

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 Number: 08/00607/DET

Applicants Name: John McNaughton

Application Type: Detailed

Application Description: Erection of dwellinghouse, formation of vehicular access and installation of septic tank.

Location: Site 1, Land 200 metres South of Salthouse, Colintraive, Argyll.

SUPPLEMENTARY REPORT No. 3

1. INTRODUCTION

Further to the updated position in respect of amended plans detailed in Supplementary Report No 2 and in response to the continued recommendation for refusal, further amended plans have since been received. These have prompted a recent site meeting with the applicant at which his options available for developing the site and his general intentions have been discussed at length. This has led to a revised recommendation for approval subject to conditions, the basis of which is outlined below.

2. ASSESSMENT

Further amended plans (received 07/02/11) have been submitted providing additional information on the layout of the access track, the extent of cut required and the landscaping proposed to help mitigate the visual scar arising from the engineering works required. The extent of the works required has been verified on site and options to minimise their intrusion have been discussed. The access point is dictated by a high point in the road which maximises available sight lines and minimises the difference in level up to that of the house. The initial section of the road would be in cut up to 1.5 metres and its presence would be mitigated acceptably should an intervening rock outcrop be retained between the road and the cut required for the route of the driveway. The applicant accepts that it is realistic to be expected to retain this. There is then a short steep curving section which runs counter to the grain of the contours which it would not be possible to conceal. This would be shielded from low level views on the opposite side of Loch Ridden by a row of trees along the shoreward side of the road, but would remain visible from elevated viewpoints. A combination of appropriate coloured surface treatment and landscaping of

the batter along the exposed face of the cut would help to reduce this impact in long distance views. The upper section of the driveway would run with the contours in a shallow cut which would be sufficient to shield it from general view.

Previous assessment had concluded that the extent of the engineering works required to form a developable platform coupled with the engineering works required to gain access would together conspire to result in an intrusive form of development which would not be sensitive to this sloping site or the scenic value of the wider area. The applicant has now amended his proposal by slightly repositioning and reducing the depth of the dwelling and by taking steps to help integrate the driveway into the landform. Accordingly, there is an overall improvement on the original position, although the acceptability of the amended proposal remains finely balanced. The success or otherwise of the integration of the development in the landscape would very much depend upon the sensitivity of the implementation of the works and the extent to which the developer was prepared to use the surroundings of the building to help assimilate the building and driveway. Only with appropriate mitigation in place would this be an acceptable form of development.

From discussions on site, the applicant is aware of the factors which would influence this outcome and he has indicated his willingness firstly, to take steps to ensure that the access works are implemented sensitively, and secondly, to accept any conditions which may be required to help minimise the impact of the development on its immediate surroundings and the wider area. Given this reassurance, and the amendments which have been made to the proposal since it was last before Members, I am prepared to alter my recommendation to one of approval subject to conditions. In particular, it will be necessary to control the method of construction of the access, the retention of rock outcrop parallel to the road and to require that the slope below the dwelling is retained in its natural state without being formalised as a garden. With that in mind, it will be necessary to define by condition the extent of the domestic curtilage, in order to restrict managed garden ground, outbuildings etc to the relatively level mid-slope area around the proposed building. Given that the prevailing characteristic of development in this vicinity is individual dwellings contained in pockets within a wooded setting, it would help to reinforce this characteristic if the undevelopable steep slope between the rear of the building and the main road above were to be planted with native trees, which in time would help contain the building within a more wooded context rather than the open slope which forms the site at present. Conditions to that effect are recommended.

3 RECOMMENDATION

That the application be granted subject to the attached conditions and reasons.

Author of Report: Richard Kerr **Date:** 15/02/11

Angus Gilmour

Head of Planning

CONDITIONS AND REASONS RELATIVE TO APPLICATION: 08/00607DET

1. That the development to which this permission relates must be begun within three years from the date of this permission.

Reason: in order to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.

2. The development shall be implemented in accordance with the approved drawings:

1777-LP: Location Plan

1777-PL-01 Rev E: Proposed Plans and Elevations- House 1 (dated received 07.02.11)

1777-SITE-02 Rev I: Proposed Site Plan - Plot 1 (dated received 07.02.11)

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.

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

3. Prior to the first occupation of the dwellinghouse, visibility splays measuring 120.0 metres from a 2.5 metre set back shall be formed free of all obstructions (including walls, fences, hedges, etc.) over one metre in height above the level of the road and within 2 metres from the edge of the road, including the required passing place (see condition 4 below). The sightlines shall thereafter be maintained in perpetuity, unless consent for variation is obtained in writing from the Planning Authority in consultation with the Area Roads Manager.

Reason: In the interests of road safety.

4. Prior to the first occupation of the dwellinghouse, the following works shall be undertaken to the satisfaction of the Planning Authority, in consultation with the Area Roads Manager, unless the prior written consent of the Planning Authority is obtained for variation;

- i) A parking and turning area for two vehicles shall be fully constructed and thereafter maintained in perpetuity for such a dedicated purpose.
- ii) A passing place shall be constructed on the road at the access to the property.
- iii) The vehicular access shall be constructed as per the Council's Development Guidelines Fig 10.16 and must be a minimum of 2.75 metres wide.
- iv) The gradient of the access shall not exceed 5% for the first 2.5 metres.
- v) The first 2.5 metres of the access shall be constructed with a sealed surface.

Reason: In the interests of road safety.

5. Prior to commencement of development a detailed landscaping and tree planting scheme shall be submitted for the written approval of the Planning Authority. This shall include the following:
 - a) A method statement for the construction of the driveway and parking area along with details of proposed surface treatments. This shall provide for minimum disturbance to ground levels and vegetation along the route of the driveway and shall include details of the proposed means of treatment of exposed faces and batters to either side of the route of the driveway. It shall also specify intended surface treatment which shall include the use of muted colours and/or grasscrete or similar.
 - b) A planting scheme for the site incorporating native tree planting, which in particular, should include tree planting of the bank between the rear of the dwelling , the upper section of the driveway and the site boundary along the top of the bank. This should specify the siting, numbers, species and heights (at the time of planting) of all trees and shrubs to be planted.

The duly approved scheme shall be completed by the planting season following the first occupation of the building. Any trees or shrubs failing to become established, which are removed, or which in the opinion of the Planning Authority, are dying, have become severely damaged or seriously diseased within five years of planting, shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure the implementation of a satisfactory scheme of surface treatment and landscaping in order to help assimilate the development within its landscape setting.

6. Prior to the commencement of the development, details of the extent of the proposed domestic curtilage of the dwelling, and any intended means of enclosure thereof, shall be submitted for the prior written approval of the Local Planning Authority. The defined curtilage shall exclude the area of rock between the alignment of the driveway shown on the approved plans and the public road frontage of the site, which shall remain undisturbed in its natural state, as shall the majority of the slope between the front of the dwelling and the public road frontage of the site. It shall also exclude that land to the rear of the dwelling proposed to be tree planted in accordance with the requirements of condition 5 above.

Reason: In the interest of reducing the wider landscape impact of the development and to help retain its rural character.

7. Prior to commencement of development, full details of the proposed roof covering, external wall finishes and timber windows shall be submitted for the written approval of the Planning Authority. The development shall be implemented in accordance with the duly approved details unless the prior written consent for variation is obtained in writing from the Planning Authority.

Reason: In the interest visual amenity and to integrate the development into the wider landscape setting.