

**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:** 21/02308/PP  
**Planning Hierarchy:** Local Development  
**Applicant:** Mr Richard Stein  
**Proposal:** Erection of detached garden room ancillary to dwellinghouse  
**Site Address:** Eilean Da Mheinn, Harbour Island, Crinan, Lochgilphead, Argyll and Bute, PA31 8SW

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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 detached garden room ancillary to dwellinghouse

**(ii) Other specified operations**

- None
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**(B) RECOMMENDATION:**

It is recommended that Planning Permission be granted for the proposal subject to conditions and reasons appended below.

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**(C) CONSULTATIONS:**

**Environmental Health**

No objection subject to condition – 22.02.2022

Further response following review of submitted questionnaire omitted the initial condition – 05.04.2022

**NatureScot**

No formal comment as the development falls below the criteria for consultation – 29.03.2022

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**(D) HISTORY:**

17/01819/PP – Erection of two storey rear extension, replacement conservatory, alterations to dwellinghouse and installation of air source heat pump. Granted – 03.10.2017

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**(E) PUBLICITY:**

No required

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**(F) REPRESENTATIONS:**

**(i) Representations received from:**

A total of 71 representations were received for the application. Details of the contributors and contents of representations are summarised below.

39 of the representations in support of the proposal were received from;

- Ms Christine Tallon and Mr Adrian Cole, Y Fan Gwern y Domen Farm Lane Caerphilly CF83 3RN
- Mr David, Bennie and Malcolm Bridgland, Drummond House Crinan Harbour Crinan Lochgilphead Argyll And Bute PA31 8SW
- Josef Elias, 65 Cromarty Avenue Glasgow G43 2HQ
- Chantal Stokely, 24 Victoria Road Salisbury SP1 3NG
- Elly, Max, Louise and Mr David Bittleston, Druim A'ird Crinan Cottages Crinan Lochgilphead Argyll And Bute PA31 8SW
- Sue Hillman, Kilmory Ross Tayvallich PA31 8PQ
- Sarah Jane Pinkerton, Oliver Sumner and Andy Weston, 7 Crinan Cottages PA31 8SS
- Mrs D H Murray and Olivia FitzGerald, Kilmahumaig Farmhouse Crinan Lochgilphead Argyll PA31 8SW
- Kerrian and Mr Andy Grant, Innisfree Achnamara Lochgilphead Argyll And Bute PA31 8PX
- Ms Nina Murray, 65 Cromarty Avenue Glasgow G43 2HQ
- Mrs Caroline Evans, 19 Broughton Road London W13 8QW
- Mr Michael Murray, Kilmahumaig C39 From B841 To Crinan Harbour Junction Crinan Argyll And Bute PA31 8SW
- David Sillar, Janet, Martin, Alka and Roy Foster No address provided
- Edward and Anna Hughes No address provided
- Christophe Lefebvre No address provided
- Dr Bill Alexander No address provided
- Prof Dorothy Crawford No address provided
- Dr Brendan Gerrard, Girtrig Cottage Crinan Harbour Crinan Lochgilphead Argyll And Bute PA31 8SW
- Miss Cornelia Graf, Barnakill Caravan Number 1 Cairnbaan Lochgilphead Argyll And Bute PA31 8SQ
- Iain and Kim Ritchie, Crinan House, Ardmore, Crinan, PA31 8SW

- Victoria Winters and Dr John M Hall, Barr, Minard, Inveraray, Argyll and Bute, PA32 8YB
- Will Murray, Kilmahumaig, Crinan, Lochgilphead Argyll PA31 8SW

Additional 32 representations in objection to the proposal were from;

- A and J English, Anchor Cottage, Crinan Harbour, Lochgilphead
- A Kidd, Corlan Pencelli Brecon Powys LD3 7LX
- A and S Murdoch, Harbour Cottage Crinan Harbour Lochgilphead PA31 8SW
- C Berry, 128 East Trinity Rd Edinburgh EH5 3PR
- K Campbell, Shore Cottage Crinan Harbour Lochgilphead PA31
- M MacIntyre, Fuaran Crinan Harbour Lochgilphead PA31 8SW
- A Stephen, 45/2 East Claremont St Edinburgh EH7 4HU
- Ryan Ross and Ann Rasheva, Westering Crinan Argyll PA 31 8SW
- Anthony and Beatrice Vordonis No address provided
- Cherry Campbell, 14 Fettes Row Edinburgh EH3 6RH
- Crinan Campbell, Shore Cottage Crinan Lochgilphead Argyll And Bute PA31 8SW
- Miss Fiona Higgins and Jeremy Birnie, Boathouse Crinan Lochgilphead Argyll And Bute PA31 8SW
- Ryan Frances, The Cottage Crinan Argyll PA31 8SR
- J Lehmann, Mheall Kilmichael Glassary Lochgilphead PA31 8QJ
- J and M MacFarlane, No. 2 Harbour House Crinan Harbour Lochgilphead PA31 8SW
- Alasdair and Lauren Taylor, 2 Crinan Cottages, PA31 8SS
- Julia Spencer, The Dancing Fox, Lunga, Craobh Haven PA31 8UU
- Robin Pigott and Jesse Mandy, Craignish Castle, Craignish Argyll PA31 8QS
- Jamie and Laura Pigott, Dunvullaig, Craignish Argyll PA318QS
- William and Bea Goudy, 1 The Anchorage, Ardfern, Argyll PA31 8QN
- Robert and Jane Goudy, The Walled Garden, Craignish, Argyll PA31 8QS
- Lucy Walsh, Dundiggin', Craignish, Argyll, PA31 8QS
- Amber and Martin Crowley, Windward, Ford, Lochgilphead, PA31 8RH
- Douglas Robertson, 92 Fauldshead Road, Renfrew PA4 0RU
- Lyndsay Docherty, Flat 1, 19 Myrtle Place, Glasgow G42 8UJ
- Sophie Barker, 53 Burlington Close, London W9 3LY
- Philip Murdoch and Eleonora Pinzi, Via Barellai 54, 55049 Viareggio, LU Italy
- Louise Boisot and Di Yannacopoulos, Flat 13, 55-59 Grange Road, London, W5 5BU
- Alexandra Rutland, 43 The Avenue, London NW6 7NR

- Hugh Kidd and Katherine Froggatt, 20 Hala Grive, Lancaster LA1 4PS
- David and Frances Sedgwick, Tigh-a-Chinil, Badabrie, Fort William PH33 7LX

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

The contents of the representations received are summarised below in two parts; for and against the proposed development;

Comments in support of the development;

- We wish to fully support the proposed development as there is absolutely no reason why the proposal should not be allowed. It is designed to high specifications and the use of natural materials and colours to reduce what little visual impact it may have –if any- is to be commended
- *[Comment: This point raised in support of the application is noted]*
- The proposal will not have any visual impact from sea, navigable waters (to the north and west), and mainland nor from the footpath walk up to Castle Dounie as the site is concealed by raised ground/rock faces and matured trees on the Island majority of which are evergreen.
- *[Comment: This point raised in support of the application is noted]*
- Construction will provide work for local contractors with owners know for providing local employment and supporting local enterprises.
- *[Comment: This point raised in support of the application is noted. Though not material to the application]*
- Mislead information from Consultant's Document with spurious comment referring to 'plastic pontoon's and concrete ramps' forgetting there are there plastic pontoons and another concrete ramp on the mainland side all happily utilised by objectors. It is obvious the consultant have not had an opportunity to visit the site.
- *[Comment: This point raised in support of the application is noted]*
- Crinan Harbour has been already developed by a mish mash of houses, artists' studios etc none of which are in consistent 'traditional style'.
- *[Comment: This point raised in support of the application is noted but not material to the proposal]*
- The garden area for the development had been laid down over many years by the previous owners of the island whilst they were in good health. Sadly, this area had suffered from years of neglect prior to the island changing hands and was completely overwhelmed with brambles and bracken.
- *[Comment: This point raised in support of the application is noted]*

- Great care and attention has been given to previous development to the main house. Additionally, the owners have made amazing effort and invested much and even more love to restore buildings and maintain the established garden to their former glory. The natural habitat and wildlife on and around the island which was overgrown and in poor state for the plants that were trying to live there have been cared for by the new owners who continue to do so.
- *[Comment: This point raised in support of the application is noted and verified during site visit]*
- The proposal will be on an existing ruin, an old bothy, away from the shore and in a hidden valley. This area is in the middle of a long established garden in the woodland showing there has previously been a building of some type on the site.
- *[Comment: This point raised in support of the application is noted. It is however worth noting that the footing as observed on site are not substantial to be considered for a redevelopment]*
- The proposal would not affect the character of the island and would only enhance it with the proposed design which is very much in keeping with the surrounding and intended to blend into them.
- *[Comment: This point raised in support of the application is noted]*
- For reasons we find hard to understand there seem to be significant but unjustified animosity regarding the proposal which is a shame and fails to consider the whole picture and the programme of sensitively high standard restoration and improvement while maintain natural history and general ecological importance and character of the Island.
- *[Comment: This point raised in support of the application is noted]*

#### Comments in objection to the proposal;

- The proposal is not to scale, not a “room” neither is it within close proximity/curtilage to the house for a garden room or to be called “ancillary”. The proposal is sited within a proposed second site which is drawn as distinctly separate to the existing dwellinghouse.
- *[Comment: With regards to scale, the proposal is conditioned to be built as per the measurement noted on the plan. The issue of proximity/curtilage and why the proposed development has been positioned in this part of the island has been addressed in the main body of the report below.]*
- The proposal is within a very sensitive countryside zone and National Scenic Area which should be protected.
- *[Comment: This is noted and addressed in the main body of the report below.]*
- The proposed site is inappropriate contrary to the planning policy framework
- *[Comment: This point raised has been addressed in the main body of the report below.]*

- The proposal is incompatible with the designation, would indicate a dangerous and insensitive precedence.
- *[Comment: This has been addressed in the main body of the report below.]*
- Various developments on the island without planning permission including existing outbuildings, concrete slip way with lights along its edge, plastic pontoons and landing stage.
- *[Comment: These developments were noted during site visit – some of which are likely to benefit from the householder's permitted development rights while others may be subjected to enforcement investigation to ascertain breach of planning. However, these are not material to determining this application and would need to be raised a separate matter for enforcement investigation.]*
- Material consideration to be given to visual and environmental impact.
- *[Comment: This point is noted and addressed in the main body of the report below.]*
- Unacceptable visibility from mainland, historic sea lanes and various skyline views including from Dunnie Castle to the unspoiled Crinan Island.
- *[Comment: This has been addressed in the main body of the report below.]*
- Further light pollution besides the all-important lighthouse on Reisa an t-sruith.
- *[Comment: Due to the scale of the development and its concealed location, it is considered that light from the development at night will not be visible from any of the neighbouring properties on the harbour road overlooking the Loch.]*
- Scale and massing unacceptable for a garden room and likely to be expanded to form a new dwellinghouse with boathouse and slipway already planned. These should be restricted to protect the island from larger development in the future.
- *[Comment: The development's scale and massing has been addressed in the main body of the report below. A further condition is attached to ensure the use of the unit is ancillary to the main dwelling.]*
- The 'spire' roof height of 6.5 metres seems significant to some degree since, from the perspective of functionality, it seems to serve little purpose—save perhaps an aesthetic one—but would, we assume, establish a structure of a height exactly equal to a one and a half story building.
- *[Comment: The development's scale and massing has been addressed in the main body of the report below. However, given the Very Sensitive Countryside designation of the site, a new and separate residential dwelling, which this proposal is not, would be deemed unacceptable as per policy requirement.]*
- Further development on the Harbour Island shows lack of appreciation of the Island's current status which would also forever change the character of Crinan. This would degrade the existing character of the countryside and coast and negatively impact on the Island's natural beauty which should be protected

- *[Comment: This point raised has been addressed in the main body of the report below.]*
- A design statement should be submitted for the proposal. Submitted plans do not indicate location of electricity line and Trees to be removed to allow the development.
- *[Comment: A design and access statement has now been submitted for the application. The location of electricity line was observed on site but not material to determining this application. Furthermore, though the application form states trees will be removed, it was noted during the site visit that these were trees already removed due to poor condition/infection. The footprint of the proposal was demarcated on site with pegs and rope with no trees or shrubs on the location which is considered a brownfield due to the evident ruins foundations.]*
- Other comments raised pertaining to the previous application on the island for the extension of the main dwelling, its accompanied design statement and the handling report for the proposal.
- *[Comment: The context with which this point is made though noted is not material to determining the current application. This application by reason of its location, scale, massing and design, though with unique character to the island, has been assessed against the relevant provisions of the adopted LDP and deemed acceptable as detailed in the report below]*
- Proposed LDP's stance on the Rural Countryside Area may support the garden room as a hut with low impact leisure accommodation as defined by the Scottish Planning Policy 2014.
- *[Comment: This point is noted. However, it would be premature to assess proposal against the referenced Rural Countryside Area policy of the proposed LDP 2 which has been subject to objection during the consultation stage – subjecting it to further examination.]*
- We believe that any further exceptions made (especially in a case where the proposal seeks to establish a new building—and plot,) aside from weakening LDP policy, would both undermine the protection this policy confers to such sensitive and quality landscape areas as well as allow, in this specific location within both a designated NSA and Very Sensitive Countryside, an unacceptable encroachment and a degradation of the landscape, irreversible and entirely detrimental to the public interest.
- *[Comment: The proposal though introducing a new building is not considered to be on a new plot but on an existing and managed garden ground for the existing dwelling. The acceptability of the unit as an ancillary building and its impact is addressed in the main body of the report without any compromise on the relevant policies of the adopted LDP]*
- While the old single-storey cottage, during the period prior to its recent extension, was indeed all but invisible from most aspects on the mainland, we were saddened recently to see that, in spite of the mitigation by tree screening mentioned in the Report of Handling, many trees seem to have disappeared and the recently extended and elevated house is now a highly visible feature on the landscape from multiple vantage points to the SW along the old woodland walk

up to Castle Dounie\*, which hundreds of members of the public come to enjoy annually—and which is within the National Scenic Area.

- *[Comment: This point is noted and though not material to this application, It was pointed out during the site visit that some the trees had been removed due to their poor/infected conditions. However, it was evident that new planting had also been put in place to enhance the island as per previous condition appended to the house extension]*
- This assertion that the new dwelling will not be seen is almost entirely speculative and, we believe, erroneous. Given both that trees are temporary features that may be easily removed or felled naturally, it is, in fact, almost a certainty that this proposed dwelling will be visible from several aspects in the future. Certainly there can be no question that it will *at least* be visible from anywhere that has a vantage point in line with and into the small glen on the ridge of which the site is proposed. i.e. from Duntrune to the NE and from the much closer shore to the SW where the public path through old growth woodland takes walkers up to Castle Dounie and beyond — both of which vantage points are within the designated NSA.
- *[Comment: This point raised is noted and addressed in the main body of the report. Additionally, the new tree planting scheme is expected to be maintained though as noted weather conditions may well allow some visibility of the structure, it is not expected to highly exposed to visual detriment.]*
- Furthermore, and perhaps more importantly, the argument, might have some merit if this were an application for a new dwelling *within* the Settlement Zone (or if, as was the case in the previous application to extend the cottage, it were an application to extend or modify the one existing dwellinghouse on the island.) But, as this application seeks to build a *\*new dwelling\* \*outside\** the Settlement Zone —*where none has existed during the period since the land has been designated as both Very Sensitive Countryside and within a National Scenic Area*— we believe this argument does not have merit.
- *[Comment: This point raised is noted and addressed in the main body of the report. The proposed development is considered a separate dwelling but an ancillary unit.]*
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Note: Full details of all representations can be view on the Council's website at [www.argyll-bute.gov.uk](http://www.argyll-bute.gov.uk)

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## (G) SUPPORTING INFORMATION

Has the application been the subject of:

- |      |  |    |
|------|--|----|
| (i)  | <b>Environmental Statement:</b>  | No |
| (ii) | <b>An appropriate assessment under the Conservation (Natural Habitats) Regulations 1994:</b> | No |



**(iii) A design or design/access statement:** Yes

- The indicated curtilage on the site plan is by reference to the geological feature made up of the saddle containing the species garden glen located between two clear rock ridges.
- The purpose of the application building is to provide for guests and visitors to the island who may be working in the garden as a toilet/washing facility and/or the occasional guest who may stay on the island overnight. The Applicants will also use the building as a quiet room, particularly for writing and as a creative space.
- The unique location of the garden room and very special nature of this hidden glen within the Island requires an equally unique and special design solution. The design here has evolved as a solution which compliments the nature of a very special area of land, using the existing foundation footprint.
- In elevation, the shape and form of the proposal reflects the canopy pattern of some of the conifer trees found within this area. High quality locally sourced materials are to be used for the structure and external aesthetic. This material will have an immediate dialogue within the wooded garden specifically in terms of texture and colour.
- No trees will be affected in the construction of the garden room due to use of the existing foundation, which has itself been used of late for storage of gardening equipment and general detritus.
- The proposal intends use the existing pontoon access to the island. It will not alter existing access from the pontoon, the boathouse nor does it seek to create any new access.
- The proposal cannot be seen from Crinan Harbour to the south or from the house on the Island to the west. Any view toward the north east is substantially obscured by land contours and existing tree and shrub cover. The Applicants have already planted a substantial number of indigenous trees on the ridges bordering the glen. Further planting is intended.
- The keenest walker, along the Ardnoe peninsula path opposite the boathouse to the south may, during winter when the trees have no leaves, catch a glimpse of the garden room. But strategic planting and the nature of the materials and colours to be used in the construction will minimise this.
- The Applicant has ensured that the natural habitat will not be disturbed by virtue of its siting and the use of sustainable, locally sourced natural materials, and the design will contribute to, and indeed enhance the interest of an already special environment.

- (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 9 – Development Setting, Layout and Design  
LDP 10 – Maximising our Resources and Reducing our Consumption

Local Development Plan Schedules

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

**Natural Environment**

SG LDP ENV 6 – Impact on Trees / Woodland

**Landscape and Design**

SG LDP ENV 12 – Impact on National Scenic Areas (NSAs)

**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 2 – Incorporation of Natural Features / SuDS  
SG LDP SERV 6 – Private Water Supplies and Water Conservation

- (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 58 – Private Water Supplies and Water Conservation

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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: No**

There is a total of 32 no. objections and 39 expressions 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**

This application seeks for planning permission to construct a detached garden room on the ancillary to the main dwellinghouse on Eilean Da Mheinn, Harbour Island in Crinan.

The application site is accessible via a short boat trip from the end of the C39 public road to Crinan.

In terms of the adopted Argyll and Bute Local Development Plan (LDP) the application site includes land within a Very Sensitive Countryside Zone where Policy LDP DM 1 only gives encouragement to specific categories of development on appropriate sites. These comprise: (i) Renewable energy related development (ii) Telecommunication related development. (iii) Development directly supporting agricultural, aquaculture, nature conservation or other established activity. (iv) small scale development related to outdoor sport and recreation.

While the application site is located in a hidden glen across the mid rock ridge formation on the Island, it was established that this part of the site is managed as part of the garden ground of the main dwellinghouse. The application has therefore been deemed a householder application for a domestic garden room ancillary to the main house. Though Policy LDP DM 1 sets out categorical development allowed within Very Sensitive Countryside Zones, it does not seek to restrict extension to established residential dwellings.

The determining factors in the assessment of this application were to initially establish whether or not the site formed part of the existing garden ground of the main house. Further considerations pertained to the location, scale, massing, design, finishing materials of the proposal and its visual impact on the Island and the National Scenic Area (NSA) as a whole.

In this case, it is accepted that the site forms part of the managed garden ground of the main house. The well concealed location, scale, massing, design and finishing materials are deemed acceptable in that it will not result in a materially detrimental impact on visual character of the Island nor the NSA where it is located.

The application has attracted high volume of representations and is referred to Members to be determined as per the Council's agreed scheme of delegation

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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 nature of the proposal constitutes small scale householder development deemed acceptable and consistent with the requirement for the Settlement area. By virtue of its location, massing, design, materials and infrastructure the development will be in keeping with the character of its immediate surrounding and the wider National Scenic Area. It would not give rise to any detrimental residential or visual amenity concerns.

The proposal, subject to the appended conditions, is deemed compliant with the adopted Argyll and Bute Local Development Plan policies LDP STRAT1, LDP DM1, LDP 3, LDP 9, LDP 10, and Supplementary Guidance SG LDP ENV 6, SG LDP ENV 12, SG LDP SERV 1, SG LDP SERV 2, SG LDP SERV 6, and SG LDP Sustainable. There are therefore no other planning material considerations which would justify refusal of this application for Planning Permission.

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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:** Tiwaah Antwi

**Date:** 05/04/2022

**Reviewing Officer:** Sandra Davies

**Date:** 05/04/2022

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

## CONDITIONS AND REASONS RELATIVE TO APPLICATION REF. NO. 21/02308/PP

### 1. PP - Approved Details & Standard Notes – Non EIA Development

The development shall be implemented in accordance with the details specified on the application form dated 01/11/2021, 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
Proximity and Location Plan	AR/287/01	B	26/01/2022
Site Plan with Curtilage (1:2000)	AR/287/04	A	26/01/2022
Site Plan (1:500)	AR/287/05		26/01/2022
Floor Plans and Elevations	AR/287/02		04/11/2021
Elevations, Sections and Roof Plan	AR/287/03		04/11/2021

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

2. Notwithstanding the provisions of Class 9 of the Town and Country Planning (Use Classes) (Scotland) Order 1997, the building hereby permitted shall be occupied as a structure ancillary to the occupation of the main dwelling and shall not be occupied independently thereof as a separate dwelling unit.

Reason: To define the permission on the basis of the Planning Authority's assessment of the use applied for.

Note to Applicant:

For the avoidance of doubt this permission only provides for the occupation of the ancillary building and the main dwelling by a single household and their non-paying guests. Specifically the occupation of the building independently from that of the main dwelling (e.g. as a separate fulltime residence or a holiday letting unit) shall require the benefit of a separate planning permission.

## **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.

## **APPENDIX A – RELATIVE TO APPLICATION NUMBER: 21/02308/PP**

### **PLANNING LAND USE AND POLICY ASSESSMENT**

#### **A. Settlement Strategy**

The application seeks planning permission to construct a detached garden room ancillary to the main dwellinghouse on Eilean Da Mheinn, Harbour Island in Crinan. The application site is accessible via a short boat trip from the end of the C39 public road to Crinan.

In terms of the adopted Argyll and Bute Local Development Plan (LDP) the application site includes land within a Very Sensitive Countryside Zone where Policy LDP DM 1 only gives encouragement to specific categories of development on appropriate sites. These comprise: (i) Renewable energy related development (ii) Telecommunication related development. (iii) Development directly supporting agricultural, aquaculture, nature conservation or other established activity. (iv) small scale development related to outdoor sport and recreation.

Policy LDP 3 aims to protect, conserve and where possible enhance the built, human and natural environment. SG LDP ENV 6 elaborates on this policy and expects development in and around trees, groups of trees and areas of woodland do not have adverse impact on the trees by ensuring through the development management process that adequate provision is made for the preservation of and where appropriate the planting of new woodland/trees, including compensatory planting and management agreements.

SG LDP ENV 12 also has a presumption against development that would have an adverse effect on the integrity of the area, or that would undermine the special qualities of the area. The application site falls within both a Semi-Natural Ancient Woodland and a NSA designation.

Policy LDP 9 requires developers to produce and execute a high standard of appropriate design and to ensure that development is sited and designed so as to pay regard to the context within which it is located. The SG LDP Sustainable provides further detail to this policy seeking development layouts to be compatible with, and consolidate the existing settlement taking into account the relationship with neighbouring properties to ensure no adverse impact on visual and/or residential amenities. Additionally, the scale, design and building materials should complement the house and not dominate it, or detract from its amenity or the amenity of the surrounding area and properties. The total amount of building on the site should not exceed 33% of the site area.

Detailed below is an assessment of the proposed development against the above referenced policies deemed relevant to the application.

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

Eilean Da Mheinn is a small private island which lies approx. 190 metres west of Crinan village in Loch Crinan. The Island's topography is predominantly made up geological features of three rock ridges lying almost parallel to each other with two low lying



grounds between them. The two glens are connected by a set of reconstructed metallic steps.

The main house is centrally located on the Island contained by rock spurs while the proposed garden room will be sited centrally on the narrower glen currently maintained as a domestic garden ground with various plant species. This proposed location for the ancillary building is well confined by the rock ridges on the north west and south east boundaries. To the north east at sea and south west from the high level grounds of the Core path C130 which lies some 273 metres south east, the proposal will be bounded by established mature trees.

The proposed site includes land within a Very Sensitive Countryside Zone where Policy LDP DM 1 only gives encouragement to specific categories of development on appropriate sites. These comprise: (i) Renewable energy related development (ii) Telecommunication related development. (iii) Development directly supporting agricultural, aquaculture, nature conservation or other established activity. (iv) small scale development related to outdoor sport and recreation. The nature of the proposed development is small scale and therefore acceptable. It is worth noting that Policy LDP DM 1 is not intended to restrict acceptable extension of existing residential dwellings and their gardens within the Very Sensitive Countryside designation.

While undertaking a site visit and due to the nature of the island, it was noted that the proposed location for the garden room forms part of the managed domestic garden ground of the main dwellinghouse – therefore accepted as part of the main dwelling's curtilage. This part of the garden is accessible via a set of steps which connects it to the main house yet separated by one of the three main geological formations on the island. It is considered that the proposed location is carefully chosen where it will be hidden in the glen and on a brownfield site with evidence of ruins foundation. Based on the above, the Planning Authority is satisfied that the proposed development is within the curtilage of the main dwellinghouse and its intended domesticated use is acceptable and conforms to Policy LDP DM 1.

The proposed rectangular shaped garden room would measure 6.7 metres in length, 4.3 metres wide and 6.5 metres high. The structure would have a combination of pitched and conical roof design extended with a weathervane arrow finial on the conical roof's apex. Externally, the character of unit is uniquely designed; the internal layout shows an open plan kitchen/living area with stove and associated flue, a separate shower facility and stairs to the floored attic in the conical roof space forming a sleeping area. The unit is intended to host occasional guest/workers on the island and the applicants themselves. It will have doors and windows (including three rooflights on the cone roof to serve the attic area). The proposed garden room will be finished in locally sourced larch cladding to walls, doors and windows, stone facing base course, treated cedar shingles and olive green box profiled galvanised steel sheets roof with lead finial to conical roof and dark brown aluminium guttering.

Due to the proposal's hidden location in the glen, scale and uniquely sympathetic design to complement the character of both the Island and the existing dwelling, it is considered acceptable. The proposal will not be materially detrimental to any visual or residential amenities already established and enjoyed by neighbours or the general public.

The proposed location for the ancillary building is well confined by the rock ridges with limited glimpses from north east at sea and south west from the high level grounds of the Core path C130 which lies some 273 metres south east of the proposed site. There may also be glimpses of the pinnacle of the structure with the weathervane finial, if at

all through the mature trees. This is however also considered acceptable in terms of scale and design and will not hide any views.

It is considered that proposed timber finish and olive green roof materials would naturally blend in the existing natural environment. It is therefore considered acceptable and compliant with policy LDP 9 and SG LDP Sustainable.

### **C. Built Environment**

The application site falls within a National Scenic Area and therefore needs to be assessed against Policy LDP 3 which aims to protect, conserve and where possible enhance the built, human and natural environment. SG LDP ENV 6 elaborates on this policy and expects development in and around trees, groups of trees and areas of woodland do not have adverse impact on the trees by ensuring through the development management process that adequate provision is made for the preservation of and where appropriate the planting of new woodland/trees, including compensatory planting and management agreements.

SG LDP ENV 12 also has a presumption against development that would have an adverse effect on the integrity of the area, or that would undermine the special qualities of the area. The application site falls within both a Semi-Natural Ancient Woodland and a NSA designation.

In this regard, it is considered that due to the small scale of the development, its design, location and finishing materials, it will not materially harm or detract from the appearance of the Island, the NSA or the wider natural environment. The scale of the structure is highly unlikely to obstruct any views to or from the Island.

While the application form notes the presence of trees on site and that some trees would be removed as part of the development, it is evident on site that this was part retrospective and this referred to trees in poor condition and/or infected but not to trees required to be felled to enable the development itself. Additionally, the tree removal would not affect the established indigenous woodland area on the island. It was noted that various new replacement trees have already been planted throughout the island. It is also confirmed that there are no Tree Protection Orders (TPOs) on the Island. There are therefore no concerns with the development, proposed (partly retrospective) tree felling on site neither are there any concerns pertaining to environmental nor ecological impact.

The proposal therefore complies with Policy LDP 3, SG LDP 6 AND SG LDP 12.

### **D. Infrastructure**

The proposal intends to rely on the existing water supply. Surface water drainage will be taken into a soakaway and an existing pond, with any excess flowing to sea through established surface water drains. However, foul water will be taken in a proprietary composting unit with solid waste taken to garden and light fluid discharge to a soakaway.

Policy LDP 10 supports all development proposals that seek to maximise our resources and reduce consumption and where they accord with other relevant policy requirements. Furthermore, SG LDP SERV 1 only requires private waste water systems in areas adjacent to waters designated under EC Shellfish Directives 79/923/EEC or 91/492/EEC to discharge to land rather than water.

SG LDP SERV 6 which seek to ensure appropriate infrastructure and supports private water supply where connection to the public system is not, or could not be made available.

In response to this, private waste water treatment is proposed with clean water to be discharged to a soakaway and therefore is in line with the requirements of SG LDP SERV 1, SG LDP ENV 6 and SEPA's Standing Advice which has been considered in the assessment as the nature of the proposal falls below SEPA's threshold for consultation. Furthermore, the development has been assessed against the relevant unopposed Policy 58 of the proposed LPD 2 which does not reflect much changes to their currently adopted policies, it is therefore considered that the development also conforms to this policy.

In conclusion, the proposed development has been assessed against all of the above potential constraints and designations and determined to raise no issues or concerns. It is consistent with relevant policies of the adopted LDP subject to the appended conditions.