

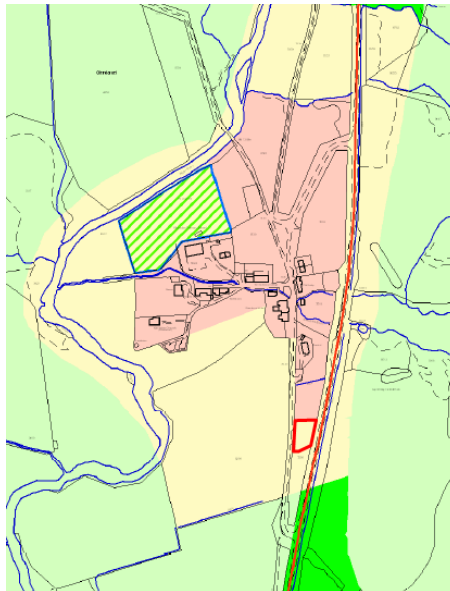
NOTICE OF REVIEW

**Against the refusal of planning permission for
Erection of dwelling house and installation of septic tank
Land south of Garchell,
Clachan of Glendaruel,
Argyll,
PA22 3AA
For Mr George Paton**

Local authority reference number: 12/00648/PP



**A & K Solutions Ltd,
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July 2012

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1.0 THE PROPOSAL

1.1 The subject proposal consists of the following:-

- Erection of dwellinghouse;
- Installation of sewage treatment plant with infiltration bed;
- Formation of vehicular access.

1.2 The application site is located at:-

Land south of Garchell, Clachan of Glendaruel, Argyll, PA22 3AA

- NGR: 199720E 683990N

2.0 THE GROUNDS FOR REVIEW

- 2.1 This review request is being made under Section 43A (8) of the Town and Country Planning (Scotland) Act 1997 (as Amended) in Respect of decisions on Local Developments and the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2008 on behalf of Mr George Paton (“the Applicant”) against the refusal of full planning permission by Argyll and Bute Council (“the Council”).
- 2.2 The application was refused by the Council by Notice dated 29 June 2012 in line with appointed officer’s recommendation. The reason for refusal was stated as being:

1. The application site is located within the ‘Countryside around Settlement’ zone located to the immediate south of Clachan of Glendaruel as identified in the ‘Argyll and Bute Local Plan’ 2009.

Development Plan policies explain that these countryside areas experience variable development pressure depending upon the function of the settlements and their success in attracting investment, development and population. In most cases, these peripheral countryside areas can successfully absorb development providing it is planned for and coordinated by a settlement plan.

The co-ordinated approach described above can normally accommodate planned development as well as limited housing development on croft lands and small scale development taking place opportunistically on infill, rounding-off, redevelopment and change of use of building sites provided that such development does not result in undesirable forms of settlement coalescence, the extension of the established settlement boundary or ribbon development. There is a resistance to housing development in the open countryside within this zone since this would be inappropriate in the more pressured territory on the periphery of settlements.

The development of a dwellinghouse on the application site would not represent an infill, rounding-off, redevelopment and change of use of building site and it would lead to an extension of the existing settlement boundary that has been established by the Argyll and Bute Local Plan 2009. The approval of a dwellinghouse might also set an undesirable precedent for the erection of additional dwellinghouses on land to the south, which would further erode the character of the southern part of the village, which itself is located within an Area of Panoramic Quality.

The proposal is, therefore, contrary to the following policies:

Argyll and Bute Structure Plan 2002

STRAT DC 2 – Development within Countryside around Settlements

STRAT HO 1 – Housing – Development Control Policy

Argyll & Bute Local Plan 2009

LP ENV 10 – Development Impact on Areas of Panoramic Quality

LP ENV 19 – Development Layout, Setting & Design

LP HOU 1 – General Housing Development

- 2.3 However, we believe that in refusing this proposal the Council has failed to have regard to the history of the site, previous support for development on the site and have placed a total reliance upon a settlement boundary based upon an arbitrary line of demarcation for which no justification or background reasoning has been given. This notional line between settlement and countryside does not represent a definable or recognisable boundary and its rationale for being positioned diagonally across the site defies explanation
- 2.4 The Report of Handling has made no attempt to assess the merits of the submission insofar as the anticipated visual or environmental impact of the proposal other than to simply assess the proposal against the arbitrary policy boundaries.
- 2.5 The reason for refusal invokes
- Local Plan policy LP ENV 10 which is not offended by the proposal,
 - Local Plan policy LP ENV 19, the inclusion of which **is directly contradicted by the report of Handling** and
 - Local Plan policy LP HOU1 which is introduced into the reason for refusal with no commentary or assessment within the Report of Handling
- 2.5 The Council has also failed to take full account the expectations of Government expressed in Scottish Planning Policy (SPP) February 2010 which expect the majority of new development to take place adjacent to existing settlements as this approach is both sustainable and supports local communities.

3.0 SITE DESCRIPTION

- 3.1 The application site lies to the south of Clachan of Glendaruel and occupies a narrowing portion of ground between the main A886 Strachur – Colintraive road and unclassified single track road that serves the Clachan. The site slopes from west to east and is partly covered in birch.
- 3.2 The proposed dwelling will be of contemporary design and will be built using traditional materials and building techniques. Given that the proposed dwelling will reflect those already approved in the site to the immediate north, there are no significant design issues relating to the current proposal.

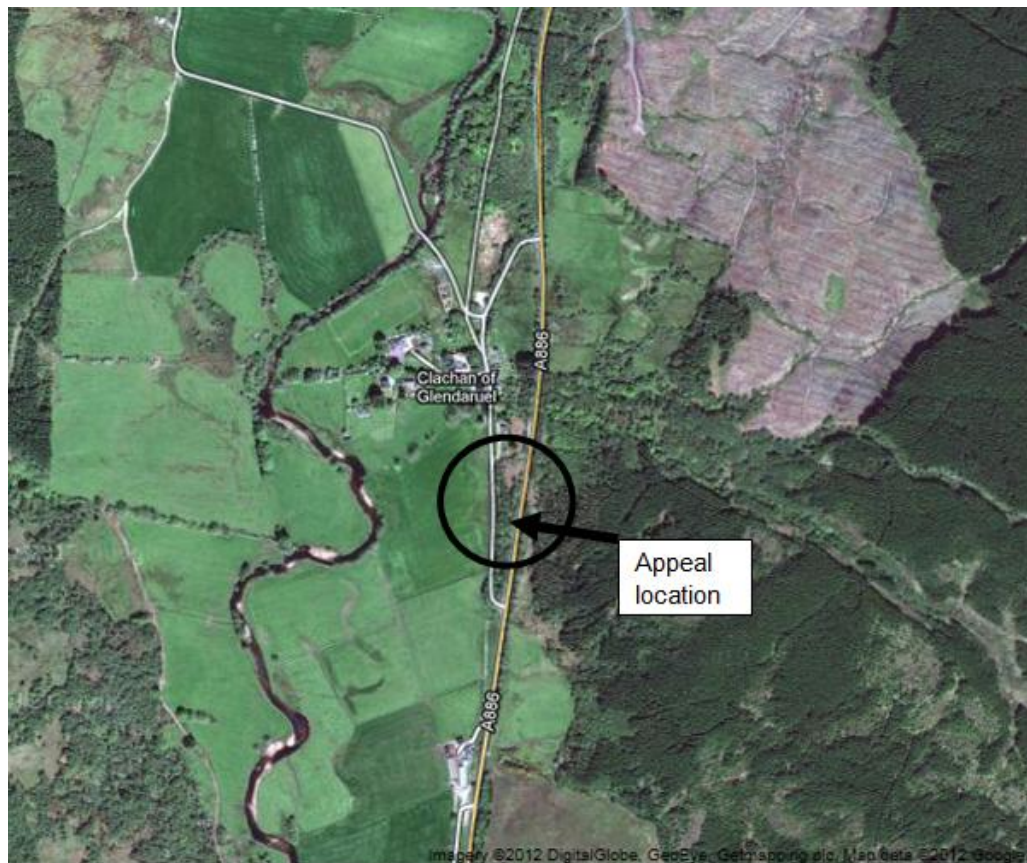


Fig 1 General location

4.0 BACKGROUND TO THE REVIEW

4.1 The site subject to the Notice of Review has previously had outline planning consent (Ref 01/91/0013), indeed this consent extended to the junction of the access road to the Clachan and Colintraive Road to the south.

4.2 The site has been subject to a number of discussions with Council Officers and in each instance the potential development of the site has been supported

Steven Gove letter dated 5 July 2004 to George Paton *“The upper half of your site has been identified as within the settlement: given the recent planning history of the ground and the fact that that this version of the Local Plan is at the ‘draft’ stage only, it is conceivable that the **Department would be willing to accept the remainder of the ground as suitable.**”* (Appendix 3)

4.4 Paul Convery letter dated 17 April 2008 (Ref EDT/CO/1) to Iain Pattenden of Savills

*“I note your client’s interest in this area of ground and **the previous planning consent for housing** which has subsequently lapsed. Had your client made representations to the Council to include the ground within the settlement boundary at an earlier date when the Modifications to the local plan were being considered, **I have no doubt that it would have been included.....** As you will be aware Council’s are now expected to ensure that development plans are kept up to date with new plans expected on a quinquennial basis, based on this timescale, the local plan could be expected to be reviewed and amended by 2012/2013 and your client’s development site **would** be included at that time”* (Appendix 4)

4.5 The site was also subject to a representation to the emerging Local Development Plan and Main Issues Report (Appendix 5) which despite the earlier assurances (4.4 above refers) did not include the site at Clachan of Glendaruel and furthermore is not included in the Potential Additional Sites consultation document (July 2012) currently subject to public consultation.

4.5 Despite the application being supported by a significant amount of supporting information and the planning policy merits of the proposal, the application was refused under delegated powers by report and Notice dated 29th June 2012 (see appendix 6). It is considered that the report did not represent an objective nor reasoned case and failed to address the issue of the arbitrary nature of the delineation of the settlement boundary which places this site in the area designated as Countryside around Settlements. The decision was based on the dogmatic approach to the boundary location and did not assess the actual impact of the proposal on the settlement.

5.0 PLANNING POLICY FRAMEWORK

5.1 In devising the subject proposal, full consideration has been afforded to the following relevant planning policy:-

5.2 National Planning Policy

5.3 Scottish Planning Policy (SPP) 1 – The Planning System

5.4 Scottish Planning Policy (SPP) February 2010 is the statement of the Scottish Government's policy on nationally important land use planning matters and contains the following statements "policies expressed in this SPP should inform the content of development plans, should be a consideration in decisions on planning applications and should be used to inform development proposals from initial concept to implementation".

5.5 Paragraph 8 states:-

"The system should be...plan-led, with development plans setting out...a practical framework within which decisions on planning applications can be made with a degree of certainty..... Confidence in the planning system needs to be reinforced through: the efficient and predictable.....handling of applications....."

5.5 Paragraph 15 states:-

'Development plans should be.... clear about the scale of anticipated change and demonstrate the underlying reasons for the preferred location and the likely sequence of development

5.6 Paragraph 40 states:-

'The settlement strategy set out in the development plan should promote a more sustainable pattern of growth for an area, taking account of the scale and type of development pressure and the need for growth and regeneration. The most effective way to plan for change will depend on many factors, including geography, environmental sensitivities, landscape character and infrastructure capacity'

5.7 The SPP goes on to state paragraphs 84 - 85

'The majority of housing land requirements will be met within or adjacent to existing settlements and this approach will help to minimise servicing costs and sustain local schools, shops and services. Authorities should also set out the circumstances in which new housing outwith settlements may be appropriate, particularly in rural areas. Development plans should promote the development of rural communities and aim to support and sustain fragile and dispersed communities through appropriate housing development.... extending existing settlements can reduce servicing costs and help to sustain local schools

5.8 Paragraph 94 of the SPP states that: -

'Development plans should support more opportunities for small scale housing development in all rural areas, including new clusters and groups, extensions to existing clusters and groups.'

5.9 Local Planning Policy

Structure Plan - Argyll and Bute Structure Plan 2002 (See Appendix 1)

5.12 STRAT DC 2 - Development within the Countryside Around Settlements

(A) Within the Countryside around Settlements encouragement shall be given to development which accords with the settlement plan for the area; this includes **appropriate** small scale infill, rounding off...

(B) Developments which do not accord with this policy are those outwith category (A) above and development which will erode the setting of settlements or result in undesirable forms of ribbon development or settlement coalescence...

(C) Developments are also subject to consistency with other policies of the Structure Plan and in the Local Plan.

*Comment: given the above it is contended that the proposal is fully supported by the above policy as it fulfils all of the requirements of the policy. There has been no assessment of the **appropriateness** of the proposal given the specific characteristics of the site. Any other view is wholly reliant on the arbitrary boundary of the settlement area which it has been demonstrated is incapable of justification or other defence and as such is contrary to advice contained in SPP 2010.*

5.13 STRAT HO 1 – Housing – Development Control Policy

Comment: also has the same test of “appropriate” development.

Local Plan - Argyll and Bute Local Plan 2009 (See Appendix 2)

5.14 LP ENV 10 seeks to resist development within Areas of Panoramic Quality where its scale, location or design will have a **significant adverse effect** on the character of the landscape.

*Comment: Policy LP ENV 10 requires that any development proposals **do not** have a “**significant adverse effect** on the character of the landscape”. Given that other developments are being promoted within the same Area of Panoramic Quality in the recently published Landscape Capacity Study the current proposal for 1 further dwelling cannot be construed as significant.*

5.15 LP ENV 19 requires developers to execute a high standard of setting, layout and design where new developments are proposed.

*Comment: The Report of Handling itself states that the proposed dwelling will reflect those already approved in the site to the immediate north, there are **no significant design issues** relating to the current proposal*

5.16 LP HOU 1 promotes ‘small scale’ housing development within ‘minor settlements’ unless there is an unacceptable environmental, servicing or access impact, but presumes against housing development “**open/undeveloped sites**” in the ‘countryside around settlement’ development control zone.

Comment: The site is not open as it contained by 2 roads and a recently approved development of 3 dwellings to the north. Whilst currently undeveloped the nature of the site lying as it does between 2 roads lends itself to a reasonable rounding off, would be equally acceptable and be subject to the same positive attributes ascribed to the 3 dwellings already approved. The trees to the rear of the site along the A886 will be retained and the area to the extreme south of the applicants ownership will be retained as woodland thereby maintain a wooded feature as travellers leave the A886 and enter the Clachan from the south

6.0 THE CASE FOR THE APPLICANT

6.1 As we have outlined previously, the proposal is for a modest extension to an existing settlement at a point where the existing settlement demarcation is ill conceived and incapable of justification. The extension to the settlement would not have any adverse visual or environmental impacts given the topography and landscaping of the site.

6.2 The application was refused for the following reason.

1. The application site is located within the 'Countryside Around Settlement' zone located to the immediate south of Clachan of Glendaruel as identified in the 'Argyll and Bute Local Plan' 2009.

Development Plan policies explain that these countryside areas experience variable development pressure depending upon the function of the settlements and their success in attracting investment, development and population. In most cases, these peripheral countryside areas can successfully absorb development providing it is planned for and coordinated by a settlement plan.

The co-ordinated approach described above can normally accommodate planned development as well as limited housing development on croft lands and small scale development taking place opportunistically on infill, rounding-off, redevelopment and change of use of building sites provided that such development does not result in undesirable forms of settlement coalescence, the extension of the established settlement boundary or ribbon development. There is a resistance to housing development in the open countryside within this zone since this would be inappropriate in the more pressured territory on the periphery of settlements.

The development of a dwellinghouse on the application site would not represent an infill, rounding-off, redevelopment and change of use of building site and it would lead to an extension of the existing settlement boundary that has been established by the Argyll and Bute Local Plan 2009. The approval of a dwellinghouse might also set an undesirable precedent for the erection of additional dwellinghouses on land to the south, which would further erode the character of the southern part of the village, which itself is located within an Area of Panoramic Quality.

The proposal is, therefore, contrary to the following policies:

Argyll and Bute Structure Plan 2002

STRAT DC 2 – Development within Countryside Around Settlements

STRAT HO 1 – Housing – Development Control Policy

Argyll & Bute Local Plan 2009

LP ENV 10 – Development Impact on Areas of Panoramic Quality

LP ENV 19 – Development Layout, Setting & Design

LP HOU 1 – General Housing Development

6.3 However, we will clearly demonstrate below that this is not the case and that the Council has:-

- Only had regard to the ill defined and indefensible demarcation of the settlement boundary at this location.
- Has had no regard to the actual impact nor did the Report of Handling (ROH) explain why the proposal was deemed to be contrary to STRAT

DC 2 of the Structure Plan which allows for “appropriate” rounding off. Indeed the précis of this policy in the ROH does not include the word appropriate which is the central test against which the proposal should be assessed. Policy HO 1 (C) of the Structure Plan also has the same test of “appropriate” development.

- Concludes that the proposal is contrary to Local Plan policies LP ENV 10, LP ENV 19 and LP HOU 1 but in respect of LP ENV 10 has failed to explain why one additional dwelling will have “a significant adverse impact” on the Area of Panoramic Quality. In respect of LP ENV 19 fails to explain why the proposal does not meet the required design standards when within the ROH states *“Given that the proposed dwelling will reflect those already approved in the site to the immediate north, there are no significant design issues relating to the current proposal”*. There is no commentary on LP HOU1 within the ROH and therefore no plausible link to the reason for refusal. In so doing has acted contrary to the Core Principles of the Scottish Government view of Planning in Scotland as contained in para 8 of SPP 2010 which include

“The system should be...plan-led, with development plans setting out...a practical framework within which decisions on planning applications can be made with a degree of certainty..... Confidence in the planning system needs to be reinforced through: the efficient and predictable.....handling of applications.....”

- By speculating that the approval of a dwellinghouse **might** also set an undesirable precedent for the erection of additional dwellinghouses on land to the south has failed to take into account the practical constraints imposed on this area of size and shape of site and its ability to accommodate even 1 further dwelling house. The narrowing of the land combined with the east to west slope presents significant access difficulties in providing a separate access point to serve the plot in terms of meeting gradient requirements and sight lines. Drainage provision is also compromised by the size and shape of the site and the ability to install a treatment plant with infiltration bed meet the required spatial needs is severely constrained. Given the importance of retaining the landscape setting provided by the existing trees it is considered that the remaining area to the south of the appeal site is incapable of satisfactory development. The council has also failed to properly investigate all possible legal mechanisms to preclude development of this area.

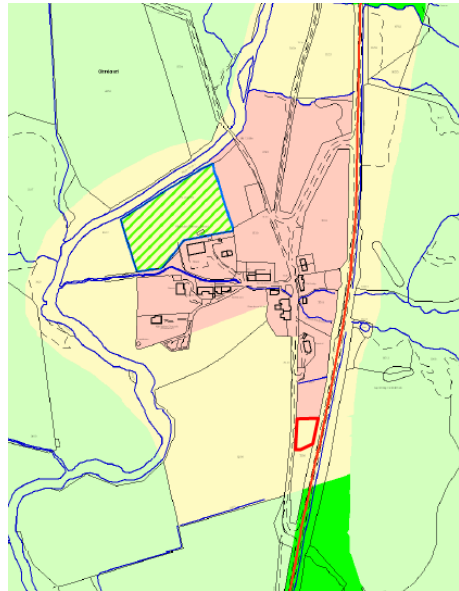
and On the basis of the foregoing the judgement of the Council in issuing the decision is questioned..

6.4 Siting and Design Merit

6.5 Siting

- 6.6 As indicated in the Report of Handling the application site lies to the south of Clachan of Glendaruel and occupies a narrowing portion of ground between the main A886 Strachur – Colintrave road and unclassified single track road that serves the Clachan. The site slopes up from west to east and is partly covered in birch.

6.6 Clachan of Glendaruel is recognised in current the Local Plan as a minor settlement located within a locally designated Area of Panoramic Quality. The settlement plan is shown adjacent. The site lies within an area currently designated as Countryside around Settlements (CAS) as contained in Structure Plan policy STRAT DC2 where only small scale, infill and rounding off and redevelopment proposals will be supported where appropriate.



6.7 The proposal for an additional 1 dwelling, even taken with the 3 already approved constitutes a “small scale” development. For the purposes of the plan, ribbon development is defined as a line of at least six separate dwellings or other substantial buildings, one plot deep back from, and with curtilages bordering, a road. This proposal therefore does not constitute ribbon development. Rounding off is defined as new development positioned largely between substantial building(s) on one side and a substantial ground or natural feature on the other side.

6.8 The site slope has already been assessed as a positive feature of the wider area when determining application 11/01860/PP it was stated “...*the dwellings (one-and-a-half storey detached, white render finish, natural slate roofs with 40 degree pitch) will sit successfully in the context of other buildings within the Clachan. In order to break up their impact, they have also been positioned so as not to appear in a straight line. The site sections show dwellings that would be constructed using platforms cut into the rising ground with very minimal under building and relatively insignificant retaining walls*”.

6.9 A fourth dwelling in this location would be equally acceptable and be subject to the same positive attributes ascribed to the 3 already approved. The trees to rear of the site along the A886 will be retained and the area to the extreme south of the applicants ownership will be retained as woodland thereby maintain a wooded feature as travellers leave the A886 and enter the Clachan from the south

6.9 Given the above it is contended that the proposal is fully supported by the above policy as it fulfils all of the siting requirements of the policy. Any other view is wholly reliant on the arbitrary boundary of the settlement area which is incapable of justification or other defence and as such is contrary to advice contained in SPP 2010

6.10 Para 8 of SPP 2010 states “The Government believes that the following broad principles should underpin the modernised planning system:

- The system should be genuinely plan-led, with succinct development plans setting out ambitious, long-term visions for their area. They must be kept up to date, and provide a **practical framework** within which decisions on planning applications can be made with a degree of certainty and efficiency.

- Confidence in the planning system needs to be reinforced through: the efficient and **predictable preparation of plans** and handling of applications;

transparency in decision-making and reliable enforcement of the law and planning decisions.

A plan based upon arbitrary lines of demarcation and policy areas is not succinct nor a practical framework and is not predictable

- 6.11 Para 15 Development plans should be.... **clear** about the scale of anticipated change and **demonstrate the underlying reasons** for the preferred location and the likely sequence of development. A plan based upon arbitrary lines of demarcation and policy areas is not clear and certainly does not give any indication of justification or background reasoning.
- 6.12 The current Local Plan replaced the previously adopted Cowal Local Plan 1993. Clachan of Glendaruel did not have any settlement boundary in the Cowal Local Plan. There is no evidence to demonstrate the underlying reasoning for the introduction of this particular settlement boundary line at this precise location nor why the area which had previously been considered suitable for development under the approval of application 01/91/0013 should now no longer be considered suitable.
- 6.13 The site to the south of the existing dwelling "Garchell" is single unit of land defined by the existing roads to the east and west. There are no features natural or manmade along its length which define the settlement boundary nor are there features to the east or west of site which could be extrapolated to provide a definable settlement boundary.
- 6.14 It is respectfully suggested that this application be re-assessed against policy STRAT DC 2 which states that encouragement shall be given to development which accords with the settlement plan for the area; this includes **appropriate** small scale infill, rounding off.... and not the dogmatic adherence to an arbitrary boundary of the settlement area which it has been demonstrated is incapable of justification or other defence and as such is contrary to advice contained in SPP 2010
- 6.15 Whilst the site lies within an Area of Panoramic Quality it lies between 2 areas which have recently been subject to the Argyll and Bute Landscape Capacity Study (October 2010). Site CB32 Lephenkill, where scenic quality was judged to be medium with a high sensitivity to change, and site CB33 Maymore to Burial Ground, where scenic quality was judged to be medium with a medium sensitivity to change. CB 32 comprised the steep wooded slopes on the west of the A886 south of the Clachan, CB33 stretches for approximately 5.5Km along the lower levels of Glendaruel valley to the west of the Clachan. The landscape assessment confirmed that the development pattern in the Glendaruel valley is for properties to be adjacent to the road with the existing settlement arrangement discreetly located within the landscape.
- 6.16 It is considered that the area subject to this review request which lies to the immediate south of the already approved/extended Clachan lies in area of medium landscape quality and sensitivity which is capable of change without harm to the wider landscape setting. As such the proposal passes the test set out in Policy LP ENV 10 which requires that any development proposals do not have a "significant adverse effect on the character of the landscape". Given that the aforementioned Landscape Capacity Study found that there was capacity to accommodate limited development within the Area of Panoramic Quality Policy LP ENV 10 should be struck from the reason for refusal as it the review proposal does not offend the Policy.

6.17 The Report of Handling did not assess the proposal against local Plan Policy LP HOU 1 and cannot therefore be incorporated into a reason for refusal as to do so lacks transparency and does not demonstrate any justification or reasoning for its inclusion. Notwithstanding, the policy presumes against housing development only on “**open/undeveloped sites**” in the ‘countryside around settlement’ development control zone and does not impose an absolute ban on such developments as stated in section (i) of the ROH. The policy requires any proposal to be assessed against the test that it does not result in an undesirable form of extension to a settlement. The ROH singularly fails to undertake any such assessment.

6.18 Design

6.19 The intention is to create a modern house type capable of internal adaptation, located on relatively level ground in a location which would not dominate the surrounding landscape. The dwelling would be a one-and-a-half storey detached property with a separate private garden terrace. The roof would be steep pitched (40 degrees) finished with slate. Traditional materials will be used in its construction and the building will be contemporary in appearance with walls clad in render and glass.

6.20 Design and detailing will blend together to provide a cohesive appearance for this small scale development. It is intended, in keeping with the adjacent development, that a common approach is adopted in matters of roof pitch, cladding, design and detailing. The building will, therefore, blend with the adjacent but have a distinctive identity.

6.21 The Report of Handling made the following assessment of the design “*The proposed dwelling will be of contemporary design and will be built using traditional materials and building techniques. Given that the proposed dwelling will reflect those already approved in the site to the immediate north, there are no significant design issues relating to the current proposal*”.

6.21 Given the above assessment it must be concluded that the proposal is acceptable in design terms and as such Policies LP ENV 19 should be struck from the reason for refusal as the review proposal does not offend the Policy.

6.22 We would suggest that in proposing the final design scheme, the Appellant has paid due regard for the amenity of the surrounding area and has afforded full consideration to the guidance and advice provided in the SPP in relation to the siting and design. We would reiterate that the reason for refusal is wholly reliant on the arbitrary boundary of the settlement area which it has been demonstrated is incapable of justification or other defence and as such is contrary to advice contained in SPP 2010.

7.0 CONCLUSIONS

- 7.1 In refusing full planning permission for development the Council has failed to pay due consideration to the limited visual or any other environmental impacts of the proposal but rather has simply referred to an ill defined and unjustifiable settlement boundary line. In particular the council failed to have regard to the history of the site, the previous support given by planning officials and has incorporated within the reason for refusal, policies which are not offended by proposal. As has been clarified throughout this statement, the Applicant has produced a sensitively designed solution which will not detract from the amenity of the area.
- 7.2 At no point in the Report of Handling has it been indicated why the proposal is deemed to comprise an unreasonable rounding off of the settlement at this point such that it would result in an undesirable **form** of modest extension to the settlement. There has been no assessment of the actual planning merits of the proposal. The design and layout of the site has not been questioned, indeed, the Report of Handling Section (P)(B) states” *“The application site lies to the south of Clachan of Glendaruel and occupies a narrowing portion of ground between the main A866 Srachur – Colintrave road and the unclassified track road that serves the Clachan. The proposed dwelling will be of contemporary design and will be built using traditional materials and building techniques. Given that the proposed dwelling will reflect those already approved in the site to the immediate north, there are no significant design issues relating to the current proposal”.*
- 7.3 The decision focussed on the single issue of the settlement boundary. No evidence or justification for the delineation of this boundary as it appears in the adopted Local Plan has been produced. The arbitrary diagonal line between the settlement and countryside bears no relationship to any existing boundary, topographical or any other visual feature, manmade or otherwise, has been produced at any time during many contacts between the applicant and the Council, over an extended period of time. By focussing on this ill defined and unjustifiable boundary to the exclusion of all other material consideration the Council have failed to address and duly consider the overall planning merits of the proposal and has therefore arrived at a flawed decision.
- 7.4 The site has previously been deemed suitable for residential development and had it not been for the personal circumstances of the applicant would have been developed. Earlier correspondence with LPA (See Appendices 3 & 4) clearly and unequivocally indicates that the development of the site had been previously supported by Department. Indeed this correspondence led the applicant to understand that the site **would** be incorporated into any subsequent revised local plan (See Appendix 4). Despite this assurance and a representation to Main Issues Report of the emerging Local Development Plan (See Appendix 5) the site has not been incorporated into the Main Issues Report nor been incorporated into the ongoing public consultation of additional sites for inclusion into the LDP. This omission again perpetuated the perceived importance of the settlement boundary definition but again failed to explain or justify the actual choice of boundary location.
- 7.5 It is undeniable that the Applicant has made the utmost of efforts to limit any potential impact to an absolute minimum by employing sensitive siting and design principles. We are of the opinion that as a result of the above, the most appropriate balance between local plan policies wholly reliant on the arbitrary boundary of the settlement area which it has been demonstrated is

incapable of justification or other defence and all furthermore relevant planning and environmental considerations has been struck.

- 7.6 As such, we would therefore respectfully request that the Board upholds this request for a review and grants the applicant planning permission for the subject proposal.