

Delegated or 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

Reference No: 22/00625/PP

Planning Hierarchy: Local

Applicant: Holidays Direct Marketing

Proposal: Change of Use of land for the Siting of 10 Holiday Pods, Formation of Vehicular Access and Parking, Installation of Sewage Treatment Plant and associated Landscaping

Site Address: Land between Achnakeep and Schoolhouse Cottage Portsonachan

SUPPLEMENTARY REPORT NO. 1

1.0 INTRODUCTION

The purpose of this report is to advise Members that the Examination by Scottish Government Reporters into the Argyll and Bute Proposed Local Development Plan 2 has now concluded and the Examination Report has been published. The Examination Report is a material consideration of significant weight. Consequently, the Proposed Local Development Plan 2 as recommended to be modified by the Examination Report and the published Non Notifiable Modifications is a material consideration in the determination of all planning and related applications.

2.0 RELEVANT PLDP2 POLICIES

Policy 01 - Settlement Areas

Policy 04 – Sustainable Development

Policy 05 – Design and Placemaking

Policy 06 – Green Infrastructure

Policy 08 – Sustainable Siting

Policy 09 – Sustainable Design

Policy 10 – Design – All Development

Policy 14 – Bad Neighbour Development

Policy 23 – Tourist Development, Accommodation, Infrastructure and Facilities

Policy 25 – Tourism Development Opportunities

Policy 34 – Electric Vehicle Charging

Policy 35 – Design of New and Existing, Public Roads and Private Access

Policy 36 – New Private Access

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 60 – Private Sewage Treatment Plans and Wastewater Drainage

Policy 61 – Sustainable Drainage Systems (SUDS)

Policy 63 – Waste Related Development and Waste Management

Policy 71 – Development Impact on Local Landscape Area (LLA)

Policy 73 – Development Impact on Habitats, Species and Biodiversity.

Policy 77 – Forestry, Woodland and Trees

3.0 IMPLICATIONS OF PLDP 2 AS RECOMMENDED TO BE MODIFIED BY THE EXAMINATION REPORT

The assessment of the proposal against PLDP2 as recommended to be modified by the Examination Report is as follows:

Policy 01 – Settlement Areas: The proposal is located within the Settlement Area for Portsonachan as identified in PDLP2. The provisions of Policy 01 continues to set out general support for development within the settlement area. No substantive change to previous assessment.

Policy 04 – Sustainable Development: Promotes the principles of sustainable development and remain generally aligned with the requirements of ABC LDP STRAT 1 and NPF 4 Policies 1 and 2 which have already been applied to the assessment of this matter. No substantive change to previous assessment.

Policy 05 – Design and Placemaking: Sets out principles for achieving good quality places and is generally aligned with the requirements of ABC LDP 2015 Policy LDP 9 and SG LDP Sustainable Design, and NPF4 Policy 14 which have already been applied to the assessment of this matter. No substantive change to previous assessment.

Policy 06 – Green Infrastructure: Sets out a requirement for the developer to demonstrate how green infrastructure has been integrated into the design of the proposal from the outset. This policy overlaps with provisions elsewhere to consider enhancements to biodiversity and sustainable urban drainage which have already been applied to the assessment of this matter. No substantive change to previous assessment.

Policy 08 – Sustainable Siting: Sets out the principles for successfully integrating new development into its landscape/townscape setting and is aligned with the provisions of NPF4 and ABC LDP 2015 Policy LDP 9 and SG LDP Sustainable Design which have already been applied to the assessment of this matter. No substantive change to previous assessment.

Policy 09 – Sustainable Design: Sets out that development proposals should demonstrate consideration of and where possible utilisation of renewable sources of energy; and sustainable design and construction methods. The Supporting Statement accompanying the

application identifies that the proposal has been specifically designed to be energy and resource efficient. No substantive change to previous assessment.

Policy 10 – Design – All Development: Sets out requirements for the design of new development and is generally aligned with the provisions of NPF4 and ABC 2015 Policy LDP 9 and SG LDP Sustainable Design which have already been applied to the assessment of this matter. No substantive change to previous assessment.

Policy 14 – Bad Neighbour Development – Sets out that the Council will resist any proposal that has an unacceptable adverse impact upon the amenity of neighbouring land uses unless appropriately mitigated by planning condition or legal agreement. This is aligned with the provisions of NPF 4 Policy 23 and ABC 2015 Policy SG LDP BAD 1 which have already been applied to the assessment of this matter. No substantive change to previous assessment.

Policy 23 – Tourist Development, Accommodation, Infrastructure and Facilities – Establishes a presumption in favour of new or improved tourist facilities and accommodation subject to various criteria and is generally aligned with the provisions of NPF4 Policy 30 and ABC 2015 Policies LDP 5, SG LDP TOUR 1 and SG LDP TOUR 3 which have already been applied to the assessment of this matter. No substantive change to previous assessment.

Policy 25 – Tourism Development Opportunities - Establishes areas with a significant potential for the sustainable growth of the Argyll and Bute tourism industry. The proposed development is located within one such area which is already established within ABC 2015. The proposed development is therefore aligned with the provisions of NPF4 Policy 30 and ABC 2015 Policies LDP 5, SG LDP TOUR 1 and SG LDP TOUR 3 which have already been applied to the assessment of this matter. No substantive change to previous assessment.

Policy 34 – Electric Vehicle Charging - This policy sets out a requirement for all new non-residential developments that attract a significant number of vehicles to have a minimum of 1 EV charging point for every five proposed parking spaces and for dedicated cable ducting to be installed to allow all remaining such parking spaces to be provided with a charging point in the future. In the case of this specific planning application, it is not considered that the proposed small scale development would attract a significant number of vehicles sufficient to warrant a requirement for two EV charging points plus cabling for the potential retro-fitting of the remaining eight of the proposed ten parking spaces. In addition, this matter has already been addressed in the applicant's supporting statements where it is acknowledged that the existing Portsonachan Hotel development already has two EV charging points which will be made available to serve the currently proposed site if required. No substantive change to previous assessment.

Policy 35 – Design of New and Existing, Public Roads and Private Access Regimes - Sets out that the acceptance of development utilising existing public roads is subject to road safety and street design issues being addressed to the satisfaction of the Roads Authority and Planning Authority. In this instance it has been identified by the Roads Authority that the existing public road serving the development is substandard and unsuited to accommodate additional development without commensurate improvement. The required improvement measures have been agreed with the developer and can be secured by planning condition. The proposed development is therefore aligned to the provisions of NPF4 Policy 13 as underpinned by LDP Policies LDP 11, SG LDP TRAN 2, SG LDP TRAN 4, SG LDP TRAN 5 and SG LDP TRAN 6 which have already been applied to the assessment of this matter. No substantive change to previous assessment.

Policy 36 – New Private Access: Sets out the circumstances where a new private access may be considered to be acceptable. In this instance the proposal would connect to the public road by a private access connection and would be consistent with the principles of Policy 36a. No substantive change to previous assessment.

Policy 39 - Construction Standards for Private Access – Sets out the construction standards to be applied for private accesses and is generally aligned with the provisions of NPF4 Policy 13 and ABC 2015 Policy LDP 9, LDP 11, SG LDP TRAN 2, SG LDP TRAN 4, SG LDP TRAN 5 and SG LDP TRAN 6 and SG LDP Sustainable Design which have already been applied to the assessment of this matter. No substantive change to previous assessment.

Policy 40 – Vehicle Parking Provision - Sets out standards for off street car and vehicle parking. The proposed provision of 10 onsite parking spaces would be consistent with the requirements of Policy 40. No substantive change to previous assessment.

Policy 41 – Offsite Highway Improvements: Sets out an expectation that where new development would be served by a substandard private or public approach road then it will contribute proportionately to improvements to an agreed section of the public or private road network. A detailed assessment is set out in the main report of handling of this aspect in relation to ABC LDP 2015 Policy LDP 11 and SG LDP TRAN 4 and SG LDP TRAN 5. No substantive change to previous assessment.

Policy 58 – Private Water Supplies and Water Conservation – Sets out support in principle for the use of private water supplies subject to various criteria and is generally aligned with the provisions of NPF4 Policy 18 and ABC LDP 2015 policies LDP DM 10, LDP DM 11 and SG LDP SERV 6. No substantive change to previous assessment.

Policy 60 – Private Sewage Treatment Plans and Wastewater Drainage – Sets out that connection to an existing public sewer will be required unless various criteria apply. In the case of the specific development proposed, there is no existing public sewer available and the proposal is advanced on the basis of connection to a new private sewage treatment plant. The proposal is aligned with NPF4 Policies 18 and 22 in this regard as underpinned by ABC LDP 2015 policies LDP DM 10, LDP DM 11 and SG LDP SERV 1. No substantive change to previous assessment.

Policy 61 – Sustainable Drainage Systems (SUDS) - Sets out a requirement that proposal for SuDS are required in relation to all development prior to determination. The proposed development has been designed according to CIRIA C753 and Sewers for Scotland 4th Edition and has been deemed acceptable by the Council's flooding advisors. This is generally aligned to the existing NPF4 Policy 22 and ABC LDP 2015 policies LDP 10 and SG LDP SERV 2. No substantive change to previous assessment.

Policy 63 – Waste Related Development and Waste Management – Sets out the provision for waste storage and collection facilities in new developments and is aligned with the provisions of NPF4 Policy 12 and ABC LDP 2015 policies LDP 10 and SG LDP SERV 5(b). No substantive change to previous assessment.

Policy 71 – Development Impact on Local Landscape Area (LLA) – Sets out that the Council will resist development having a significant adverse impact upon the character and qualities of the landscape within an LLA unless two specific criteria apply. In the case of the current development, whilst the site is located within the North Argyll APQ it will not result in a significantly visually intrusive development within the site, the wider landscape or the APQ. This assessment is aligned with the provisions of NPF4 Policy 4 and ABC LDP 2015 policies LDP 3, SG LDP ENV 13 and SG LDP ENV 14. No substantive change to previous assessment.

Policy 73 – Development Impact on Habitats, Species and Biodiversity – Development Impact on Sites of International and National Importance. Encourages protection and enhancement of local biodiversity and affords protection to species and habitat and is aligned with the provisions of NPF4 Policy 3 and ABC LDP 2015 policies LDP3 and SG LDP ENV 1. The proposed development has been designed to afford protection and enhancement measures and there are no substantive changes to the previous assessment.

Policy 77 – Forestry, Woodland and Trees - Sets out criteria for the assessment of development impact on woodland and trees. The provisions of Policy 77 are aligned with the requirements of NPF4 Policy 6; ABC LDP 2015 Policy LDP 3, and SG LDP ENV 6 which have already been applied to the assessment of this matter. No substantive change to previous assessment.

4.0 CONCLUSION

Proposed Local Development Plan 2 as recommended to be modified by the Examination Report is now a significant material consideration. However, in this case there is no significant material change of policy between the Adopted Plan and Proposed Local Development Plan 2 as recommended to be modified by the Examination Report that would require further assessment or lead to a change in the recommendation.

5.0 RECOMMENDATION

Recommend that the application be determined in accordance with the Head of Development & Economic Growth's report dated 1st June 2023.

Author of Report: Tim Williams **Date:** 20th June 2023

Reviewing Officer: Sandra Davies **Date:** 20th June 2023

Fergus Murray
Head of Development and Economic Growth