

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 2008 relative to applications for Planning Permission or Planning Permission in Principle

Reference No: 10/01498/PP

Planning Hierarchy: Local Development

Applicant: Argyll and Bute Council

Proposal: Formation of shared use walking and cycle path

Site Address: Land North of Ford Spence Court, Benderloch, By Oban

SUPPLEMENTARY REPORT No 1

1. BACKGROUND

The main report accompanying this application refers to concerns raised by residents as to the need for boundary definition and screening between the proposed route of the path and occupied properties. In response to these concerns, the matter has been raised with the applicants and this report advises on the outcome of discussions which have taken place since the original report was drafted.

2. ADDITIONAL INFORMATION

The applicants have confirmed that the route of the path and land immediately adjacent is in the ownership of the Argyll Community Housing Association (ACHA), upon whom notice was served by the applicants at the time the application was submitted. The applicants and ACHA are agreeable that any screening as may be required is capable of being provided on land immediately adjacent to the route of the path. The areas where better boundary definition and/or screening are required in order to safeguard residential amenity are to the rear of Fox Spence Court and to the rear of Station Cottages. No additional works would be required on the remaining sections of the route. It is important that any treatment should be as natural as possible in appearance to be compatible with its surroundings (screen fencing would be inappropriate in this location). It is suggested that a scheme involving indigenous hedging/tree species be required by condition, in order to afford an opportunity for the applicants, in consultation with ACHA and the occupiers of Station Cottages, an opportunity to devise proposals which are acceptable to the parties involved, for submission for approval by the Council as Planning Authority..

3 RECOMMENDATION

It is recommended that planning permission be granted as per the recommendation set out in the main report, subject to the addition of a further condition as follows:

3. No development shall be commenced until a scheme for boundary treatment between the route of the path and adjoining land between the points marked A – B and X – Y on the plans hereby approved has been submitted to and has been approved in writing by the Council as Planning Authority. The scheme shall provide for physical definition of the boundary, and in particular, shall include screen planting using native hedging/tree planting to the rear of Station Cottages within the area marked A – B. The duly approved scheme shall be implemented in full during the first planting season following the commencement of development. Any planting which fails to become established, or within ten years of planting is removed, or becomes seriously diseased or dies, shall be replaced in the following planting season with equivalent numbers, sizes and species to those originally required to be planted.

Reason: In order to protect the residential amenity of property adjoining the route of this public path.

Author of Report: Richard Kerr

Date: 16th November 2010

**Angus Gilmour
Head of Planning**