse. The dwellinghouse will form a predominately rectangular footprint with a projection on the western elevation to form a porch area. The rest of the site will form garden ground with a shed and polytunnel located on the northern boundary of the site alongside necessary private waste water treatment plant. The proposed dwellinghouse will have untreated Siberian larch clad walls, pitched roof constructed of corrugated roof sheet roofing, aluminium framed doors and windows in Umber grey, with an externally projecting porcelain tiled chimney on the southern gable. The size, scale and form of the proposed dwellinghouse is of an acceptable design which

utilises similar design and materials to surrounding residential dwellinghouse's through the use of single storey, pitched roof, gable ended design. Although the development pattern of this area of Ardmish runs predominately along the western side of the C22 public road the eastern side of the C22 public road is located within the 'settlement zone' of Ardmish with 8 residential dwellinghouses located to the south of the site with a further small number of residential properties located further to the south also within the Ardmish settlement zone. Therefore although there will be an area of intervening land located between the proposed dwellinghouse and the dwellinghouse known as '1 Ardmish' sections of intervening land between residential dwellinghouses and other buildings is a feature of the development pattern of Ardmish. The proposed dwellinghouse will have no immediate neighbouring dwellinghouses adjoining the site and therefore no privacy, amenity or daylight overshadowing issues are raised by the application. The site is 0.25 acres and therefore has the capacity to accommodate the proposed dwellinghouse, associated shed and polytunnel and sufficient garden ground. The proposal for a single dwellinghouse is therefore considered to respect the development pattern, built form and amenity of the surrounding locality.

Policy SG LDP HOU 1 – General Housing Development Including Affordable Housing Provision sets out presumptions in favour or against different scales and circumstances of housing within development management zones as outlined in the settlement strategy. The proposal is small scale sustainable development within the Key Rural Settlement of Ardmish with the site designated as within the 'Settlement Zone' of Policy LDP DM 1- Development within the Development Management Zones. The proposal therefore is considered to comply SG LDP HOU 1 – General Housing Development Including Affordable Housing Provision.

Policy SG LDP ENV 16(a) – Development Impact on Listed Buildings outlines that development affecting a listed building or its setting is required to preserve the building or its setting and any features of special architectural or historic interest. The site of the proposal is located 70m from the Gigha Hotel which is a category B listed building (LB11446). However the proposed dwellinghouse is considered to be of an appropriate design which will not have a significant impact on the setting of the Gigha Hotel as a listed building.

Policy SG LDP ENV 14 –Landscape consider landscape impact when assessing development proposals. Although the site is located within the settlement of Ardmish the rural location of Gigha results in the potential for the proposed development to have an impact on both the built form and the character of the landscape. However, as the proposal is for a single storey dwellinghouse of an appropriate scale, sitting and design it is not considered that the proposal will have a significant impact on the wider character of the landscape of the Isle of Gigha.

Policy SG LDP TRAN 4 – New and Existing, Public Roads and Private Access Regimes accepts development utilising new and existing public roads, private roads and private access regimes is subject to road safety and street design issues being addressed. Argyll and Bute Council Roads and Infrastructure were consulted on the proposal and issued a consultation response which recommended 'Defer Decision' on the basis that the applicant needed to firstly provide a scaled plan showing the service bay and the turning and parking area for 2 vehicles, within the application site with dimensions of the turning and parking area. Secondly the applicant needed to provide a plan showing the visibility splays within the site edged red was also required. Following discussions with the agent on behalf of the applicant and further submission of revised plans it was established that the land required for the visibility splays was within the same ownership as the owner of the site of the application.

The land required for a service bay was therefore either within the site edged red, formed part of the council owned road verge or would be within what is shown on submitted plans as land edged blue as it would be within the same ownership as the applicant. On this basis a suspensive condition is recommended to be added to the decision notice which requests the submission of further plans which show the satisfactory formation of the access, service bay and parking and turning area prior to commencement of development. On this basis the proposal is therefore considered to meet road safety standards and policies SG LDP TRAN 4 – New and Existing, Public Roads and Private Access Regimes and SG TRAN 6 –Vehicle Parking Provision.

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

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**(R) Reasons why Planning Permission or Planning Permission in Principle Should be Granted:**

The proposed development is considered to be acceptable in regard to all relevant material considerations including national and local planning policy and supplementary guidance. There are no other material considerations which would warrant anything other than the application being determined in accordance with the provisions of the development plan.

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**(S) Reasoned justification for a departure to the provisions of the Development Plan**

Not applicable.

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

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**Author of Report:** Fleur Rothwell **Date:** 01.04.2022

**Reviewing Officer:** Sandra Davies **Date:** 03.04.2022

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

## CONDITIONS AND REASONS RELATIVE TO APPLICATION REF. NO. 21/02465/PP

1. The development shall be implemented in accordance with the details specified on the application form dated 18<sup>th</sup> November 2021; supporting information and, the approved drawings listed in the table below unless the prior written approval of the planning authority is obtained for an amendment to the approved details under Section 64 of the Town and Country Planning (Scotland) Act 1997.

| Plan Title.                     | Plan Ref. No. | Version | Date Received |
|---------------------------------|---------------|---------|---------------|
| Site Location Plan              | PLG-01        |         | 16.12.2021    |
| Existing Site Layout Plan       | PLG-02        |         | 16.12.2021    |
| Proposed Site Layout Plan       | PLG – 03      |         | 16.12.2021    |
| Proposed Floor Plan and Section | PLG –04       |         | 19.11.2021    |
| Proposed Elevations             | PLG – 05      |         | 19.11.2021    |
| Proposed Polytunnel and Shed    | PLG – 07      |         | 10.01.2021    |
| Materials                       | PLG – 06      |         | 19.11.2021    |

Reason: For the purpose of clarity, to ensure that the development is implemented in accordance with the approved details.

2. Pursuant to Condition 1 – no development shall commence until plans and particulars of the means of vehicular access, service bay, parking/turning arrangements to serve the development have been submitted to and approved by the Planning Authority. Such details shall incorporate:
  - i) Formation of the junction serving the development site in accordance with the Council's Roads Standard Detail Drawing SD 08/004 Rev a; with visibility splays measuring 2.4 metres to point X by 75 metres to point Y from the centre line of the junction ;
  - ii) The provision of parking and turning in accordance with the requirements of policy LP TRAN 6.

Prior to work starting on site, the approved scheme of works in respect of junction layout shall be formed to at least base course standard and the visibility splays shall be cleared of all obstructions such that nothing shall disrupt visibility from a point 1.05 metres above the junction at point X to a point 0.6 metres above the public road carriageway at point Y. The final wearing surface on the access shall be completed prior to the development first being brought into use and the visibility splays shall be maintained clear of all obstructions thereafter. A refuse point is to be provided adjacent to the road.

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

Reason: In the interests of road safety.

3. No development shall commence until a scheme of boundary treatment, surface treatment and landscaping has been submitted to and approved in writing by the Planning Authority. The scheme shall include details of:
  - i) Location, design and materials of proposed walls, fences and gates;
  - ii) Surface treatment of proposed means of access and hardstanding areas;
  - iii) Any proposed re-contouring of the site by means of existing and proposed ground levels.
  - iv) Proposed hard and soft landscape works.

The development shall not be occupied until such time as the boundary treatment, surface treatment and any re-contouring works have been completed in accordance with the duly approved scheme.

All of the hard and soft landscaping works shall be carried out in accordance with the approved scheme during the first planting season following the commencement of the development, unless otherwise agreed in writing by the Planning Authority.

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

4. Notwithstanding the provisions of Condition 1, no development shall commence until details confirming the adequacy and suitability of the proposed private sewage treatment system to accommodate the development proposed have been submitted to and approved in writing by the Planning Authority.

In the event that the existing private sewage treatment system proves to be inadequate the development works shall not commence until such time as an alternative means of foul drainage has been consented.

Reason: To ensure that an adequate means of foul drainage is available to serve the development.

## **NOTE TO APPLICANT**

- This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period [See section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended).]
- In order to comply with Sections 27A(1) of the Town and Country Planning (Scotland) Act 1997, prior to works commencing on site it is the responsibility of the developer to complete and submit the attached 'Notice of Initiation of Development' to the Planning Authority specifying the date on which the development will start. Failure to comply with this requirement constitutes a breach of planning control under Section 123(1) of the Act.
- In order to comply with Section 27B(1) of the Town and Country Planning (Scotland) Act 1997 it is the responsibility of the developer to submit the attached 'Notice of Completion' to the Planning Authority specifying the date upon which the development was completed.
- An alternative means of foul drainage is likely to constitute a material amendment requiring a further planning application. Private drainage arrangements are also subject to separate regulation by Building Standards and SEPA.
- A Road Opening Permit under the Roads (Scotland) Act 1984 must be obtained from the Council's Roads Engineers prior to the formation/alteration of a junction with the public road.

## APPENDIX A – RELATIVE TO APPLICATION NUMBER: 21/02465/PP

### PLANNING LAND USE AND POLICY ASSESSMENT

#### A. Settlement Strategy

Policy LDP DM 1 encourages sustainable forms of small scale development on appropriate sites subject to assessment against all other material policy considerations. The site of the application comprises of vacant land located within the Key Rural Settlement Zone of Ardmish identified in the Argyll and Bute Local Development Plan 2015. The principle of the proposal is considered to comply with the settlement strategy.

#### B. Location, Nature and Design of Proposed Development

Policies LDP 9 – Development Setting, Layout and Design and SG LDP Sustainable – Sustainable Siting and Design Principles sets out the planning authority's requirements for siting and design. In this regard the proposal must take account of the residential area within which it is located.

The site of the application is located on vacant land with residential houses located to the west of the site and also to the south of the site. To the south of the site there is an area of intervening land in between. Directly north and adjacent to the site is a recently constructed footpath with vacant land and the Gigha Hotel car park further to the north. To the east of the site is an expanse of vacant land which travels in an easterly direction down to the shore line of the island of Gigha.

The proposed 2 bedroom dwellinghouse will be single storey with useable living area within the roof space. The proposed two bedroom dwellinghouse will be set back within the site from the C22 public road with a new access formed onto the C22 public road with a parking and turning area at the front of the dwellinghouse. The dwellinghouse will form a predominately rectangular footprint with a projection on the western elevation to form a porch area. The rest of the site will form garden ground with a shed and polytunnel located on the northern boundary of the site alongside necessary private waste water treatment plant. The proposed dwellinghouse will have untreated Siberian larch clad walls, pitched roof constructed of corrugated roof sheet roofing, aluminium framed doors and windows in Umber grey, with an externally projecting porcelain tiled chimney on the southern gable.

The size, scale and form of the proposed dwellinghouse is of an acceptable design which utilises similar design and materials to surrounding residential dwellinghouses through the use of single storey, pitched roof, gable ended design. The use of Siberian larch cladding also mirrors the dwellinghouses located directly opposite the site at Grinan. Although the development pattern of this area of Ardmish runs predominately along the western side of the C22 public road, the eastern side of the C22 public road is located within the 'settlement zone' of Ardmish with 8 residential dwellinghouses located to the south of the site with a further small number of residential properties located further to the south also within the Ardmish settlement zone. Therefore although there will be an area of intervening land located between the proposed dwellinghouse and the dwellinghouse known as '1 Ardmish' sections of intervening land between residential dwellinghouses and other buildings is a feature of the development pattern of Ardmish. The proposed dwellinghouse will have no immediate neighbouring dwellinghouses adjoining the site and therefore no privacy, amenity or daylight overshadowing issues are raised by the application. The site is 0.25 acres and therefore has the capacity to accommodate the proposed



dwellinghouse, associated shed and polytunnel and sufficient garden ground. The proposal for a single dwellinghouse is therefore considered to respect the development pattern, built form and amenity of the surrounding locality. The size, scale, design and siting of the proposal is therefore considered to be appropriate subject to a condition requesting further landscaping details prior to commencement of development to further integrate the development into the surrounding area. The siting, layout, and design of the proposal is therefore considered to comply with LD9 9 – Development Setting, Layout and Design SG LDP Sustainable – Sustainable Siting and Design Principles.

### **C. Built Environment**

The proposal is for a single dwellinghouse within the settlement of Ardmish. The site is within the designated 'Settlement Zone' of Policy LDP DM 1- Development within the Development Management Zones. The site is within the Key Rural Settlement of Ardmish within a predominately residential area. Further to the north of the site is the Gigha Hotel and the Gigha Craft Workshop. The proposal is small scale sustainable development within the Key Rural Settlement of Ardmish and is considered to comply LDP 8- Supporting the Strength of Our Communities and SG LDP HOU 1 – General Housing Development Including Affordable Housing Provision.

The site of the proposal is located 70m from the Gigha Hotel which is a category B listed building (LB11446). However the proposed dwellinghouse is considered to be of an appropriate design which will not have a significant impact on the setting of the Gigha Hotel as a listed building and therefore is considered to comply with LDP 3 Supporting the Protection, Conservation and Enhancement of our Environment and SG LDP ENV 16(a) – Development Impact on Listed Buildings.

### **D. Landscape Character**

Although the site is located within the settlement of Ardmish the rural location of Gigha results in the potential for the proposed development to have an impact on both the built form and the character of the landscape. However, as the proposal is for a single storey dwellinghouse of an appropriate scale, siting and design and in keeping with the settlement of Ardmish, it is not considered that the proposal will have a significant impact on the wider character of the landscape of the Isle of Gigha. The proposal is therefore considered to comply with LDP 3 – Supporting the Protection Conservation and Enhancement of our Environment and SG LDP ENV 14 – Landscape.

### **E. Infrastructure**

Argyll and Bute Council Roads and Infrastructure service were consulted on the proposal and have issued a consultation response which recommended that the decision be deferred on the basis that the applicant needed to provide the following information:

*'1. A scaled plan showing the service bay and the turning and parking area for 2 vehicles, within application site. The plan must have the dimensions of the turning and parking area. 2. A plan showing the visibility splays within the site edged red.'*

Following discussions with the agent on behalf of the applicant and further submission of revised plans, it was established that the land required for the visibility splays was within the same ownership as the owner of the site of the application. The land required for a service bay was therefore either within the site edged red, formed part of the council owned road verge or would be within what is shown on submitted plans as land edged blue as it would be within the same ownership as the applicant. On this basis a suspensive condition is recommended which requests the submission of further plans

which show the satisfactory formation of the access, service bay and parking and turning area prior to commencement of development. On this basis the proposal is therefore considered to meet road safety standards and policies LDP 11 – Improving our Connectivity and Infrastructure, SG LDP TRAN 4 – New and Existing, Public Roads and Private Access Regimes and SG TRAN 6 –Vehicle Parking Provision. The proposal would also comply with roads policies 35, 36 and 39 of LDP2 which maintain a similar policy approach to the adopted plan.