

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: 09/00385/OUT

Planning Hierarchy: Local application

Applicant: Ardkinglas Estate

Proposal: Erection of mixed development comprising 16 dwellinghouses, 7 commercial units, childcare centre and installation of sewage systems and access improvements.

Site Address: Land adjacent to Ardkinglas Sawmill, Clachan, Cairndow, Argyll

SUPPLEMENTARY REPORT No 4

1.0 SUMMARY

The purpose of this supplementary report is to confirm the receipt of additional documentation from the applicant and a further third party further representation, in the light of the Committee's decision to continue consideration of the application at the Hearing held on 21st October 2011.

2.0 OUTCOME OF LOCAL HEARING

The PPSL Committee convened a discretionary Hearing on 21st October 2011 in Strachur Village Hall in order to assess the above application.

During deliberation at the hearing, Cllr Kelly moved the Officer's recommendation for refusal of the application as Chairman; however there was no seconder. An amendment was suggested by Cllr Marshall and seconded by Cllr Dance. The Head of Governance and Law, Charles Reppke confirmed that, in his view, the motion as it stood was not competent as it did not address all the development plan policies which were material to the assessment of the application, including the need for a Masterplan as required by the Local Plan in respect of Potential Development Areas, and that the Committee needed to take this into consideration if they were minded to grant the application.

Following a recess, the Committee agreed to continue the application to the next PPSL Committee on 23rd November 2011, subject to the submission of a revised masterplan document for PDA 9/13 'Cairndow-Inverfyne' in support of the proposed development.

Given the content of debate and the motion that was moved by Cllr Marshall, some preliminary consideration has been given as to the means by which issues discussed thus far could be addressed in the event that Members resolve to approve the application. It is considered that the imposition of planning conditions could address such specific matters as affordable housing, provision of a footpath between the development site and Loch Fyne Oysters complex, tree planting and the provision of sightlines onto the A83(T) which would, in the event of an approval, preclude the requirement for a Section 75 Agreement.

3.0 FURTHER THIRD PARTY REPRESENTATION

One further emails of representation has been received from:

Mr. Alexander Miles, Rubha Beag, Cairndow (email dated 20th October 2011);

The points raised in the email are summarised below:

- Mr. Miles comments that he was listed in the documentation as an objector to this application which he stresses he is not. His intention was to convey that this development would be likely to increase the pedestrian/cycle traffic between the existing village and the head of the loch and that adequate provision should be made for this by the creation of a footpath/cyclepath between the two.

Comment: Points noted and a footpath is proposed to serve the residential phase of the development. Refer to conditions below.

4.0 FURTHER DOCUMENTATION

As requested, the applicant submitted a 'masterplan/comprehensive approach' on 27th October 2011.

The masterplan drawing is supported by a letter and supporting text which draws together the various documents submitted in the course of this application and provides site analysis, constraints, general design principles, layout and a phasing plan.

The supporting text outlines a number of development zones that could come forward as applications for permission in principle, which are likely to be split into phases.

In essence they comprise a first phase of the mixed use residential, commercial and childcare use at the centre/ entrance to the PDA, the subject of the current application. Beyond that there is limited expansion potential for commercial uses. Holiday accommodation and recreational uses could form future phases clustered around the lochan. Further longer term residential units could be provided adjacent to the lochan and there is potential for a hotel or holiday accommodation along the north western boundary of the PDA.

The Statement goes onto provide:-

- In essence buildings will be within a restricted development footprint, single, 1.5 and 2 storeys in height, clustered around a loose courtyard arrangement, orientated to achieve maximum solar gain, planting undertaken will be native species.

- Architectural design will be characteristic of Argyll, linear buildings with pitched roofs, designed as a cohesive group.
- The palette of materials will comprise:
Roofs - corrugated steel (colour coated), standing seam metal sheeting or natural slate.
Wall finishes - timber cladding (larch or oak) or acrylic render in different shades.
Windows and Doors - high performance redwood - painted different colours.
- The council's 25% affordable housing policy will be met on site. The buildings shall be designed to have a high performance in terms of sustainability.

Comment: Whilst the planning department broadly welcomes the submission of this documentation, it is still considered to fall short of a masterplan / comprehensive approach as outlined in the Local Plan. The submission would be better described as a spatial layout drawing which shows in shading terms broad areas of land use. There is no landscape assessment, density, massing or population equivalent estimations which would be required in order to constitute a truly comprehensive approach. In addition, in order that any masterplan can be given meaningful weight in the consideration of associated proposals it is considered that it ought to be available in the public domain and be the subject of consultation in order that interested parties have the opportunity to comment upon the contents before it is weighed in the balance as a material consideration.

Members might like to note that this matter is to be the subject of a future report to Committee suggesting a protocol for the handling of cases where masterplans are required but they have not been submitted at the time the related application was submitted and advertised, on the basis that consultation ought to be carried out in respect of any such plans received during the time an application is under consideration. In this way matters advanced in support of a proposal can be the subject of scrutiny and comment by third parties prior to Members according weight to them as material considerations in decision-making.

5.0 RECOMMENDATION

It is recommended that Members note the content of this supplementary report, but that planning permission be refused as per the original report. The planning department considers the newly submitted documentation from the applicant does not constitute a 'masterplan' as required by Local Plan policy, and therefore all three recommendations for refusal should be retained.

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2nd November 2011