

## **PROPOSAL OF APPLICATION NOTICE (PAN)**

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**Reference:** 23/01040/PAN

**Applicant:** Saulmore Bay Resort Ltd

**Proposal:** Proposal of Application Notice for Marina; boatyard (including ancillary offices (Class 4) and Store (Class 6)); leisure resort (including buildings for leisure use (Class 11), retail (Class 1) and restaurant/ café (Class 3)); holiday lodges (sui generis); and other holiday accommodation types (sui generis); new roads, walkways/ cycleways; and related drainage and other infrastructure.

**Site Address:** Camus Bruaich, Ruaidhe, Connel, Argyll and Bute

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### **1.0 INTRODUCTION**

Proposal of Application Notices only relate to National and Major Applications as defined by the Government's planning hierarchy and are a statutory requirement prior to the submission of the planning application. The PAN heralds the start of a minimum 12 week period to allow for community consultation before an application can be lodged.

In considering this item, Members should restrict comments to issues relating to the material considerations which may be relevant in the determination of the proposed development and should refrain from expressing opinion as to the likely acceptability of development in advance of any subsequent application being presented for determination. Any opinions or views expressed by Councillors at the pre-application stage must be made mindful of the overarching requirements of fairness, impartiality and of keeping an open mind. The process provides opportunity for Officers to give feedback to the prospective applicant on issues which Members would wish to see addressed within the planning application submission.

The submitted information includes:

- Proposal of Application Notice
- Location Plan

The applicant has set out in detail their proposals to ensure sufficient opportunity is provided for the community to view and comment on the proposals in advance of the submission of a formal planning application.

The applicants have confirmed the following consultation steps will be undertaken:

- a) Consultation letters to be sent to Connel Community Council and the Oban North and Lorn Ward Councillors.
- b) Two public meetings will be held at Connel Village Hall.
- c) A press notice will be placed in the Oban Times, together with posters displayed in Connel village and leaflets to be delivered to near neighbours.

Officers consider that the steps set out in the PAN are acceptable.

## **2.0 DESCRIPTION OF PROPOSED DEVELOPMENT**

Based on the description of the development contained within the proposal of application notice, the forthcoming application is anticipated to comprise of the following mix of land uses:

- Construction of Marina and boatyard; including ancillary offices (Class 4) and store (Class 6);
- Construction of a Leisure Resort- including buildings for leisure use (Class 11), retail (Class 1) and restaurant/Café (Class 3);
- Erection of Holiday lodges (Sui Generis);
- Erection of other holiday accommodation types (Sui Generis);
- Installation of new infrastructure including roads, walkways and cycleways, drainage and other utilities related infrastructure.
- Landscaping works

The applicant has alongside the submission of this PAN, sought formal pre-application advice from the Planning Authority via the Pre-Application Advice Service for Major Developments.

It was recommended as part of that pre-application advice, that the applicant seeks an Environmental Impact Assessment (EIA) Screening Opinion and Scoping Opinion as the proposal would appear to exceed a number of the thresholds identified in Schedule 2, Part 12 Tourism and Leisure of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017.

## **3.0 SITE DESCRIPTION**

The proposed site is located within open countryside adjacent to the western settlement boundary of Connel and to the north of the A85, around Camus Bruaich Ruaidhe bay (Loch Etive). The site includes craggy upland, areas of woodland with semi-improved grassland as well as bog and rocky coastal margins close to Loch Etive. The landform is undulating with a series of folds and shallow valleys and covers an area in excess of 8ha. The site is located within a rural area with scattered countryside housing and nearby settlements of Connel and Dunbeg.

The site has a limited planning history with no recent permissions within the last 10 years.

## **4.0 DEVELOPMENT PLAN POLICY**

This is not a planning application and therefore does not require evaluating and determining in accordance with Section 25 of the Planning Act against the Development Plan and its policies. However, in considering the merits of this PAN, a number of Development Plan Policy considerations are relevant. The policies to be considered include:

[National Planning Framework 4 \(Adopted 13<sup>th</sup> February 2023\)](#)

**Part 2 – National Planning Policy**

NPF4 Policy 1 – Tackling the Climate and Nature Crises  
NPF4 Policy 2 – Climate Mitigation and Adaptation  
NPF4 Policy 3 – Biodiversity  
NPF4 Policy 4 – Natural Places  
NPF4 Policy 5 – Soils  
NPF4 Policy 6 – Forestry, Woodland and Trees  
NPF4 Policy 7 – Historic Assets and Places  
NPF4 Policy 9 – Brownfield, Vacant and Derelict Land and Empty Buildings  
NPF4 Policy 10 – Coastal Development  
NPF4 Policy 12 – Zero Waste  
NPF4 Policy 13 – Sustainable Transport  
NPF4 Policy 14 – Design, Quality and Place  
NPF4 Policy 20 – Blue and Green Infrastructure  
NPF4 Policy 22 – Flood Risk and Water Management  
NPF4 Policy 23 – Health and Safety  
NPF4 Policy 25 – Community Wealth Building  
NPF4 Policy 26 – Business and Industry  
NPF4 Policy 27 – City, town, local and Commercial Centres  
NPF4 Policy 28 – Retail  
NPF4 Policy 29 – Rural Development  
NPF4 Policy 30 – Tourism

### **Argyll and Bute Local Development Plan adopted March 2015**

LDP STRAT 1 – Sustainable Development  
LDP DM1 – Development within the Development Management Zones  
LDP Prop 3 – The Proposed Potential Development Areas  
LDP 3 – Supporting the Protection, Conservation and Enhancement of our Environment  
LDP 4 – Supporting the Sustainable Development of our Coastal Zone  
LDP 5 – Supporting the Sustainable Growth of Our Economy  
LDP 7 – Supporting our Town Centres and Retailing  
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

### **Supplementary Guidance**

SG LDP ENV 1 – Development Impact of Habitats, Species and Our Biodiversity (i.e. biological diversity)  
SG LDP ENV 6 – Development Impact on Trees / Woodland  
SG LDP ENV 7 – Water Quality and the Environment  
SG LDP ENV 11 – Protection of Soil and Peat Resources  
SG LDP ENV 14 –Landscape  
SG LDP ENV 20 – Development Impact on Sites of Archaeological Importance  
SG LDP BUS 2 – Business and Industry Proposals in the Countryside Development Management Zones  
SG LDP TOUR 1 – Tourist Facilities and Accommodation, including Static and Touring Caravans  
SG LDP RET 4 – Retail Development within Countryside Development Management Zones  
SG LDP REC/COM1 – Sport, Recreation and Community Facilities  
SG LDP PG 1 – Planning Gain  
SG LDP BAD 1 – Bad Neighbour Development

SG LDP Sustainable - Sustainable Siting and Design Principles  
SG LDP SERV 1 – Private Sewerage Treatment Plants and Wastewater (i.e. drainage) systems  
SG LDP SERV 2 – Incorporation of Natural Features / Sustainable Systems (SUDS)  
SG LDP SERV 3 – Drainage Impact Assessment (DIA)  
SG LDP SERV 4 – Contaminated Land  
SG LDP SERV 5 – Waste Related Development and Waste Management  
SG LDP SERV 5(b) – Provision of Waste Storage and Collection Facilities within New Development  
SG LDP SERV 6 – Private Water Supplies and Water Conservation  
SG LDP SERV 7 – Flooding and Land Erosion – The Risk Framework for Development  
SG LDP Sust Check – Sustainability Checklist  
SG LDP TRAN 1 – Access to the Outdoors  
SG LDP TRAN 2 - Development and Public Transport Accessibility  
SG LDP TRAN 3 – Special Needs Access Provision  
SG LDP TRAN 4 – New and Existing, Public Roads and Private Access Regimes  
SG LDP TRAN 5 – Off-Site Highway Improvements  
SG LDP TRAN 6 –Vehicle Parking Provision  
SG LDP TRAN 7 –Safeguarding of Airports  
SG LDP TRAN - Piers and Harbours  
SG LDP CST 1 – Coastal Development

### **Emerging Local Development Plan (LDP2)**

The emerging Local Development Plan (LDP2) will replace the current Local Development Plan 2015, once adopted. On 13<sup>th</sup> June 2023, the Scottish Government's Planning and Environmental Appeals Divisions issued their Report of Examination on the Council's LDP2. At the time of writing this Pre-application report, the LDP 2015 remains the adopted Local Development Plan, however, the Examination Report of the Draft LDP2 is a material consideration of significant weight and may be used as such until the conclusion of the LDP2 adoption process.

Policy 02 – Outwith 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 15 – Supporting the Protection, Conservation and Enhancement of Our Historic Built Environment  
Policy 18 – Enabling Development  
Policy 19 – Scheduled Monuments  
Policy 21 – Sites of Archaeological Importance  
Policy 22 – Economic Development  
Policy 23 – Tourist Development, Accommodation, Infrastructure and Facilities  
Policy 26 – Informal Public Outdoor Recreation and Leisure Related Development  
Policy 28 – Supporting Sustainable Aquatic and Coastal Development  
Policy 32 – Active Travel  
Policy 33 – Public Transport  
Policy 34 – Electric Vehicle Charging  
Policy 35 – Design of New and Existing, Public Roads and Private Access  
Policy 36 – New Private Accesses

Policy 37 – Development Utilising an Existing Private Access or Existing Road  
Policy 38 – Construction Standards for Public Roads  
Policy 39 – Construction Standards for Private Access  
Policy 40 – Vehicle Parking Provision  
Policy 41 – Off Site Highway Improvements  
Policy 42 – Safeguarding Piers, Ports and Harbours  
Policy 43 – Safeguarding of Aerodromes  
Policy 46 – Retail Development – The Sequential Approach  
Policy 48 – Developer Contributions  
Policy 49 – Sport, Recreation and Community Facilities  
Policy 55 – Flooding  
Policy 56 – Land Erosion  
Policy 58 – Private Water Supplies and Water Conservation  
Policy 59 – Water Quality and the Environment  
Policy 60 – Private Sewage Treatment Plants and Wastewater Drainage Systems  
Policy 61 – Sustainable Drainage Systems (Suds)  
Policy 62 – Drainage Impact Assessments  
Policy 63 – Waste Related Development and Waste Management  
Policy 73 – Development Impact on Habitats, Species and Biodiversity  
Policy 77 – Forestry, Woodland and Trees  
Policy 78 – Woodland Removal  
Policy 79 – Protection of Soil and Peat Resources  
Policy 80 – Geodiversity  
Policy 82 – Contaminated Land

**Other Relevant Policy Considerations:**

- [ABC Technical Note – Biodiversity \(Feb 2017\)](#)

- [Marine Planning Policy](#)

As part of the proposed development extends into the marine environment, the Council as a public body is required to take authorisation decisions in accordance with the National Marine Plan (NMP), unless relevant considerations indicate otherwise.

The proposal must be consistent with General Policies of the NMP which include:

- GEN 1 General planning principle,
- GEN 2 Economic benefit,
- GEN 3 Social benefit,
- GEN 4 Co-existence,
- GEN 5 Climate change
- GEN 6 Historic environment
- GEN 7 Landscape/seascape,
- GEN 8 Coastal process and flooding,
- GEN 9 Natural heritage,
- GEN 10 Invasive non-native species,
- GEN 11 Marine litter,
- GEN 12 Water quality and resource,
- GEN 13 Noise,
- GEN 14 Air quality,
- GEN 21 Cumulative impacts.

The proposal must also be consistent with Marine Planning Policies of the NMP that include:

TRANSPORT 1, 3, 4, 5, 6, and 7.

### **Local Development Plan Allocation**

The site is identified as a Potential Development Area [PDA] in both the adopted Local Development Plan [LDP] and the emerging Local Development Plan [LDP2]. PDAs are areas where development opportunities may be supported through the life of the plan, subject to those constraints identified in the schedules of the PDA's being successfully addressed. Mini development briefs have been prepared for each PDA and are included in the Action Programme that accompanies each LDP. The briefs identify the use or range of uses considered appropriate, the constraints that needs to be resolved and those policies which require to be taken into account. Within both Local Development Plans, the site is allocated as a Potential Development Area [PDA] for a Marina/ Leisure/ Tourism use (LDP ref. 5/54 and LDP2 ref. P4018).

## **5.0 POTENTIAL MATERIAL CONSIDERATIONS**

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

- a) Development Plan;
- b) National Policy;
- c) Flood Risk, Water Quality and Drainage;
- d) Road Network, Parking and Transport Matters;
- e) Peats and Soils;
- f) Access and Recreation;
- g) Natural Heritage and Biodiversity (including impact on designated sites and Marine Designations);
- h) Impact on Woodland;
- i) Cultural Heritage;
- j) Design and Layout;
- k) Landscape and Visual Impact;
- l) Contaminated Land;
- m) Noise and Light Pollution;
- n) Construction Impacts;
- o) Phasing;
- p) Open Space and Landscaping;
- q) Infrastructure Capacity and Delivery;
- r) Access, Navigation and Interaction with other Activities; and
- s) Any other material considerations raised within representations.

## **6.0 CONCLUSION**

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

## **7.0 RECOMMENDATION**

That Members note the content of the report and submissions and provide such feedback as they consider appropriate in respect of this PAN to allow these matters to be considered by the applicants in finalising any future planning application submission.

**Author of Report: Stephanie Wade**

**Date: 04.08.2023**

**Reviewing Officer: Peter Bain**

**Date: 08.08.2023**

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