

# Lindon Properties Response to appeal submissions.

## Comments on the Planning Authority submission

In the interests of clarity see below Proposal PROP SI

### The North

2.7 In general terms, the competitive advantages of the North are associated with its continuing economic momentum and projected population growth. More specifically, there are strategic transport-related opportunities associated with its west coast location and with its road, rail, ferry and air service infrastructure. Oban, 'gateway to the isles', is an engine-room for growth but needs to expand beyond its containing landform. The road and rail corridor leading eastwards presents opportunity to compete for timber processing inward investment and to pursue timber to rail transshipment options.

2.8 Against this background, the strategic issues which should be given priority in the 'North' are as set out in Strategic Issues 1 and 2, along with Proposals PROP SI 1 and 2.

#### 2.9 Strategic Issue 1:

**The potential for a major timber processing inward investment and for road to rail transshipment in the Oban to Dalmally corridor.**

#### **PROP SI 1 - TIMBER PROCESSING INWARD INVESTMENT AND ROAD TO RAIL TRANSHIPMENT POTENTIAL**

The Argyll and Bute Local Plan shall, in liaison with Scottish Enterprise, incorporate areas of search or allocation for:

- A) A strategic 10+ hectare inward investment site for timber processing within the Oban to Dalmally road and rail corridor.
- B) Sites within the Oban to Dalmally corridor with potential for road to rail transshipment either in conjunction with or separate from A) above.

#### 2.10 Strategic Issue 2:

**Planning a significant expansion of Oban beyond its currently containing landform to meet housing and employment land requirements and to take advantage of its main trunk road and rail corridors, development road options, harbour infrastructure and potential air service development.**

#### **PROP SI 2 - OBAN INVESTMENT AND EXPANSION POTENTIAL**

A) The Argyll and Bute Local Plan shall include a settlement plan for Oban resolving options for the phased expansion of the town including:

1. housing, business and industry development on currently allocated land and also for future expansion along the trunk road and, if feasible, along the rail corridor.
2. development opportunities at Dunstaffnage.
3. development road provision which might also fulfil relief road functions.
4. an action programme to fulfil the potential of Oban Bay and the town centre, harbour and waterfront areas for marine berthing, moorings and for commercial development allied to the various harbour, ferry and fishing interests.

B) Continue to pursue developing new air services focused on Oban, potentially servicing the wider north-west coast of Scotland as well as fragile islands such as Colonsay and Coll, and continue to safeguard development options in the vicinity of Oban Airport.

2.11 Other potential investment opportunities and initiatives for the 'North' are set out in over:

The planning department have submitted great detail and justification for PDA's and DRA's, they have quoted 'the Reporters findings' and to further reinforce a position that is not being questioned they have described planning proposals as policy in the shape of PROP SI. The idea of a master plan to consider how to gel PDA's and DRA's and the future expansion of Oban may be a justified process but the relevance of all of this to a development site already controlled by adopted policy is not clear. The structure plan states 'Proposals are labelled PROP and concern projects and undertakings which Argyll and Bute Council is empowered itself to pursue'.

Are we to assume the emerging new master plan idea will override existing policies already in place for this area and are we really being asked to believe that should this development go ahead that it will somehow compromise the potential investment and expansion potential of Oban, I respectfully submit it will not and feel such a suggestion does not support constructive serious debate.

A realistic picture of the significance of the development site to the wider area and its possible affect on the investment and expansion of Oban can best be seen from the council's planning map encompassing, on one map, the development roads and wider area going from Glencruitten out to Pennyfuir and Connel.

The proposed development, as accepted by the planning department will improve the site, it is the high level of improvement to the site which enhances its contribution to the wider golf course landscape and reflects the type of development required of Policy LP REC 2, the primary policy consideration for this area.

More than half of the development site will be made up from a new tee, new maintained fairway and open aspect gardens offering meaningful amenity to the wider Open Space Protection Area (OSPA).

The planning department seem unwilling to accept that if a development does not reduce the amenity of the area there is no need for alternative provision to be made. The new development road clearly will have a significant affect on this area of the golf course which needs to be address as Policy LP REC 2 dictates, alternative provision of equal benefit has been provided the road development complies with Policy LP REC 2, if your starting position for development is the loss of amenity you have to compensate.

Alternatively my own development starts from a position of improvement and with no amenity being lost only improved, no alternative provision is required, this development is therefore compliant with Policy LP REC 2, the justification for this policy, it's aim, is to protect sports pitches and playing fields from redevelopment, there seems to be a contradiction but that contradiction is resolved in the understanding that only development that supports retention and enhancement is allowed, retention and enhancement are the overriding principals of Policy LP REC 2.

The planning department also states the OSPA was not designated to protect the golf course.

This specific OSPA is made up of recreational facilities covered by Policy LP REC 2 and is not just a random open space. The OSPA was extended to include the golf course to offer protection from a presumption of development, that presumption for development was in place as the area of the golf course was originally zoned as a PDA. The resulting change in zoning and the introduction of the recreational Policy LP REC 2 delivered a more constructive framework for those of us controlled by the policy.

When the Golf Club met with senior officials from the planning department back in February 2005 a picture was painted of the golf course protected and happily coexisting and benefiting from new housing development on the golf course, the only thing at that time and to date preventing the Golf Club from benefiting through development is the Golf Club's position as only tenants, the inclusion of this development site into the wider golf course now delivers the Golf Club benefit through development.

Previous planning department statement...

***“This site was specifically included within the boundaries of the Open Space Protection Area in the Finalised Draft Local Plan as it is considered to represent part of the wider golf course landscape which is considered worthy of protection from development. A number of objections were received to the Consultative Draft Local Plan specifically requesting that the golf course area be protected from development.*”**

The planning department ends their submission;

‘Whilst the application is supported by the Golf Course the applicants have certified that they are the owners of the site and therefore there is no superficial connection between the application and the future of the Golf Course.’

What is most concerning about this statement is the misleading word choice, resulting in a total lack of clarity in the following phrase; ‘there is no superficial connection between the application and the future of the Golf Course’. Does this mean the planning department are acknowledging that we do in fact have a meaningful connection or stating that there is not even the slightest connection between the application and the future of the Golf Course?

Forgive me if I appear obtuse but the fact that a crucial sentence is open to multiple interpretations is not helpful in clarifying the points trying to be made.

The future of the Golf Course and more to the point the Golf Club, are one in the same thing. The Golf Club have already stated they are in financial difficulties. Our financial support will help towards securing the Golf Club but I believe the planning department just don't get it. The country is on it's knees and up to it's neck in debt, businesses are failing people are loosing jobs with councils and other bodies having real funding issues, this is where we are in the world today with any financial support being seen as very meaningful, survival and the opportunity to develop into recovery are big issues at the moment.

The estimated spend on this project is half a million pounds with most of it being spent in the local economy.

## **Conclusion**

I appreciate the panel have a difficult decision to make with interpretation of policy crucial, in lay terms at one end of the argument, a three house development is portrayed as somehow jeopardising Oban the opportunity to expand and develop, at the other end of the argument, a development that has minimal impact and offers support to one of Oban's oldest and foremost recreational facilities.

The development site was bought after being deemed surplus to requirements by the Golf Club, the Adopted Argyll and Bute Local Plan has now returned the site to what is now described as the wider golf course and its more stringent development controls, we are where we are, I can sit back and sulk or work with the Golf Club for our mutual benefit and survival we have been thrown together we just need to get on with it, House building is my business, with others depending on me I can't afford to sit back and sulk, the Golf Club Committee has to act in the club's and the wider community's best interest in preserving the Golf Club for future generations, golf courses like any other facility, business or town has to have development as a route to sustainability, to deny it leads to stagnation and failure.

Failing to support the golf club in these difficult times will set the clock ticking towards its possible failure with the resulting disastrous domino affect, can we really imagine the area being maintained at its current immaculate level without the Golf Club there to do it, I think not, the golf course this specific area of the OSPA would be lost to a change in policy and large scale development.

The wider community have also to be considered from an economic perspective, the economic ripple effect this development will create may be considered small but none the less welcome in the local economy. The contributions that small businesses make to local economies is seen as crucial to the overall recovery of the national economy.

With the use of PROP SI being unclear the planning department's reliance on the interpretation of Policy LP REC 2 is pivotal in their justification for refusal.

PROP S1 described as policy in the Refusal Notice is not a policy, I believe the planning department are referring to Proposal PROP SI 2 as detailed in the extract from the Structure Plan shown on page one. This lack of clarity and the fact that this area is covered by Policy LP REC 2 is why I described Reason 1 in the Refusal Notice as unclear and not directly relevant to the development.

It is worth noting PROP SI is not mentioned at all in the Adopted Argyll and Bute Local Plan and only features in the Structure Plan which is a strategic land use plan, the land use for the development area has been defined and is controlled by Policy LP REC 2.

Policy LP REC 2, the primary policy consideration for this area is the only Policy being used in the Refusal Notification

The overriding principals of Policy LP REC 2 are to sustain and enhance which this development does and is therefore compliant with Policy LP REC 2 and deserves the panels support.

### **Comments on Mr Jordan's Submission**

Mr Jordan's comments are understandable he would prefer not to have any development in front of his property. What is not understandable is why Mr Jordan changed his mind. I was previously advised by Mr Jordan that he would be supporting the development, Mr Jordan bought his house in the full knowledge that development was planned for across the burn from him.

During the meeting with Mr Jordan he spoke positively about the development as the clearing of the natural screening would improve his outlook, currently it is not possible to see through the natural growth which does screen all of the worst of the untidy aspect of the site although this screening also blocks out the open aspect of the golf course. It is not a present possible to appreciate the open aspect setting of the area from Mr Jordan's house or garden unless you use an upstairs bedroom window.

My comments on Mr Jordan's ten points...

In general, I would respectfully suggest that Mr Jordan does not fully understand planning procedures but none the less he is entitled to his opinion.

Mr Jordan and I do however agree, the site is in the OSPA and is subject to Policy LP REC 2.

It is worth noting that of the seven neighbour notices sent out to residents we have only one objection.