

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: 11/02560/PPP
Planning Hierarchy: Local
Applicant: Mrs P. MacKay
Proposal: Site for erection of two dwellinghouses
Site Address: Land West of Lochview, Ardfern

DECISION ROUTE

Local Government Scotland Act 1973

(A) THE APPLICATION

(i) Development Requiring Express Planning Permission

- Site for the erection of two dwellinghouses (no details submitted for approval);
- Installation of private foul drainage system;
- Improvement of private vehicular access and connection to B8002

(ii) Other specified operations

- Connection to public water supply;
 - Landscape planting (no details submitted for approval).
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(B) RECOMMENDATION:

It is recommended that:

- i) The appended Area Capacity Evaluation (ACE) be adopted as a material consideration in the determination of this application and any future application within the defined area of common landscape character; and
 - ii) This application for planning permission in principle be refused for the reasons set out in this report.
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(C) CONSULTATIONS:

- Cragnish Community Council (06.02.12) – Object to the proposal as development which is contrary to the provisions of the Local Plan and against

the wishes of the community as expressed in the recently completed Community Plan. The Community Council also notes that whilst there is sympathy for the intention to provide a home for a disabled relative, that this does not balance against their concern that approval of the current application would set a precedent for further departures from approved planning policy.

- Development Policy (01.02.12, 09.02.12 & 05.03.12) – Advises that the proposal will result in a change to the rural character of the area in and around Corranmor with overdevelopment occurring contrary to the recommendations of the Council's Landscape Capacity Study.
- Area Roads Manager (09.01.12 & 24.02.12) – No objections subject to conditions with the provision of additional road improvements, passing places and junction realignment as specified in the amended plan ref. J233/12/02/02C. It is further noted that the Area Roads Manager has expressed in his response a requirement for any additional development, beyond the two sites currently propose, to require the upgrade of this private access road to adoptable standard.
- Scottish Water (28.12.11) – No objections subject to note to applicant.

(D) HISTORY:

There is no planning history directly pertaining to the current application site; it is however noted that planning permission in principle has previously been granted for three house sites within the ACE compartment relevant to the current proposal. Permission ref. 10/01799/PPP relates to plots B & C Corranmor Farm; permission ref. 11/00138/PPP relates to plot A Corranmor Farm. Both permissions were issued on 24th March 2011.

(E) PUBLICITY:

The proposal has been advertised in the local press under the provisions of Reg. 20 – expiry 27th January 2012.

(F) REPRESENTATIONS:

(i) Representations received from:

One letter of representation has been received from the owner of Corranmor Farm, Mr H. Service, advising that following discussions with the Applicant and her Agent he does not wish to make any specific objection to the current proposals.

(G) SUPPORTING INFORMATION

Has the application been the subject of:

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| (i) Environmental Statement: | No |
| (ii) An appropriate assessment under the Conservation (Natural Habitats) Regulations | No |
| (iii) A design or design/access statement: | No |
| (iv) A report on the impact of the proposed development eg. Retail impact, transport impact, noise impact, flood risk, drainage impact etc: | Yes – Landscape Capacity Study & a Social Report |

(All supporting documentation is available to view in its entirety via the public access section of the Council website).

Summary conclusions from Landscape Capacity Study – Undertaken by Grontmij dated Nov. 2011

Report seeks to demonstrate that the proposed two additional plots:

- Will have no negative visual impact due to the screening effect of the landform and existing planting.
- Can be serviced in exactly the same way as plots already granted permission.
- Will improve the sense of place, a key driver for PAN 44 Fitting New Housing into the Landscape, by densifying (*sic*) the cluster.
- Will create a settlement cluster in keeping in both layout and density with other local examples.
- When designed in accordance with Argyll and Bute Council's Sustainable Design Guidance and in tandem with the existing plots will create a real identity without compromising development potential.
- Can be designed with an appropriate landscape framework that will add to this identity, fitting the development successfully into the landscape.

In light of the above, it is argued that the Council's Landscape Capacity Study may have erred on the side of caution and assessed the sensitivity of the development by views from it. It is suggested that the further assessment demonstrates that conversely, views of the development itself from outside are mitigated by:

- The screening effect of landform;
 - The existing planting along ridge lines;
 - The winding nature of the road;
 - The fact the track is single tracked;
 - The distraction of the fantastic views to the islands and out to sea.
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In light of the above, the submitted landscape assessment concludes that increasing the number of properties from three to five for MA25 Corranmor does not represent overdevelopment. It would have no impact on landscape and would improve the viability and sustainability of the development. It is further stated that it would align more successfully with the existing published guidance documents and the original intention of the Rural Opportunity Areas which positively supports the appropriate development of groups of up to five properties.

Comment: Whilst it is considered that the applicant's LCS accurately identifies the key landscape characteristics, it is noted that officers have found issue with the following matters:

- i) The applicant's LCS states that "There are few receptors affected by any potential development" (p4, para 3). In this respect it is considered that the applicant's LCS does not adequately address the issue of the visual receptor at the Key Viewpoint as identified in the Council's LCS. It is considered that this proposal for 2 houses of this scale would result in a significant detrimental impact on the key view point which is situated on a path identified on the Scottish Paths Record making it more important to the wider population.*
 - ii) Whilst the applicant's LCS correctly identifies that the predominant views for users of the B8002 are out over Loch Craignish, it is considered inaccurate to state that users of the B8002 will be sufficiently distracted by these coastal views to ignore the landscape impact of buildings which would be prominently and dominantly sited against the skyline on the ridge immediately above the road. The recommendations of the applicant's LCS advocate use of 1½ storey design, the additional height of which would exacerbate the prominence of any building against the skyline in views from the B8002.*
 - iii) The recommendations of the Council's LCS set out that development in the vicinity of Corranmor should be limited to two or three new properties to prevent overdevelopment, this recommendation being considered a fit with the settlement strategy set out in the local plan. The applicant's LCS seeks to challenge this position by examining the settlement pattern at Corranmor and drawing comparison with other examples throughout Argyll and Bute. It is noted that the identifiable examples at Barfad, West Loch Tarbert and Clachan (Seil) all relate to land which is identified in the Local Plan as 'settlement area' and are therefore not considered to suitable comparators to the development at Corranmor which is located in the countryside straddling the boundary between 'sensitive countryside' and a 'rural opportunity area' (ROA). It is further noted that the Council's LCS does not contradict the original intention of the ROA designation as implied in the "Context" section of the applicants LCS (p3 para4). The aim of the ROA designation is to identify areas within which there is a general capacity to successfully absorb "small scale" housing development, which is defined as not exceeding 5 dwelling units. The capacity within all of the ROAs is subject to on-going capacity evaluation and designation. It is considered that adoption of the approach advocated within the applicant's LCS with approval of the current application for two dwellings in the identified site, will result in over development with the loss of important spacing between buildings/groupings which contribute to the essential*
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rural characteristics of this loose cluster of development.

Summary of Issues Raised in the Supporting Social Statement submitted by Applicant's Representatives 02.03.12

It is stated that the applicant, Pat Mackay is seeking to develop a property for her cousin, Ms Joanna Martin. Ms Martin has been a regular visitor to Ardfern for almost 50 years, spending school holidays with the applicant and later having spent time employed at the Argyll and Bute Hospital in Lochgilphead. It is asserted that Ms Martin has always desired to live in Ardfern but has been unable to do so as a result of work commitments however she feels part of the community and knows many of the local people.

It is further stated that in 2005 Ms Martin suffered spinal injuries which have resulted in paralysis from the chest down and confinement to wheel chair. Despite this tragic turn of events Ms Martin still retains a desire to live in Ardfern but has found buildings plots which have become available to be prohibitively expensive. It is the intention of the applicant to gift plot 1 within the current proposal to Ms Martin this would allow the construction of a purpose built bungalow which is level and accessible with wider doors to accommodate wheelchair access, a specially adapted kitchen, a wet room and, an accessible garden with the support of the applicant living next door in Lochview.

It is argued that planning permission for two plots is required to ensure the viability of the project with the development of plot 2 providing the capital income to put toward the cost of building the dwelling for Ms Martin on plot 1 and the upgrade of the road to meet Council standards.

Comment: Whilst the applicant's intentions for the provision of accommodation for Ms Martin are undoubtedly well intended, these claims relate to the personal and financial circumstances of the applicant and their relative, and as such do not provide any grounds which would justify the need for the development on a locational/operational basis contrary to policy, excepting the issue of land ownership.

(H) PLANNING OBLIGATIONS

Is a Section 75 agreement required: No

(I) Has a Direction been issued by Scottish Ministers in terms of Regulation 30, 31 or 32: No

(J) Section 25 of the Act; Development Plan and any other material considerations over and above those listed above which have been taken into account in the

assessment of the application

(i) List of all Development Plan Policy considerations taken into account in assessment of the application.

'Argyll and Bute Structure Plan' 2002

STRAT DC 4 – Development in Rural Opportunity Areas

STRAT DC 5 – Development in Sensitive Countryside

STRAT DC 8 – Landscape and Development Control

'Argyll and Bute Local Plan' 2009

LP ENV 1 – Impact on the General Environment

LP ENV 10 – Impact on Areas of Panoramic Quality (APQs)

LP ENV 19 – Development Setting, Layout and Design

LP HOU 1 – General Housing Development

LP SERV 1 – Private Sewage Treatment Plants and Wastewater Systems

LP SERV 2 – Sustainable Drainage Systems

LP TRAN 1 – Public Access and Rights of Way

LP TRAN 4 – New and Existing Public Roads and Private Access Regimes

LP TRAN 6 – Vehicle Parking Provision

P/DCZ 4 – Rural Opportunity - Areas and Boundaries

P/DCZ 5 – Sensitive Countryside – Areas and Boundaries

Appendix A – Sustainable Siting and Design Principles

(ii) List of all other material planning considerations taken into account in the assessment of the application, having due regard to Annex A of Circular 4/2009.

- Scottish Planning Policy Feb. 2010
- Planning Advice Note (PAN) 44 – Fitting New Housing into the Landscape
- Planning Advice Note (PAN) 72 – Housing in the Countryside
- Argyll and Bute Council Sustainable Design Guidance – Small Scale Housing Development – Sept. 2006
- Argyll and Bute Council – Landscape Capacity Study for Mid Argyll and Inveraray – March 2010.
- Interim Supplementary Planning Guidance: Area Capacity Evaluation – approved by Council Executive Committee 19th February 2009
- Area Capacity Evaluation (appended to this report and subject to Committee consideration before determining this application).

(K) Is the proposal a Schedule 2 Development not requiring an Environmental Impact Assessment: No

(L) Has the application been the subject of statutory pre-application consultation (PAC): No

(M) Has a sustainability check list been submitted: No

(N) Does the Council have an interest in the site: No

(O) Requirement for a hearing (PAN41 or other): No

(P) Assessment and summary of determining issues and material considerations

The proposal seeks planning permission in principle for a site for the erection of two dwellinghouses; details of siting, design and finishes are not included, although the current submission does include for a detailed plot layout showing the indicative footprint of the proposed development.

Whilst the application site is predominantly located within a 'rural opportunity area' the identified site straddles the boundary with adjoining 'sensitive countryside'; in this respect the proposal is considered to be 'open countryside' development having regard to the definitions set out in the adopted Local Plan, and as such is to be resisted having regard to the provisions of STRAT DC 5 and LP HOU 1. The applicant has submitted a 'social report' in support of the proposal, however this simply sets out an argument based solely upon the financial and personal circumstances of the applicant and a relative for whom one of the proposed dwellings is intended, rather than matters pertaining to a locational or operational necessity for the provision of a dwelling at this particular location.

The portion of the application site which is located within 'rural opportunity area' is also not without issue, as the development is situated within the wider Knapdale/Melfort 'Area of Panoramic Quality' and such the proposal requires to be considered against the recommendations of the Council's Landscape Capacity Study for Mid Argyll and Inveraray. The application site is located within a portion of the wider 'rural opportunity area' which is identified as having limited capacity to accommodate a maximum of two or three new dwellings sited to form a loose cluster around Corranmor; however, planning permission in principle has already been granted for three new dwellings on the neighbouring land holding, therefore the current proposal is viewed as contrary to these recommendations.

The applicant has submitted their own Landscape Capacity Study in support of the proposal, which seeks to make a case that the current proposal can be accommodated successfully. An Area Capacity Evaluation has been triggered to look more closely at the issue of capacity in light of the previous grants of planning permission. Whilst the ACE does identify very limited potential for an additional dwelling, it does not concur with the recommendations of the applicant's Landscape Capacity Study and finds that the current proposal would not only result in the overdevelopment of this loose cluster of development in the countryside, but is also likely to result intrude significantly and incongruously within identified key views both into and out of the ACE compartment. In this respect, it is considered that the proposal will have a significant adverse impact upon the Knapdale/Melfort Area of

Panoramic Quality and as such is contrary to the provisions of STRAT DC 4, STRAT DC 8, LP ENV 10 and LP HOU 1.

In other respects the proposal is capable of being adequately serviced having regard to the requirement for a suitable standard of access, parking, turning, water and foul drainage provision.

Craignish Community Council have raised objection to the proposal on the basis that the proposal is contrary to the recommendations of the Council's Landscape Study. One other third party representation has been received from an immediate neighbour although this simply provides commentary on their interaction with the applicant rather than expressing either objection or support for the proposal.

(Q) Is the proposal consistent with the Development Plan: No

(R) Reasons why Planning Permission or Planning Permission in Principle Should be Refused:

See P above.

(S) Reasoned justification for a departure to the provisions of the Development Plan

Not applicable

(T) Need for notification to Scottish Ministers or Historic Scotland: No

Author of Report: Peter Bain **Date:** 6th March 2012

Reviewing Officer: Richard Kerr **Date:** 6th March 2012

Angus Gilmour
Head of Planning & Regulatory Services

REASONS FOR REFUSAL RELATIVE TO APPLICATION REF. NO. 11/02560/PPP

1. A small but nonetheless materially significant portion of the application site relates to land which is both designated as 'sensitive countryside' in the adopted Argyll and Bute Local Plan 2009 and which is essential to be able to accommodate built elements of the development. The proposal does not conform with the definition of 'infill', 'rounding-off' or 're-development' of the existing built form having regard to the definitions set out in the adopted Local Plan, and there is no over-riding locational or operational justification associated with the development. Consequently, the proposal is contrary to the provisions of STRAT DC 5 of the Argyll and Bute Structure Plan 2002 and LP HOU 1 of the Argyll and Bute Local Plan 2009 which seek to presume against development which does not meet these requirements.
2. The majority of the application site is located within an area of land identified in the Council's Mid Argyll and Inveraray Landscape Capacity Study where the capacity for additional development is limited. The current proposal exceeds the recommendations in the Council's Landscape Capacity Study in respect of the identified capacity of the landscape to absorb additional development satisfactorily. Whilst the Area Capacity Evaluation undertaken in response to this application does identify some additional limited capacity for development beyond the recommendations of the Council's Landscape Study, its conclusions would not support development of the form and location which is currently proposed. In this respect it is considered that the current proposal by virtue of its location and proximity to existing built development, and its position within the wider landscape setting, would not only give rise to an over development of the existing loose cluster of development in the countryside when viewed cumulatively with extant planning permissions, but would also intrude prominently and incongruously upon key views into and out of the site. The proposal is consequently considered to give rise to a significant adverse impact upon the key landscape characteristics of the Knapdale/Melfort Area of Panoramic Quality, and as such, is contrary to the provisions of policies STRAT DC 4 and STRAT DC 8 of the Argyll and Bute Structure Plan 2002 and LP ENV 10, LP HOU 1 and P/DCZ 4 of the Argyll and Bute Local Plan 2009.

APPENDIX A – RELATIVE TO APPLICATION NUMBER: 11/02560/PPP

PLANNING LAND USE AND POLICY ASSESSMENT

A. Settlement Strategy

The application relates to 'small scale' housing development, the site area for which encompasses both 'Rural Opportunity Area' and 'Sensitive Countryside' designations as defined by the Argyll and Bute Local Plan 2009. The application site is also located within the Knapdale/Melfort Area of Panoramic Quality. The proposed sites do not involve sufficient proximity to existing buildings and landscape containment to be considered as 'infill', 'rounding-off' or 're-development' as defined in the Local Plan Glossary, and as such, are considered to be 'open countryside development'.

Within 'Rural Opportunity Area' (ROA) policy STRAT DC 4 of the Argyll and Bute Structure Plan 2002 sets out encouragement for 'small scale' developments on suitable sites, including development in the open countryside as well as small scale, infill, rounding-off and re-development. However, within an Area of Panoramic Quality, the provisions of policies LP HOU 1 and P/DCZ 4 requires new development within open countryside sites to be consistent with the recommendations of the Council's Landscape Capacity Study (LCS).

The application site is located within ROA MA 25: Corranmor in the Mid Argyll and Inveraray Landscape Capacity Study March 2010; more specifically the portion of the site area within ROA is located within a wider 'orange' area which is identified as having potential to absorb new development. In this instance however the LCS recommendations also stipulate that new development within the 'orange' area should be limited to two or three new properties to prevent over-development. Planning permission in principle has previously been granted for sites for three additional dwellings within the 'orange' area. These permissions were granted having regard to the recommendations of the LCS and any further development, including the current proposal, is therefore considered to be contrary to the recommendations of the Council's LCS in this respect. The applicants have, however, sought to challenge the recommendations of the Council's LCS by undertaking their own detailed study of landscape capacity which seeks to make the case that there is sufficient ability to accommodate the proposed development without material harm to the landscape setting or its key characteristics. In response, officers have undertaken an Area Capacity Evaluation (ACE) which seeks to address the cumulative issues raised by the proposal having regard to previous permissions and provide a more detailed assessment of landscape issues and remaining capacity for development – the ACE is set out in Appendix B attached to this report. In summary, the ACE identifies capacity for one additional dwellinghouse within this immediate locality. In this context the current proposal for two dwellings does not accord with the ACE and as such is considered contrary to the provisions of STRAT DC 4, LP HOU 1 and P/DCZ 4.

A portion of the application site, including some 35% of the site area of plot 2, land required for provision of a private foul drainage system and road improvements relating to the private access, are located within 'sensitive countryside' wherein the provisions of policies STRAT DC 5 and LP HOU 1 set out a presumption against the development of open countryside sites except where these are supported by a valid locational/operational requirement and, are supported by the findings of an Area Capacity Evaluation (ACE).

Whilst the applicant has submitted a social statement setting out a well-intentioned desire that the development not only provide a purpose-built residence on plot 1 to meet the needs of a disabled relative, but also the means of financing the build and necessary roads improvements through the sale of plot 2, it is noted that these in themselves amount to the personal and financial circumstances of the applicant and their relative rather than providing any valid locational or operational grounds based upon material planning considerations justifying a development at this specific site within the 'sensitive countryside'. In the absence of any such overriding locational/operational justification, the proposal is, by virtue of the inclusion of a substantial portion of plot 2 within the 'sensitive countryside', considered to be contrary to the provisions of STRAT DC 5 and LP HOU 1.

B. Location, Nature and Design of Proposed Development

The proposal seeks planning permission in principle for a site for the erection of two dwellinghouses; whilst no details of the siting, design or finishes of the proposed dwellinghouses have been submitted for approval it is noted that the submission sets out a proposed plot layout for approval within which the indicative footprint of development is shown. The proposal also provides details of proposed access improvements to be undertaken on the private road serving the site.

The application site relates to an area of some 0.3ha of semi-improved rough grazing located to the north and west of an existing single storey bungalow, Lochview. Plot 1 lies immediately to the south west of Lochview, Plot 2 lies to the north and is separated from the curtilage boundary by a proposed access route serving the field to the southwest and plot 1. The site is located on an elevated ridge at approximately 18-20m AOD which sits above the level of the B8002 public highway between Ardfern and Craignish Point, which runs at a significantly lower level along the loch shore to the east. The application site, for the main part, lies within the southern portion of a relatively compact 'rural opportunity area' (ROA) which encompasses Corranmor Farm and the semi-improved grazing in its immediate surrounds and stretches inland across an undulating area of open rough grazing, where it terminates in the north where this meets commercial forestry plantation on the lower slopes of more steeply rising land which forms the central ridge of the Craignish peninsula. The application site also encompasses nearly 500sqm of land on its western boundary (approximately 35% of the proposed Plot 2 site area) and 180 sqm of land at the southern boundary (soakaway for private foul drainage system) which lies outwith the ROA within an adjoining designation of 'sensitive countryside'.

The existing setting to Corranmor is essentially rural in its appearance and nature. At present, built development comprises the significant grouping of a farmhouse and agricultural buildings and the individual subservient dwelling of Lochview, with Herron's Cottage lying further to the south at a lower level. Having regard to the recommendations of the Council's Landscape Capacity Study planning permission in principle has been granted for sites for three additional dwellings located to the north and west of Corranmor Farm, with an irregular element of space to be retained between the various built elements to allow for provision of additional landscape planting to provide setting and to preserve the low density nature of the overall grouping.

The current proposal essentially seeks to create a concentrated grouping of three dwellings within the southern portion of the ROA, creating a more defined settlement grouping than presently exists, even taking into account the extant permissions in principle. The argument advanced by the applicant's own landscape study is that the proposed settlement pattern is similar or less dense in nature to that of other groupings

in the wider locality. It is however noted that the identifiable examples contained within the applicant's LCS report at Barfad, West Loch Tarbert and Clachan (Seil) are all groupings which are located within 'settlement area' and therefore not directly comparable with Corranmor which lies within an ROA and where the Council's LCS recommendations seek to retain the rural characteristics of the setting by avoiding over-development. In this respect it is noted that the recommendations of the Council's LCS are consistent with the settlement strategy set out in the Local Plan, the approach advocated within the applicant's LCS seeks to demonstrate that higher density configurations of buildings have been accepted elsewhere within Argyll and Bute – the identifiable examples offered, however, are not considered to be appropriate comparators with higher density development more likely to be acceptable within 'settlement area' where the Local Plan advocates higher concentrations of development. Furthermore, it is noted that the comparison offered within the applicant's LCS omits any consideration of the context of pressures and constraints defining and shaping settlement layout in those particular instances, or the landscape context within which they sit, and as such direct comparison is considered wholly inappropriate, when it is necessary to consider the current application on its own merits and having regard to the constraints and opportunities which exist at this particular site and its surrounds.

C. Access to Countryside.

The private access serving the site and property beyond is identified within the Scottish Paths Records as a public walking route. The proposed development would not directly impinge on public access rights relating to the use of the designated path route and as such would be considered acceptable having regard to policy LP TRAN 1.

D. Landscape Character

The application site lies within the Knapdale/Melfort Area of Panoramic Quality (APQ) wherein the provisions of policies STRAT DC 8 and LP ENV 10 would seek to resist development which would have a significant adverse impact upon the character of the landscape, except where it is demonstrated that such effects are clearly outweighed by social and economic benefits which are of National or regional importance.

This particular application is largely contained within a 'rural opportunity area' which is subject to a Landscape Capacity Study which has been approved by the Council and, in line with these recommendations, has already been the subject of planning permission in principle for three additional dwellinghouses which utilises the remainder of the capacity identified in the Council's LCS. In this instance, an Area Capacity Evaluation has been triggered in response to the already significant small scale housing development which has been approved within the ROA, in order to ascertain whether there is any remaining capacity to absorb new development successfully within the landscape setting. The ACE has been undertaken in accordance with the Interim Supplementary Planning Guidance approved by the Council on 19th February 2009 and is appended to this report as Appendix B for reference.

Whilst the current proposal seeks planning permission in principle and as such does not include for the provision of a detailed design solution for assessment the conclusions of the ACE establish that:

- i) Development of two sites on the lower tier of the ACE compartment (i.e. the current application site) is not desirable, as this would result in relatively compact development pattern of three detached dwellings with the absence of

the element of undeveloped space and tree cover which forms an essential characteristic of the existing loose cluster and the permissions in principle which have previously been granted.

- ii) That in particular, development located on plot 1 will impinge significantly on views out of the ACE compartment from a Key Viewpoint on a designated path route and which is identified as being of note in the Council's LCS. Development of plot 1 is also identified as having potential to appear prominently and dominantly above the ridge on the skyline within views into the site from the B8002, where the receptor is within a more intimate landscape setting with the ridge upon which the development would be located forming the visual limits of the contained landscape setting, although the full extent of any such impact cannot be established on the basis of the information currently submitted for consideration.
- iii) That capacity exists for a site for the erection of a modest, single storey dwelling located to the north of Lochview within the field corner (i.e. this largely equates with the location of plot 2 in the current application). This site has potential to allow a new development set back on the ridge largely to be screened from view by the existing topography although it would be essential to ensure that any development is appropriately sited and designed to ensure that it does not intrude on views out of the ACE compartment from the identified Key Viewpoint. It is however noted for clarity, that the requirement to set a new building back from this Key Viewpoint may preclude the opportunity for such development to be entirely contained within the boundary of the 'rural opportunity area'; in the event that a new development required to utilise a substantial area of 'sensitive countryside' then any such proposal would require to be underpinned by an overriding locational/operational justification to be considered compliant with the provisions of STRAT DC 5.

It is noted for reference that following completion of the ACE the applicant has been invited to consider the likelihood of being able to site a new dwelling within a reduced plot 2 boundary which does not rely on the release of 'sensitive countryside' to satisfactorily accommodate the built elements of the development. Officers have advised that they would be supportive of an amended proposal which deleted plot 1 and could demonstrate the ability to site a dwelling within a reduced plot 2, which also avoids unacceptably interrupting views out of the ACE compartment from the identified Key Viewpoint. The applicant has declined this opportunity and has instead advised that given the background to the proposal, which is set out in their social report submission, it remains their continued intention to seek planning permission in principle for two dwellings.

Having regard to the above, and notwithstanding the recommendations of the applicant's LCS, it is the consideration of officers that the current proposal will give rise to unacceptable and significant adverse impacts upon the key landscape characteristics of the Knapdale/Melfort APQ as an over development of the established settlement pattern, and in terms of the undesirable impact of the proposed development on views into and out of the landscape compartment, and as such is viewed to be contrary to the provisions of STRAT DC 8 and LP ENV 10 in this respect.

E. Road Network, Parking and Associated Transport Matters.

The application site is served by a private access which serves Lochview, Corranmor Farm and existing and proposed properties which lies further to the west. It is noted that previous permissions granted off of this road are subject to conditions relating to the

improvement of the junction with the B8002; the current submission has been amended to include these requirements with additional passing places in discussion with Roads Officers. The Area Roads Manager has not raised objection to the current application subject to conditions requiring implementation of the proposed road improvements but has noted that cumulatively between the current proposal, existing development and extant permissions, this private access is considered to be at capacity and would require to be upgraded to adoptable standard to accommodate any further development.

The current proposal is for permission in principle, and as such, does not detail the proposed parking or turning arrangements; it is however noted that the proposal is considered to be consistent with the provisions of policies LP TRAN 4 and LP TRAN 6 although this would be subject to the imposition of conditions ensuring the timely provision of access improvements, the standard of access into the site from the private access and, provision of adequate parking and turning facilities within the curtilage of each dwelling. It is noted that the proposed access improvements include for road widening which will affect the slope to the north of the private access road although no sectional details have been provided to allow an assessment of the visual impact of this element of the proposal, again however this element could be satisfactorily addressed if required by condition.

F. Infrastructure

The submitted details shows provision of a shared private foul drainage system to serve the development comprising a biodisc and a soakaway located within the open field and 'sensitive countryside' designation to the east of plot 1. Scottish Water have confirmed that mains sewerage is not available in this locality and as such this element of the proposal is considered to be consistent with the provisions of LP SERV 1. The current submission does not include details of surface water drainage proposals although it is acknowledged that consistency with LP SERV 2 could be achieved by planning condition should the planning authority be minded to grant permission in principle.

Water supply would be by connection to the public water main; Scottish Water have confirmed that the Ardfern Water Treatment Works may have capacity to serve the proposed development.