



Milton House Milton Avenue Dunoon PA23 7DU

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED)**  
**TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)**  
**(SCOTLAND) REGULATIONS 2008**

**REFUSAL OF PLANNING PERMISSION**

**REFERENCE NUMBER: 12/00648/PP**

**George Paton  
John R Coleman  
39 Glasgow Road  
Kirkintilloch  
Glasgow  
G66 1DA**

I refer to your application dated 21st March 2012 for planning permission under the above mentioned Act and Regulations in respect of the following development:

**Erection of dwellinghouse and installation of septic tank. at Land South Of Garchell  
Glendaruel Argyll And Bute**

Argyll and Bute Council in exercise of their powers under the above mentioned Act and Regulations hereby refuse planning permission for the above development for the **reason(s) contained in the attached appendix**

Dated: 29 June 2012

Angus J. Gilmour  
Head of Planning and Regulatory Services



## REASONS FOR REFUSAL RELATIVE TO APPLICATION NUMBER 12/00648/PP

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 co-ordinated 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

## NOTES TO APPLICANT (1) RELATIVE TO APPLICATION NUMBER 12/00648/PP

1. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under Section 43A of the Town and Country Planning (Scotland) Act 1997 (as amended) within three months from the date of this notice. A Notice of Review request must be submitted on an official form which can be obtained by contacting The Local Review Body, Committee Services, Argyll and Bute Council, Kilmory, Lochgilphead, PA31 8RT or by email to [localreviewprocess@argyll\\_bute.gov.uk](mailto:localreviewprocess@argyll_bute.gov.uk)
2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state, and it cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the landowner's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997 (as amended).

## APPENDIX TO DECISION REFUSAL NOTICE

Appendix relative to application 12/00648/PP

---

**A) Submitted Drawings**

For the purpose of clarity it is advised that this decision notice relates to the following refused drawings:

Drawing No. 1050/00 Rev A; Drawing No. 1050; Drawing No. 1050/02A; Drawing No. 1050/004; and Drawing No. 1050/007.

**B) Has the application been the subject of any “non-material” amendment in terms of Section 32A of the Town and Country Planning (Scotland) Act 1997 (as amended) to the initial submitted plans during its processing.**

No