

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: 23/01069/PP
Planning Hierarchy: Local
Applicant: Mr & Mrs D Kelly
Proposal: Demolition of existing conservatory, erection of rear extension, erection of front porch and alterations to principal elevation
Site Address: Strathmore, Drumlemble, Campbeltown

DECISION ROUTE

- Delegated - Sect 43 (A) of the Town and Country Planning (Scotland) Act 1997
 Committee - Local Government Scotland Act 1973
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(A) THE APPLICATION

- (i) Development Requiring Express Planning Permission**
- Erection of rear extension
 - Erection of front porch
 - Erection of front living room extension
- (ii) Other specified operations**
- Demolition of rear conservatory
 - Internal alterations
-

(B) RECOMMENDATION:

Recommend planning permission be granted subject to the standard condition and reason.

(C) CONSULTATIONS:

Environmental Health – not yet responded.
Nature Scotland – not yet responded.

(D) HISTORY:

None.

(E) PUBLICITY:

The proposal has been advertised in terms of Neighbour Notification procedures.

(F) REPRESENTATIONS:

(i) Representations received from:

None received.

(G) SUPPORTING INFORMATION

Has the application been the subject of:

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

Is a Section 75 agreement required: Yes No

- (I) Has a Direction been issued by Scottish Ministers in terms of Regulation 30, 31 or 32:** Yes 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.**

[National Planning Framework 4 \(Adopted 13th February 2023\)](#)

Part 2 – National Planning Policy

Sustainable Places

NPF4 Policy 1 – Tackling the Climate and Nature Crises

NPF4 Policy 2 – Climate Mitigation and Adaption

NPF4 Policy 4 – Natural Places

Liveable Places

NPF4 Policy 14 – Design, Quality and Place

NPF4 Policy 16 – Quality Homes

[‘Argyll and Bute Local Development Plan’ Adopted March 2015](#)

LDP STRAT 1 – Sustainable Development

LDP 3 – Supporting the Protection Conservation and Enhancement of our Environment

LDP 9 – Development Setting, Layout and Design

Local Development Plan Schedules

[‘Supplementary Guidance to the Argyll and Bute Local Plan 2015’ \(Adopted March 2016 & December 2016\)](#)

Sustainable Siting and Design

SG LDP Sustainable – Sustainable Siting and Design Principles

- (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.**

[Argyll and Bute proposed Local Development Plan 2 \(November 2019\)](#) – The Examination by Scottish Government Reporters to the Argyll and Bute Local Development Plan 2 has now concluded and the [Examination Report](#) has been published (13th June 2023). The Examination Report is a material consideration of significant weight and may be used as such until the conclusion of the LDP2 Adoption Process. 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.

Spatial and Settlement Strategy

Policy 04 – Sustainable Development

High Quality Places

Policy 05 – Design and Placemaking

Policy 08 – Sustainable Siting

Policy 09 – Sustainable Design

Policy 10 – Design – All Development

Local Development Plan 2 Schedules

- (K) Is the proposal a Schedule 2 Development not requiring an Environmental Impact Assessment: Yes No**
-

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

(M) **Has a Sustainability Checklist been submitted:** Yes No

(N) **Does the Council have an interest in the site:** Yes No
It should be noted that the Applicant is Local Member Donald Kelly for South Kintyre

(O) **Requirement for a pre-determination hearing:** Yes No

(P)(i) **Key Constraints/Designations Affected by the Development:**

- None

(P)(ii) **Soils**

Agricultural Land Classification:

Class 3.1

Peatland/Carbon Rich Soils Classification:

- Class 1
 Class 2
 Class 3
 N/A

Peat Depth Classification:

N/A

Does the development relate to croft land? Yes No
Would the development restrict access to croft or better quality agricultural land? Yes No N/A
Would the development result in fragmentation of croft / better quality agricultural land? Yes No N/A

(P)(iii) **Woodland**

Will the proposal result in loss of trees/woodland? Yes No
(If yes, detail in summary assessment)
Does the proposal include any replacement or compensatory planting? Yes No details to be secured by condition N/A

(P)(iv) **Land Status / LDP Settlement Strategy**

Status of Land within the Application Brownfield
(tick all relevant boxes) Brownfield Reclaimed by Nature
 Greenfield

ABC LDP 2015 Settlement Strategy
LDP DM 1 (tick all relevant boxes)

- Main Town Settlement Area
 Key Rural Settlement Area

ABC pLDP2 Settlement Strategy
(tick all relevant boxes)

- Settlement Area
 Countryside Area

- Village/Minor Settlement Area
- Rural Opportunity Area
- Countryside Zone
- Very Sensitive Countryside Zone
- Greenbelt

ABC LDP 2015 Allocations/PDAs/AF As etc:
N/A

- Remote Countryside Area
- Helensburgh & Lomond Greenbelt

ABC pLDP2 Allocations/PDAs/AF As etc:
N/A

(P)(v) Summary assessment and summary of determining issues and material considerations

Planning permission is sought for the erection of a front porch, the demolition of an existing rear conservatory and the erection of a single storey rear extension. It is also proposed to extend the lounge area to the front of the detached property known as Strathmore, Drumlemble, Campbeltown.

The applicant and owner of this dwellinghouse is South Kintyre Local Member Donald Kelly hence the reason for this committee item.

NPF4 Policy 16g) sets out support for householder development proposals where they: do not have a detrimental impact on the character or environmental quality of the home and the surrounding area in terms of size, design and materials; and where they do not have a detrimental effect on the neighbouring properties in terms of physical impact, overshadowing or overlooking.

LDP SPG Sustainable Siting and Design Principles also sets out specific considerations that will be taken into account when considering householder type development proposals. In summary, these considerations seek to ensure that proposals reflect the original character of the dwellinghouse so that the appearance of the building and amenity of the surrounding area are not adversely affected.

In summary, it is considered that the proposal would not harm the character and appearance or environmental quality of the existing dwelling, nor of the surrounding area. Nor would the proposed development have a detrimental effect of the amenity of neighbouring properties. As such, it is considered that the proposed development would meet the relevant requirements of the above noted policies.

Proposed Local Development Plan 2 as recommended to be modified by the Examination Report is now a significant material consideration. In this instance it is considered that this application does not give rise to any fundamental conflict with the relevant policies of PLDP2.

A more detailed assessment of the proposal, alongside other relevant planning considerations, is set out in Appendix A.

(Q) Is the proposal consistent with the Development Plan: Yes No

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

The proposal is considered to be consistent with the relevant provisions of the Development Plan, and there are no other material considerations of sufficient significance to indicate that it would be appropriate to withhold planning permission having regard to s25 of the Act.

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

None

(T) Need for notification to Scottish Ministers or Historic Environment Scotland:

Yes No

Author of Report: Kim MacKay

Date: 01 August 2023

Reviewing Officer: Bryn Bowker

Date: 04 August 2023

Fergus Murray
Head of Development & Economic Growth

CONDITIONS AND REASONS RELATIVE TO APPLICATION REF. NO. (23/01069/PP

Standard Time Limit Condition (as defined by Regulation)

Standard Condition on Soil Management During Construction

Additional Conditions

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 31.05.23; 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
Existing Location Plan/elevations/floor plan	Kelly-21/100-01	REV A	01.06.23
Proposed site plan/elevations/floor plan	Kelly-21/100-02	REV A	01.06.23

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

COMMITTEE REPORT	
APPENDIX A – RELATIVE TO APPLICATION NUMBER:	23/01069/PP
PLANNING LAND USE AND POLICY ASSESSMENT	

1. Settlement Strategy

Planning permission is sought for the erection of a front porch, the demolition of an existing rear conservatory and the erection of a single storey rear extension. It is also proposed to extend the lounge area to the front of the detached property known as Strathmore, Drumlemble, Campbeltown

The Development Plan policies of most relevance to the proposed development are set out below:

NPF4 Policy 1 seeks to prioritise the climate and nature crises in all decisions and it requires to be applied together with other policies in NPF4. Guidance from the Scottish Government advises that it is for the decision maker to determine whether the significant weight to be applied tips the balance for or against a proposal on the basis of its positive or negative contribution to climate and nature crises.

NPF4 Policy 2 seeks to ensure that new development proposals will be sited to minimise lifecycle greenhouse gas emissions as far as possible, and that proposals will be sited and designed to adapt to current and future risks from climate change. Guidance from the Scottish Government confirms that at present there is no single accepted methodology for calculating and / or minimising emissions. The emphasis is on minimising emissions as far as possible, rather than eliminating emissions.

NPF4 Policy 4 seeks to protect, restore and enhance natural assets making best use of nature-based solutions.

NPF4 Policy 16 seeks to encourage, promote and facilitate the delivery of more high quality, affordable and sustainable homes, in the right locations, providing choice across tenures that meet the diverse housing needs of people and communities across Scotland.

More specifically, NPF4 Policy 16(g) states that householder developments will be supported where they do not have a detrimental impact on the character or environmental quality of the home and the surrounding area in terms of size, design and materials, and they do not have a detrimental effect on the neighbouring properties in terms of physical impact, overshadowing or overlooking.

The above NPF4 Policies are underpinned in the Argyll and Bute Local Development Plan 2015 by the principles set out in Policy LDP STRAT 1, Policy LDP 3 (protection, conservation and, where possible, enhancement of the built, human and natural environment); and Policy LDP 9 (appropriate siting, positioning, layout, density and design of new development).

2. Location, Nature and Design of Proposed Development

Strathmore is a single storey pitched roof property with a large garden, which includes a static caravan, setting back from the B843 public road. The site has only one immediate neighbour which is the local primary school, with farms and farmland surrounding the site. The existing dwelling is of rectangular design with a consistent and simple fenestration arrangement, with

external materials comprising concrete roof tiles, upvc windows, doors, and roughcast render walls.

The application seeks Planning Permission for the following works:

- Demolition of rear conservatory;
- Erection of single storey rear extension;
- Erection of small front porch;
- Extension of existing living area to meet the building line of the front existing principal elevation building line.

Character and appearance

The existing rear conservatory is to be demolished and a single storey pitched roof extension to be erected broadly in its place. The footprint of the proposed extension is of similar size to the existing conservatory and the pitched roof will extend to the ridge of the roof line of the existing dwellinghouse. The only windows proposed is on the south elevation of the extension. This extension will form an additional living/dining area. All external detailing is proposed to match the existing dwellinghouse.

The front porch extension will be erected at the entrance door, consisting of a simple pitched roof small square porch with side entrance. It is also proposed to extend the existing living room to the building line of the principal elevation).

The proposed works are minor in scale and the design and external materials proposed would complement the existing dwelling. Owing to the size, design and materials used in the proposed development, the character and environmental quality of the existing dwelling would not be harmed. For similar reasons, the character and environmental quality of the surrounding area would not be harmed.

Living conditions

The proposal is small in scale and within the garden of the existing property. Given the separation distances involved, the orientation of both the proposal and neighbouring property (which is the local primary school), and the presence of intervening boundary treatments, it is not considered that the proposal would have a materially harmful effect on the amenity of occupiers of the local school, which is the only immediate neighbour.

Consequently the proposal would meet the relevant requirements of NPF4 Policy 14, 16g), LDP Policy STRAT 1, LDP 3, LDP 9, and LDP SPG Sustainable Siting and Design Principles.

Other considerations

It is not considered that this small scale householder development proposal on an existing established residential site would result any material conflict with NPF4 policies 1, 2 and 4.

Matters Raised by Proposed Local Development Plan 2 (as modified by Examination)

Proposed Local Development Plan 2 as recommended to be modified by the Examination Report is now a significant material consideration. In this instance it is considered that this application does not give rise to any fundamental conflict with the relevant policies of PLDP2.

3. Road Network, Parking and Associated Transport Matters.

No changes are proposed to the existing access or parking arrangements. Overall, it is considered that matters associated with the road network, parking and transport do not provide a basis that would justify planning permission being refused.

4. Infrastructure

No changes are proposed to the existing services. It is considered that there are no considerations relating to infrastructure that would justify planning permission being withheld.