

1A Manse Brae Lochgilphead PA31 8RD

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED)
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(SCOTLAND) REGULATIONS 2013

REFUSAL OF PLANNING PERMISSION IN PRINCIPLE

REFERENCE NUMBER: 20/01901/PPP

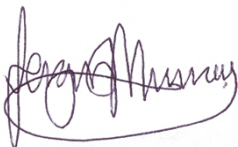
Mr I MacArthur
Ormonde ADPM
10 James Street
Avoch
Ross-shire
IV9 8QB

I refer to your application dated 20th October 2020 for planning permission in principle under the above mentioned Act and Regulations in respect of the following development:

Demolition of outbuilding and site for the erection of a dwellinghouse at Land North Of Swallowtale Inveraray Argyll And Bute

Argyll and Bute Council in exercise of their powers under the above mentioned Act and Regulations hereby refuse planning permission in principle for the above development for the **reason(s) contained in the attached appendix.**

Dated: 17 February 2023



Fergus Murray
Head of Development and Economic Growth



REASONS FOR REFUSAL RELATIVE TO APPLICATION NUMBER: 20/01901/PPP

1. The development conflicts with NPF4 Policy 13, and policy LDP 11 and SG LDP TRAN 4 of the adopted Argyll and Bute Local Plan 2015 as the proposed development would result in increasing the number of vehicles entering and leaving the traffic stream on the A83 (T) at a point where visibility is restricted, thus creating interference with the safety and free flow of the traffic on the trunk road.
2. The development conflicts with NPF4 Policy 13, and policy LDP 11 and SG LDP TRAN 4 of the adopted Argyll and Bute Local Plan 2015 as the proposed development would result in an intensification of waiting and right turning manoeuvres from the A83 (T) trunk road at a location where forward visibility for approaching westbound traffic on the trunk road is substandard thus creating interference with the safety and free flow of the traffic on the trunk road.
3. The development conflicts with NPF4 Policy 13, and policy LDP 11 and SG LDP TRAN 4 of the adopted Argyll and Bute Local Plan 2015 in so much as the lengthy substandard private access which already serves 5 dwellings would need to be brought up to adoptable standard to serve the development proposed; being suitably surfaced and provided with appropriate passing places, and over which the applicant has no control, given that land required for such improvement lies beyond the application site and outside the ownership of the applicant.



NOTES TO APPLICANT (1) RELATIVE TO APPLICATION NUMBER 20/01901/PPP

1. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under Section 43A of the Town and Country Planning (Scotland) Act 1997 (as amended) within three months from the date of this notice. A Notice of Review request must be submitted on an official form which can be obtained by contacting The Local Review Body, Committee Services, Argyll and Bute Council, Kilmory, Lochgilphead, PA31 8RT or by email to localreviewprocess@argyll-bute.gov.uk
2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state, and it cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the landowner's interest in the land, in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997 (as amended).



APPENDIX TO DECISION REFUSAL NOTICE

Appendix relative to application: 20/01901/PPP

- A. Has the application been the subject of any “non-material” amendment in terms of Section 32A of the Town and Country Planning (Scotland) Act 1997 (as amended) to the initial submitted plans during its processing.**

No

- B. Is the proposal a departure from the Development Plan:**

No

If yes, state level of departure:

No Departure

- C. Summary justification statement for refusal of planning permission in principle**

The proposal is considered to be contrary to NPF4 Policy 13, and policy LDP 11 and SG LDP TRAN 4 of the Argyll and Bute Local Development Plan 2015, and there are no other material considerations of sufficient significance to indicate that it would be appropriate to grant planning permission in this instance as a departure to the Development Plan having regard to s25 of the Act.

