
Scottish Government reporter's findings on the Argyll and Bute Proposed Local Development Plan

1.0 EXECUTIVE SUMMARY

1.1 This is an update for the council on the Scottish Government reporter's generally favourable findings in respect of the proposed local development plan (LDP); to outline the next steps in the statutory adoption process and to seek approval to progress forwards with those steps, with a view to the plan being fully adopted by spring 2015. The report "[Argyll and Bute Council : Proposed Argyll and Bute Local Development Plan Examination](#)" is available at this link to the council web site (sent to members 20/11/2014) and as hard copy in the Members Room.

1.2 Some of the key points about the LDP are:

- It is a strategy for sustainable economic growth that is backed by effective allocations and an action programme for delivery.
- The plan identifies effective allocations for over 4,500 housing units and 90 hectares of new industrial and business land, including significant new releases
- It is the key document for development in Argyll and Bute over the next five years, being the main consideration in determining planning applications
- It will support the council in unlocking the development potential of the area
- It aligns with and supports the objectives of the Argyll and Bute Community Planning Partnership Single Outcome Agreement to develop our economy and increase the population.

1.3 Key points from the examination report are:

- Support for new housing, business and industrial developments in Lochgilphead as well as the Crinan Canal being recognized as a key piece of infrastructure
- New rural opportunity areas on the islands of Luing, Coll, Tiree and Iona.
- Removal of a rural opportunity area at Shenavallie, North Lorn
- Recommendation for an additional business and tourism potential development area next to Oban Airport in accordance with the Council's suggestion.
- Reduction in the housing allocations of just 262 units, equating to only 3.1% of the total established housing land supply (8440 unit), including areas at:-
 - Geilston, Cardross; Kames, Tighnabruich; Blairvadach, near Helensburgh, Dunbeg, near Oban; Seil, near Oban; Ganavan, near Oban

- The reporters are content that the scale of housing allocations in the plan is appropriate.
- The Department for Planning and Appeals (DPEA) was satisfied with the council's community engagement exercises when developing the plan
- Confirmation of green belt boundaries around Helensburgh and Rhu
- Support for housing at Sandbank and Strachur
- Crinan Canal to be given greater prominence and promotion
- LDP Policy on Renewables and particularly wind farms to be amended in accordance with the July 2014 Scottish Planning Policy

1.4 The recommendations in the examination report are largely binding on the planning authority.

1.5 As well as progressing with the LDP, the council will also be required to move forward with a strategic environmental assessment, a habitats regulation assessment and the action programme.

1.6 The Proposed Local Development Plan, read in conjunction with the Report of the Examination, is considered to be a strong material consideration in the determination of planning applications.

2.0 RECOMMENDATIONS

It is recommended that members:

2.1 Note and endorse the content of the report

2.2 Consider and agree the recommendations contained within the Scottish Government Reporter's Examination Report

2.3 Agree to the submission of the revised local development plan to the Scottish Ministers in the spring of 2015 stating intent to adopt as modified in accordance with the recommendations in the Report of Examination and taking into account any consequential amendments

2.4 Delegate authority to the Executive Director of Development and Infrastructure to move this matter forward on behalf of the council, including all statutory requirements

Scottish Government reporter's findings on the proposed Argyll and Bute Local Development Plan

3.0 INTRODUCTION

- 3.1 The Examination into the Argyll and Bute Proposed Local Development Plan (LDP) has concluded.
- 3.2 This report aims to i) advise council of the content of the Examination Report; ii) provide information to allow the council to consider the recommendations contained in that Report; and iii) to progress the Proposed Local Development Plan through the adoption process, with a view to being fully adopted by spring 2015.

4.0 RECOMMENDATIONS

It is recommended that members:

- 4.1 Note and endorse the content of the report
- 4.2 Consider and agree the recommendations contained within the Scottish Government Reporter's Examination Report
- 4.3 Agree to the submission of the revised local development plan to the Scottish Ministers in the spring of 2015 stating intent to adopt as modified in accordance with the recommendations in the Report of Examination and taking into account any consequential amendments
- 4.4 Delegate authority to the Executive Director of Development and Infrastructure to move this matter forward on behalf of the council, including all statutory requirements

5.0 DETAILS

5.1 Examination Report – Key Findings

- 5.2 The Proposed Argyll and Bute Local Development Plan was submitted to the Directorate for Planning and Environmental Appeals (DPEA) in April 2014. The DPEA first satisfied itself that the council's consultations and engagement exercises were adequate. It then commenced its examination of the content of the LDP on the 23rd May 2014. On Friday 21st Nov 2014 the DPEA published its Examination

Report which is available on the council's website, in local libraries and on the DPEA website.

- 5.3 The DPEA considered all 146 issues arising from over 490 unresolved representations identified by the Council, taking into account of the summaries of the representations and the responses, as prepared by the council, and the original representations. The Examination report contains conclusions and recommendations in relation to each issue.
- 5.4 The Reporters acknowledge that the housing land requirements proposed in this plan derive from the housing need and demand assessment undertaken by the Council. The assessment was certified by the Scottish Government's Centre for Housing Market Analysis as both credible and robust. The Reporters are therefore satisfied that the scale of the housing land allocations is generally justified throughout Argyll and Bute, including in the Helensburgh and Lomond area, and is both appropriate and sufficient to ensure that the assessed housing needs and demands within Argyll and Bute can be met. Although it would be open to the Reporter's to include additional proposed allocations if they were considered suitable, no additional allocations have been recommended. The vast majority of housing allocations proposed by the council have thus been supported by the Reporters including green belt releases.
- 5.5 Key changes to housing allocations are:
- Kames: housing allocation reduced from 39 to 15 in order to better reflect local density. ISS023
 - Blairvadach, Shandon: housing allocation reduced from 60 to 48 to reflect setting of the listed house and mature trees. ISS106
 - Geilston Farm, Cardross: housing allocation of 146 units deleted because considered inappropriate removal from the Green Belt. Retain in Green Belt ISS107
 - Seil: housing allocation of 20 units deleted because of inappropriate scale, visual prominence and questionable deliverability. Designate as Countryside Zone ISS311
 - Ganavan, Oban: housing allocation reduced from 100 to 40 reflecting existing planning permission and road safety issues. ISS312
 - Dunbeg, Oban: amendment to the boundary of one housing allocation to draw it away from the coastline, designate removed area as Countryside Zone. This will need to be assessed for any numerical impact but the overall Dunbeg corridor remains supported. ISS320
- 5.6 The result is a total reduction in housing allocations of just 262 units which represents only 3.1% of the total 8,440 established housing land supply and is partly due to a better understanding of site's capacities.
- 5.7 Other Notable Points:
- Helensburgh's Conservation Areas should be guided by a management plan.
 - Confirmation of green belt boundaries around Helensburgh and Rhu.
 - Crinan Canal to be given greater prominence and promotion as an important piece of infrastructure.

- Support for new housing, strategic industrial and business allocations in Lochgilphead
- Removal of the requirement for a Strategic Masterplan at Craobh Haven
- Support for housing allocations at Sandbank and Strachur
- New Rural Opportunity Areas on Luing, Coll, Tiree and Iona have generally been supported.
- Removal of Rural Opportunity Area at Shenavallie
- Deletions of a small areas of settlement zone at Colintrave and Kilmelford
- An additional PDA adjacent to Oban Airport for related business and tourism is recommended.
- LDP Policy on Renewables and particularly wind farms to be amended in accordance with the June 2014 Scottish Planning Policy as already reported to PPSL.

5.8 The Local Development Plan is a key document and provides the framework to deliver future sustainable economic growth in Argyll and Bute. It contains a strategy for sustainable economic growth that is backed by allocations and an Action Programme. It is aligned to the overarching aims of the Single Outcome Agreement. It is aligned to the councils Economic Development Action Plan. The LDP contains a settlement strategy that seeks to support the sustainable growth of communities and services in Argyll and Bute through its Main Towns, Key Settlements and other settlements.

5.9 Process

5.10 The Local Development Plan preparation process began in 2009. It has involved a significant level of engagement with communities, Key Agencies (bodies specified by Scottish Ministers such as SEPA, SNH or Scottish Enterprise), developers and other key stakeholders both internal and external since the initial stages in December 2009. The resultant plan is fully aligned with the Single Outcome Agreement and contains strategy, policies and allocations to deliver sustainable economic growth for Argyll and Bute. The new Local Development Plan contains a settlement strategy that underpins our Main Towns and promotes our Key Settlements to support the retention and growth of population. It has released a significant amount of new land, identifying land for over 4500 effective housing units, contributing to an overall established housing land supply of 8,440 units, 90ha of industrial and business land and provides an improved flexible approach to sustainable economic development in our fragile areas.

5.11 The Scottish Government Reporters have now concluded their examination of the Argyll and Bute Proposed Local Development Plan (LDP). The conclusions are available in the Examination Report entitled [Argyll and Bute Council : Proposed Argyll and Bute Local Development Plan Examination](#) (available on Council web site). A summary table showing the recommendations accompanies this report (Appendix 1).

- 5.12 The Council has 3 months from the 21/11/2014 in which to submit a modified Local Development Plan to the Scottish Government stating its intention to proceed to adoption. This report sets out i) the statutory process that requires to be followed (See timeline – Appendix 2) ii) key points from the Examination Report and iii) key points regarding the Local Development Plan to be proposed for adoption.
- 5.13 The recommendations contained in Examination Reports are largely binding on planning authorities. Planning authorities may depart from the recommendations only in specific defined circumstances. These are where the recommendation(s):
(a) would have the effect of making the LDP inconsistent with the National Planning Framework;
(b) is incompatible with Part IVA of the Conservation (Natural Habitats etc) Regulations 1994;
(c) would not be acceptable having regard to an environmental assessment carried out by the planning authority on the plan following modification in response to recommendations;
(d) are based on conclusions that could not reasonably have been reached based on the evidence considered at the Examination.
- 5.14 The Examination Report has been assessed by planning officers and it is considered that none of the above circumstances apply. The modifications recommended accord with the National Planning Framework; environmental assessment indicates that the modifications are acceptable; and are considered to have been reached in a reasonable manner based on the evidence considered at the Examination. Therefore, the Council is now required by the Town and Country Planning (Scotland) Act 1997 as amended by The Planning etc (Scotland) Act 2006 to make the modifications to the Proposed LDP recommended in the Examination Report and any other consequential modifications (e.g. to rectify any factual or terminological inconsistencies created by the reporter's recommended modifications, or any necessary adjustments to tables, maps, schedules and text which are solely required to ensure that the whole of the plan properly reflects the terms of the modification which has been recommended). The planning authority is not permitted to make any unconnected modifications.
- 5.15 The next steps are for Argyll and Bute Council to i) publish the modifications as per the Examination Report and the plan as it is proposed to be adopted, ii) publish a notice in selected local newspapers regarding the adoption process; iii) make copies available for inspection; iv) Notify people who made representations on the proposed plan prior to the Examination; send to the Scottish Ministers within 3 months of receipt of the Examination Report the modifications and all other relevant documentation relating to the intent to adopt. Should an authority not make a recommended modification then the authority must set out an explanation for this in line with the reasons noted in paragraph 5.13 of this report.
- 5.16 28 days after submission to the Scottish Ministers, the authority may adopt the plan unless directed not to by the Scottish Ministers. After the adoption of the plan, the planning authority is required to go through an additional prescribed process in respect of publication, notification and submission of 2 copies of the Local Development Plan to the Scottish Ministers.

- 5.17 There is a parallel process in relation to the environmental assessment documents that accompany the plan. The planning authority has to consider the recommendations, and if any are likely to have a significant effect on a European Site (nature conservation site designated under the 1992 Habitats Directive), that authority must undertake an Appropriate Assessment of the plan as if modified by the recommendation. If that assessment concludes that the plan, were it modified by the recommendation, would adversely affect the integrity of the site, the recommendation should not usually be adopted. However, the proposed modifications have been assessed and it has been concluded that none of the modifications will adversely affect any site's integrity.
- 5.18 Action programmes are a required element of the process and set out how the authority and other key stakeholders propose to implement the LDP. A draft action programme has been prepared and consulted on with the key agencies. It includes information on the delivery of key infrastructure, allocations and the preparation of supplementary guidance. The action programme requires to be updated to take into account the recommended modifications. The Action Programme is to be adopted and published within three months of the local development plan adoption. The finalised draft will be brought to council for consideration following adoption of the local development plan in spring 2015.

6.0 CONCLUSION

- 6.1 The local development plan is a key document to promote and deliver sustainable development within Argyll and Bute. The examination into the proposed local development plan has been concluded ahead of schedule. The Examination Report has in the main supported the council's stated position or its recommendations for change. It is now open for the council to take the final steps towards adoption of the new local development plan.

7.0 IMPLICATIONS

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| 7.1 | Policy | The Proposed Local Development Plan, read in conjunction with the Examination Report, constitutes a strong material consideration for the determination of planning applications. Once adopted the Argyll and Bute Local Development Plan will replace the Argyll and Bute Structure Plan 2002 and the Argyll and Bute Local Plan 2009. |
| 7.2 | Financial | The Examination process estimated cost is £50,000. |
| 7.3 | Legal | The planning authority requires to follow the correct statutory procedures in terms of the adoption process. |
| 7.4 | HR | None |
| 7.5 | Equalities | The draft Equalities Impact Assessment will be finalised following adoption of the Local Development |

Plan.

7.6 Risk Failure to follow correct procedures could lead to a legal challenge.

7.7 Customer Services None

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APPENDICES

Appendix 1 i) Summary table showing the Examination Report recommendations by issue number and ii) associated proposals map changes

Appendix 2 Timeline to Adoption

Appendix 1 Summary table showing the Examination Report recommendations by Issue Number

ISSUE	REPORTER'S RECOMMENDATION	REPORT PAGE NO
<u>Bute and Cowal</u>		
ISS001 Housing Land: Innellan	No modifications.	5
IS002A Housing Land: Sandbank	No modifications.	8
IS002B Housing Land: Sandbank	No modifications.	12
ISS003 Housing Land: Dunoon	No modifications.	15
ISS004 Business & Industrial Land: Ardyne	No modifications.	17
ISS006 Housing Land: Strachur	No modifications.	20
ISS007 Development Land: Cairndow - Inverfyne	No modifications.	29
ISS009 Housing Land: Cairndow - Village	No modifications.	34
ISS010 Quarry: Clachan, Cairndow	Modify the local development plan by: 1. Adding an icon for hard rock extraction at Clachan Quarry (in addition to the icon for sand and gravel) within the maximising our resources diagram on page 57 of the written statement. 2. Amending schedule 8.1, mineral allocations, MIN-AL 9/2 Cairndow – Clachan Quarry to state under use: Hard Rock and Sand and Gravel.	37
IS011A Housing Land: Port Bannatyne A	No modifications.	39
IS011B Housing Land: Port Bannatyne B	No modifications.	41
IS011C Housing Land: Port Bannatyne C	No modifications.	45
IS011D Housing Land: Port Bannatyne D	No modifications.	48
ISS012 Retail: Dunoon	Modify the local development plan by: 1. Within Schedule 8.1, for PDA 2/5 Dunoon Dunloskin, under use, the deletion of housing and its replacement by housing/retail. 2. Extending the site of PDA 2/5 as shown on the proposals map to include the Walker Home and Garden Centre.	51

ISS014 Development Land: North Bute	Modify the local development plan by: Including MAST 1/13, North Bute for Mixed Use; Tourism/Leisure/Access/Community Use (Low impact development), in Schedule 8.1.	56
ISS015 Extension to Settlement: Colintraive	Modify the local development plan by: Deleting the site from the settlement zone, and designating the site as countryside zone on the proposals map for Colintraive.	59
ISS019 Extension to Caravan Site: West Cowal	No modifications.	63
ISS020 Rural Opportunity Area: Colintraive	No modifications.	65
ISS021 Housing Land: Glendaruel	No modifications.	68
ISS022 Housing Site Developability: Dunoon	No modifications.	71
ISS023 Housing Land: Kames	Modify the local development plan by: Altering the indicative capacity (number of units) for H-AL 2/10 in Schedule 8.1 from 39 to 15.	74
ISS024 Housing Land: Tighnabruaich A	No modifications.	80
ISS025 Housing Land: Tighnabruaich B	Modify the local development plan by: Deleting potential development area PDA 1002 from schedule 8.1, and removing the designation of the site from Bute and Cowal Proposals Map 2, thus retaining the designation of the site as existing countryside zone only.	83
ISS026 Mixed Use: Tighnabruaich	No modifications.	98
ISS028 Potential Development Area 2/102: Strachur	No modifications.	102
ISS029 Community Facility CFR AL-2/1: Strachur	Modify the local development plan by: Deleting CFR-AL 2/1 from Schedule 8.1 and the proposals map, and designating the site on the proposals map as an open space protection area.	104
ISS030 Potential Development Area PDA 9/16: Ardkinglas	No modifications.	105
<u>Helensburgh and Lomond</u>		
ISS100 Business & Industrial Land: Blackwood, Colgrain	No modifications.	107

ISS101 Re-designation of AFA 3/4: Craigendoran	No modifications.	108
ISS102 Business & Industrial Land: Craigendoran	No modifications.	112
ISS104 Green Belt: Helensburgh & Lomond	Modify the plan's glossary definition of 'Green belt' to read: " a development management zone which comprises a substantial area of countryside peripheral to the settlements of Cardross, Helensburgh, Rhu and Shandon and which may be subject to considerable pressure for development."	117
ISS105 Housing Allocation: Ardencaple	Modify the plan by: 1. On the proposals map, removing from the area of the site allocation the symbol relating to the 'Strategic Masterplan Area'. 2. On the proposals map, amending the boundary of site allocation H-AL 3\12 in accordance with the version of the map contained in production PD135, as submitted to the examination by the council on 22 August 2014.	125
ISS106 Housing Allocations: Blairvadach	Modify the plan by: 1. On the proposals maps, amending the boundary of allocation H-AL 3/6, as shown in the map contained in Production No. PD137A (submitted by the council in the course of the examination), to exclude the area of land on its south-eastern edge which is used for an obstacle course in association with the nearby outdoor centre; and 2. In the schedule of housing allocations on page 67, changing the number of units at Site H2006 to 48.	135
ISS107 Housing Land: Cardross	Modify the plan by deleting the housing allocation H2001 at Geilston Farm, Cardross from the proposals maps and the associated schedules, and incorporating it instead as part of the land designated as green belt.	144
ISS108 Housing Allocation: Helensburgh Golf Club	No modifications.	169
ISS109 Housing Allocation: Sawmill Field	No modifications.	178
ISS110 Spatial Strategy: Helensburgh and Lomond	Modify paragraph 2.3.2 as follows: <ul style="list-style-type: none"> • In the third bullet point, add "and a revitalised Hermitage Park" at the end. • In the fourth bullet point, delete "delivered through the Greenbelt 	184

	<p>Masterplan”.</p> <ul style="list-style-type: none"> • In the sixth bullet point, add “,woodlands” after “forests”. 	
ISS111 PDA 3/11 Rosneath & Open Space Protection Area	<p>Modify the proposals maps by:</p> <ol style="list-style-type: none"> 1. Extending the ‘open space protection area’ to cover the adjoining area of open grassed land to the north-west; and 2. Removing that extended area from the adjoining ‘potential development area’ PD 3/11 to the south. 	192
ISS113 PDA 3/29 Rhu	Modify the schedule on page 67 to amend the ‘density’ in relation to the potential development area at Rhu Marina from “High” to “N/A”.	194
ISS114 Business & Industrial Land: Moss Road	No modifications.	201
ISS115 Additional Protection: Castle Wood, Helensburgh	No modifications.	205
ISS116 Settlement Boundary Adjustment: Portincaple	No modifications.	208
ISS117 Conservation Area: Helensburgh	Modify the third bullet point of paragraph 2.3.2, by adding at the end: “; and with change in Helensburgh’s conservation areas guided by a management plan.”	210
ISS118 Additional Recognition: Duchess Wood, Helensburgh	Modify the proposals maps to show the local nature reserve at Duchess Woods, Helensburgh.	212
ISS119 Housing Land: Ardoch	Modify the proposed plan by excluding this site from the green belt and including it within the settlement boundary of Ardoch on the proposals map.	214
ISS120 Area for Action: Geilston House, Cardross	Modify the plan by including an Area for Action at Geilston Estate, Cardross on the proposals maps and in the schedule for Helensburgh and Lomond on page 68. The ‘Use’ in the schedule relating to this Area for Action should read: “Local, safeguarding of historic property, consideration of redevelopment and enhancement, preparation of development brief required.”	217
ISS121 Potential Development Area for Tourism Development: Rosneath Castle Caravan Park	No modifications.	219
ISS122 Settlement Boundary Extension:	No modifications.	222

Ardpeaton		
ISS123 Housing Land: Bloomhill, Cardross	No modifications.	224
Mid Argyll, Kintyre and Islands		
IS200A Business & Industrial Land: Machrihanish A	No modifications.	228
IS200B Business & Industrial Land: Machrihanish B	No modifications.	230
ISS201 Housing Land: Tarbert	No modifications.	232
IS202A Housing Land: Campbeltown A	No modifications.	234
IS202B Housing Land: Campbeltown B	No modifications.	236
IS202C Housing Land: Campbeltown C	No modifications.	238
IS202D Housing Land: Campbeltown D	No modifications.	241
IS202E Housing Land: Campbeltown E	No modifications.	245
IS202F Housing Land: Campbeltown F	No modifications.	248
IS202G Housing Land: Campbeltown G	No modifications.	250
IS202H Housing Land: Campbeltown H	No modifications.	252
IS202J Housing Land: Campbeltown J	Modify the local development plan by renaming potential development area PDA 14/6-Campbeltown-Bellfield as "PDA 14/6-Campbeltown - land to the rear of Bellgrove and Auchinlee".	256
ISS203 Housing Land: Carradale	No modifications.	258
ISS204 Housing Land: Southend	No modifications.	261
IS205A Housing Land: Machrihanish A	No modifications.	263
IS205B Housing Land: Machrihanish B	No modifications.	267
ISS206 Housing Land: Skipness	No modifications.	268
ISS207 Community Facility: Southend	The local development plan be modified by designating Southend playing field as an Open Space Protection Area on Proposals Map 12 for Mid Argyll, Kintyre and the Islands.	272
ISS208 Development Land: Kilmichael	No modifications.	273
ISS209 Development Land: Craobh Haven	Modify the local development plan by including the service access at the rear of Nos. 1- 35 The Green within potential development area PDA 3006, as shown on submitted documents SD125-SD128.	276
IS209A Development Land: Craobh Haven	The local development plan be modified by the removal of MAST 1/7 Strategic	281

	Masterplan Craobh Haven from the proposals map for Craobh Haven and any related schedules.	
ISS210 Development Land: Tayvallich	The local development plan be modified by amending the boundary of potential development area PD12/51 to exclude all land designated as part of the Tayvallich Juniper and Coast Special Area for Conservation.	287
ISS211 Potential Development Area: Scalasaig, Colonsay	The local development plan be modified by amending the boundary of Potential Development Area PDA 8/1 in accordance with the two plans comprising production ref: PD228. This involves excluding the field at the western end of the proposed potential development area and extending the boundary at the south-eastern end of the site.	298
ISS212 Statement on the Crinan Canal	The local development plan be modified by: <ol style="list-style-type: none"> 1. Deleting the text in the second bullet point of paragraph 2.5.2 and replacing it by: <ul style="list-style-type: none"> • A place of outstanding natural and built heritage with enhanced natural assets and green networks linking the Main Towns to the adjacent countryside and effective use of its key assets such as Kilmartin Glen Heritage and the Crinan Canal 2. Making reference to the Crinan Canal as an important piece of infrastructure on the map “Improving Our Connectivity” on page 63. 3. Making reference to the Crinan Canal as an important waterway for tourism on the map “Mid Argyll, Kintyre and the Islands Spatial Strategy” on page 16. 	301
ISS213 Development Land: Ardfern	No modifications.	304
ISS214 Development Land: Ardrishaig	No modifications.	308
ISS215 Development Land: Collaig, Mid Argyll	No modifications.	310
ISS216 Development Land: Crinan & Surrounding Area	The local development plan be modified by amending the Development Zone to exclude land between Fuaran and Harbour Cottage in accordance with Figure 6 of Production SD108. That part of the Development Zone excluded to be replaced by Countryside Zone.	314
ISS217 Development Land: Furnace	No modifications.	321
ISS218 Development Land: Glenegedale, Islay	The local development plan be modified by deleting that part of Potential Development Area PDA 10/31 located to the west of the B8016 and by	324

	designating the deleted area as Countryside Zone.	
ISS219 Development Land: Lochgair	No modifications.	327
ISS220 Development Land: Lochgilphead	No modifications.	329
ISS221 Development Land: Port Charlotte and Surrounding Area, Islay	No modifications.	336
ISS222 Development Land: Port Ellen & Surrounding Area, Islay	Modify the local development plan by deleting the land numbered 3080 (as shown on the submitted Land Register of Scotland title plan numbered ARG4922) from Proposed Housing Allocation H-AL 10/8.	338
ISS224 Development Land: Silvercraigs, Mid Argyll	No modifications.	345
ISS225 Development Land: Bowmore, Islay	No modifications.	347
ISS226 Development Land: Coullabus, Islay	Modify the local development plan by deleting the Settlement Zone for Coullabus and by designating it instead as Countryside Zone.	352
ISS227 Minerals Allocation: Furnace	No modifications.	354
ISS229 Potential Development Area: Jura	No modifications.	356
ISS230 Potential Development Area: Cairnbaan	No modifications.	358
ISS231 Rural Opportunity Areas: Jura	No modifications.	360
ISS232 Development Land: Aird	No modifications.	362
ISS233 Minerals Site: Redhouse, Whitehouse	No modifications.	366
<u>Oban, Lorn and the Isles</u>		
ISS300 Open Space: North Connel	On Map 4 of the local development plan, designate site outlined in red on Production No. PD002 as 'Open Space Protection Area'.	369
ISS301 Open Space Protection Area: Oban	On Map 3B of the local development plan, remove the area edged red on Production No. PD003 from the Oban Hill Open Space Protection Area.	371
ISS302 Development Land: Tiree	Amend the settlement boundaries for Cornaigmore, Cui Dheis, Balemartine, Balephuill and Crossapol as shown on the council's productions 17.3A, 17.5A, 17.7A, 17.10A and 17.11A	373
ISS303 Development Land: Taynuilt	On Map 12 of the local development plan, include the area edged pink on Production No. PD005 within site PDA 4004 and within the Settlement Zone.	377
ISS304 Development Land: Mull	On new map of Fishnish, identify the area edged red on Production No. PD067	379

	as a Potential Development Area (PDA) site for Business/Industry.	
ISS305 Development Land: Appin	No modifications.	386
ISS306 Development Land: Coll	No modifications.	388
ISS307 Development Land: Kilmore	Amend the boundary of the Settlement Zone at Old Kilmore Parish Church to include the area edged red on Production No. PD018.	391
ISS308 Development Land: Kilchrenan	No modifications.	393
ISS309 Rural Opportunity Area: OLI	Remove the Rural Opportunity Area at Shenavallie from the local development plan.	396
ISS310 Rural Opportunity Area: Islands	Remove the Rural Opportunity Areas at Port Mary and north-east of Kilchatton on the Island of Luing from the local development plan.	401
ISS311 Development Land: Seil	<ol style="list-style-type: none"> 1. On Map 2A, of the local development plan, remove site H-AL 5/23. 2. Remove the designation 'Open Space Protection Area' from the area edged red on Production No. PD210 [for the avoidance of doubt, the site remains in the 'Countryside Zone']. 3. Amend the settlement boundary in the vicinity of Oban Seil Croft to include the area edged red on Production No. PD210 within the Settlement Zone. 	408
ISS312 Development Land: Oban	Amend the entry for site H4009 in Schedule 8.4 of the local development plan to read: 'No. of Units: 40'.	413
ISS313 Development Land: North Connel	<ol style="list-style-type: none"> 1. On Map 4 of the local development plan, identify the area edged red on Production No. PD077 as a Potential Development Area (PDA) for airport related business/tourism. 2. Delete Potential Development Area PDA 5/76, while retaining the site in the Settlement Zone. 	422
ISS314 Development Land: Luing	On Map 7A of the local development plan, remove site PDA4010 and amend the boundary of the Settlement Zone to exclude the site from the settlement of Cullipool.	426
ISS315 Development Land: Kilmelford	<ol style="list-style-type: none"> 1. On Map 1 in the local development plan, amend the boundary of Potential Development Area PDA4008 to include the rectangular area immediately west of the village hall. 2. On Map 1 in the local development plan, amend the Settlement Zone at Kilmelford Boatyard to exclude the area to the east of the site of Planning Permission ref. no. 08/00029/DET (the area edged pink on Production No. 	432

	PD263).	
ISS316 Development Land: Kerrera	Designate the area edged red on Production No. PD008 as a Potential Development Area for mixed use development.	437
ISS317 Development Land: Kames, Kilmelford	1. On the Proposals Map for Lorn, remove the two areas identified in the objector's Supporting Document SD136 from the Kames Settlement Zone. 2. On the Proposals Map for Lorn, remove the Rural Opportunity Area west of Kames shown on Production No. PD265.	439
ISS318 Development Land: Iona	No modification.	444
ISS319 Development Land: Easdale Island	Amend the boundary of the Settlement Zone to include the areas of land in the north-east and south-west corners of the village, hatched red on the attached Map (production No. PD208A), within the Settlement Zone.	446
ISS320 Development Land: Dunbeg	Amend the boundary of site H 4007 to exclude the western extremity of the site hatched black on the attached Map (Production No. PD195A).	449
ISS322 Development Land: Dalavich	No modifications.	454
ISS323 Development Land: Connel	In Schedule 8.4 of the local development plan, amend the potential uses for Site PDA 5/54 to read 'Marina/Leisure/Tourism'.	456
ISS324 Development Land: Benderloch	On Map 6 of the local development plan, amend the boundary of the Settlement Zone for Benderloch to include the property 'Boisdale' and the immediate garden ground to the north.	459
ISS325 Development Land: Barcaldine	No modifications.	462
ISS326 Archaeology: Luing	No modifications.	464
ISS327 AFA 5/10: Cuan Sound	No modifications.	466
ISS328 AFA 5/11: Easdale Sound	No modifications.	468
ISS329 MIN-AL 5/1: Benderloch	Extend designation MIN-AL 5/1 to include Phase 4 of the proposed workings as shown on Supplementary Document SD080.	470
ISS330 MIN-AL 5/2: Taynuilt, Barrachander	No modifications.	472
ISS331 MIN-AL 5/3: Bonawe	No modifications.	474
Policy		
ISS400 Strategic Issue: Housing Land Supply	Modify the plan by: 1. In Policy LDP 8, after the first paragraph inserting the following new paragraph: "The council will maintain a five years' effective housing land supply at all times."	476

	2. At paragraph 5.5.3, line 5, and also at paragraph 2.8.4, line 5, inserting “through an annual housing land audit” after ‘review’.	
ISS401 Strategic Issue: Key Rural Settlements	No modifications.	496
ISS402 LDP 6: Supporting the Sustainable Growth of Renewables	<p>Modify the plan by:</p> <ol style="list-style-type: none"> 1. Deleting the Wind Farm Policy Map 2. Replacing Policy LDP 6 with: <p>“The Council will support renewable energy developments where these are consistent with the principles of sustainable development and it can be adequately demonstrated that there would be no unacceptable significant adverse effects, whether individual or cumulative, including on local communities, natural and historic environments, landscape character and visual amenity, and that the proposals would be compatible with adjacent land uses.</p> <p>A spatial framework for wind farms and wind turbine developments over 50 metres high in line with Scottish Planning Policy will be prepared as supplementary guidance. This will identify:</p> <ul style="list-style-type: none"> • Areas where wind farms will not be acceptable • Areas of significant protection • Areas which may have potential for wind farm development. <p>All applications for wind turbine developments will be assessed against the following criteria:</p> <ul style="list-style-type: none"> • net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities; • the scale of contribution to renewable energy generation targets; • effect on greenhouse gas emissions; • cumulative impacts arising from all of the considerations below; • impacts on communities and individual dwellings, including visual impact, residential amenity, noise and shadow flicker; • landscape and visual impacts, including effects on wild land; • effects on the natural heritage, including birds; • impacts on carbon rich soils, using the carbon calculator; 	499

	<ul style="list-style-type: none"> • public access, including impact on long distance walking and cycling routes and those scenic routes identified in the NPF; • impacts on the historic environment, including scheduled monuments, listed buildings and their settings; • impacts on tourism and recreation; • impacts on aviation and defence interests and seismological recording; • impacts on telecommunications and broadcasting installations, particularly ensuring that transmission links are not compromised; • impacts on road traffic; • impacts on adjacent trunk roads; • effects on hydrology, the water environment and flood risk; • the need for conditions relating to the decommissioning of developments, including ancillary infrastructure, and site restoration; • opportunities for energy storage; and • the need for a robust planning obligation to ensure that operators achieve site restoration. <p>Further information and detail on matters relating to the growth of renewables, including a spatial framework for onshore wind energy developments, will be provided in supplementary guidance.”</p> <p>3. In the first sentence of paragraph 4.11.4, replacing ‘potential adverse impacts’ with ‘unacceptable significant adverse effects’.</p> <p>4. At section 4.12, amending the reference to Scottish Planning Policy from paragraphs 182 to 185, to paragraphs 152 to 174.</p>	
ISS600 Policy LDP: STRAT 1 Sustainable Development	<p>1. Modify Policy LDP STRAT 1 by replacing the first sentence with: “In preparing new development proposals, developers should seek to demonstrate the following sustainable development principles, which the planning authority will also use in deciding whether or not to grant planning permission: ”.</p> <p>2. Modify paragraph 1.6.1 by inserting “to support the transition to a low carbon economy;” after “...population;”</p>	533
ISS601 LDP DM1: Development within the Development Management Zones	<p>Modify Policy LDP DM1, by:</p> <p>1. Amending the first sentence of Section (E) to read: “Within the Countryside Zone up to small scale on appropriate infill, rounding off and re-development sites and changes of use of existing buildings.”</p>	539

	<p>2. Adding an additional footnote in relation to section (F) to read: “An Area Capacity Evaluation (ACE) will not be required for renewable energy related developments which are the subject of environmental impact assessment.”</p> <p>3. In sub-section F(iii), inserting “aquaculture, “ after “agriculture,”.</p> <p>4. Adding a fourth sub-section to section (F), to read: “(iv) Small scale development related to outdoor sport and recreation.”</p>	
ISS602 Aquaculture	<p>Modify the plan by:</p> <p>1. In paragraph 1.1.1, first sentence: replacing “... is a land use planning document that sets out ...” by “... is a planning document, focusing both on land use and on aquaculture, that sets out...”.</p> <p>2. At the end of paragraphs 2.2.1, 2.4.1 and 2.5.1, add the following sentence: “There is also potential for supporting the sustainable growth of the well-established aquaculture industry, through both new developments within marine sites and associated hatcheries and processing.”</p> <p>3. Add the following sentence to paragraph 1.8.2: “As the planning application information requirements for aquaculture development are detailed and most finfish development requires environmental impact assessment, it is not intended that the sustainable checklist will apply to aquaculture development.”</p> <p>4. In the key to the ‘Growing our Economy Together’ diagram on page 39: Insert “Existing” before “Key Aquaculture Industry Locations”.</p>	545
ISS603 LDP PROP 1: The Settlement Plans	No modifications.	549
ISS605 LDP PROP 3: The Proposed Potential Development Areas	No modifications.	552
ISS606 Policy LDP 3: Supporting the Protection, Conservation and Enhancement of our Environment	<p>1. Modify section (B) of the second paragraph of Policy LDP 3 to read as follows:</p> <p>“(B) does not protect, conserve or where possible enhance:</p> <p>i) the established character and local distinctiveness of the landscape and seascape in terms of its location, scale, form, and design; and,</p> <p>ii) the “Dark Skies” status of the Isle of Coll.</p> <p>2. Replace section (D) of the second paragraph of Policy LDP 3 with:</p>	556

	<p>“(D) has not been ascertained that it will avoid adverse effects, including cumulative effects, on the integrity or special qualities of international or nationally designated natural and built environment sites.”</p> <p>3. Insert a new clause (E) in the second paragraph of Policy LDP 3, stating: “(E) has significant adverse effects, including cumulative effects, on the special qualities or integrity of locally designated natural and built environment sites.”</p> <p>4. Modify the first sentence of the third paragraph of Policy LDP 3 to read as follows: “Where there is significant uncertainty concerning the potential impact of a proposed development on the built, human or natural environment, consideration will be given to the appropriate application of the precautionary principle, consistent with Scottish Planning Policy.”</p>	
ISS607 Coastal Development and Marine Planning	<p>Modify the plan by:</p> <p>1. Amending paragraph 3.9.4 to read: “3.9.4 A Coastal Development Strategy will be prepared as supplementary guidance. It will show, through a range of indicators, where coastal development may, or may not, be acceptable, and the types of development that might be accommodated. It will also identify a spatial framework to provide a sequential order of preference for the different Development Management Zones, as defined in Policy LDP DM1.</p> <p>2. Replacing the first part of paragraph 3.9.5, up to the word ‘criteria’, with: “To assist the council in supporting the sustainable development of the coastal zone, proposals for coastal development on land should demonstrate how they relate to the spatial framework and the regard which has been paid to the relevant indicators identified within the supplementary guidance. These indicators may include:”</p> <p>3. In Policy LDP 4, under ‘Other relevant documents’, adding: “Forthcoming regional marine plans”.</p> <p>4. In paragraph 3.9.6: replacing “marine spatial plans” with “the national marine plan and forthcoming regional marine plans”.</p> <p>5. In the first sentence of Policy LDP4: inserting “onshore proposals for” after “support”.</p>	563

	<p>6. In Policy LDP4: removing the bullet point reference to the proposed supplementary guidance “SG LDP AQUA 1 – Aquaculture Development”.</p> <p>7. In the second sentence of paragraph 1.3.6: adding “the Marine (Scotland) Act 2010,” after “relevant national legislation such as”.</p>	
ISS608 LDP 5; Supporting the Sustainable Growth of Our Economy	Modify the plan by adding Tarbert as one of the Key Tourist Attractions shown on the map on page 39.	570
ISS610 LDP 8: Supporting the Strength of Our Communities	No modifications (but see Issue ISS400).	575
ISS611 LDP 9; Development Setting, Layout and Design	No modifications.	579
ISS612 Policy LDP 10: Maximising Our Resources & Reducing Our Consumption	No modifications.	582
ISS613 LDP 11 Improving Our Connectivity & Infrastructure	<p>Modify the plan by:</p> <ol style="list-style-type: none"> 1. On the map ‘Improving Our Connectivity, on page 63: including a map notation for the Crinan Canal with a reference to “Enhanced Canal Facilities” in the Key. 2. In paragraph 7.5: replacing the second sentence with “Significant recent investment by Scottish Water reflects its ongoing commitment to providing strategic capacity in water and drainage infrastructure to meet the needs of domestic growth in Argyll and Bute as well as in the rest of Scotland.” 	584
ISS614 Protection of Marine Areas Suitable for Aquaculture	Modify Policy LDP STRAT 1 by replacing the final sustainable development principle (k) with: “Avoid having significant adverse impacts on land, air and the water environment.”	588
ISS615 General Comment: Plan Complexity	<p>Modify the plan by:</p> <ol style="list-style-type: none"> 1. Deleting Paragraph 1.2.3 and inserting the following sub-section: “1.3 SUPPLEMENTARY GUIDANCE Where specifically identified in relation to policies or proposals in the plan, supplementary guidance will be prepared, adopted and issued to provide the further information or detail specified in relation to those policies or proposals.” 2. In Policy LDP DM1: deleting section ‘H’. 3. In paragraph 2.7.1: replacing the final sentence with: “All development in all of the zones will also be considered in relation to all other policies of the 	591

	<p>local development plan and supplementary guidance, where these are relevant.”</p> <p>4. In Policy LDP 3: deleting everything after the first sentence of the paragraph after section ‘D’, and replacing it with: “Further information and detail on matters relating to the natural environment, landscape, and the historic environment will be provided in supplementary guidance.”</p> <p>5. In Policy LDP 4:</p> <ul style="list-style-type: none"> • Deleting the second sentence of the first paragraph, together with the second paragraph and its associated bullet points, and replacing these with: “Further information and detail in relation to a coastal development strategy and other matters relating to coastal development will be provided in supplementary guidance.” • Moving the listed of other relevant documents to a note, outwith the shaded policy section. <p>6. In paragraph 3.9.4:</p> <ul style="list-style-type: none"> • Replacing “sets out” with “will set out” in the first sentence. • Replacing “It also identifies...” with “It will also identify...” in the second sentence. <p>7. In Policy LDP 5: deleting everything after the bullet points at the end of the first paragraph, but retaining the final paragraph as far as “fragile areas”, and then adding a new paragraph to read as follows: “Further information and detail will be provided in supplementary guidance in relation to support for business and industry, including the main potential growth sectors of marine and coastal, tourism, renewables and forestry developments.”</p> <p>8. In Policy LDP 7: deleting everything after the fourth paragraph and replacing it with: “Further information and detail on matters relating to retail developments and to changes of use to and from shops will be provided in supplementary guidance.”</p> <p>9. In paragraph 4.13.3: deleting the phrase “together with SG that provides more detail on how retail applications will be assessed”.</p> <p>10. In Policy LDP 8: deleting everything after the first paragraph and replacing it with: “Further information and detail will be provided in supplementary guidance on the following matters:</p>	
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	<ul style="list-style-type: none"> • General housing development, including affordable housing provision and special needs access; • Housing green-space; • Residential caravans and sites; • Sport, leisure, recreation and open space; • Key rural services; • Community plans and new or extended crofting townships; • Planning gain; • Enforcement action; • Departures from the local development plan; • Bad neighbour development.” <p>11. In paragraph 5.5.7: deleting “in SG”.</p> <p>12. In Policy LDP 9:</p> <ul style="list-style-type: none"> • Replacing the first part of the first sentence, as far as “following criteria:-” with: “The council will require developers and their agents to produce and execute a high standard of appropriate design in accordance with the following criteria:-” • Deleting everything after the sentence “Energy efficient design and sustainable building practice is strongly encouraged.” and replacing it with: “Further information and detail will be provided in supplementary guidance in relation to sustainable siting and design, and to shopfront and advertising design principles.” <p>13. Modifying paragraph 5.7.2 by:</p> <ul style="list-style-type: none"> • Deleting the first and final sentences. • Deleting the first part of the second sentence, up to “that”. <p>14. Deleting paragraph 5.7.7.</p> <p>15. In Policy LDP 10: deleting everything after the bullet points following the first paragraph, and replacing it with: “Further information and detail will be provided in supplementary guidance in relation to the following matters: resources and consumption; addressing climate change; minerals; renewable energy; and sustainable design.”</p> <p>16. In the fifth bullet point of paragraph 7.7: deleting the text after “champions</p>	
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	<p>best practice.”</p> <p>17. In Policy LDP 11:</p> <ul style="list-style-type: none"> • Replacing the seventh bullet point with: “maximum and minimum car parking standards are applied”. • Replacing the ninth bullet point with: “standards for drainage, sewage, waste water and water supply are applied”. • Deleting everything after the bullet points following the first paragraph, and replacing it with: “Further information and details will be provided in supplementary guidance in relation to the following matters: transport, including core paths; telecommunications; and infrastructure.” <p>18. In paragraph 7.8.8: deleting the text in the second sentence after “... associated infrastructure”.</p> <p>19. In the Glossary’s definition of ‘local development plan’: deleting “linked to supplementary guidance”.</p>	
ISS616 Chapter 3: Protecting, Conserving & Enhancing Our Outstanding Environment Together	Modify paragraph 3.6 by adding an additional bullet point to read: “To prepare a cumulative impact study for on-shore wind renewable energy.”	598
ISS617 Chapter 2: The Settlement & Spatial Strategy & Supplementary Guidance	Modify the plan by inserting the following paragraph after paragraph 2.1.3: “The visions are not policies, rather they are an expression of what the four areas of Argyll and Bute could be like in 2024. The spatial strategy maps are indicative and aspirational only. Detailed proposals where relevant are either included in the local development plan, or are under the control of other bodies. In all cases, projects forming part of these spatial strategies will be subject to the necessary assessments, including a habitats regulations appraisal where that is necessary.”	600
ISS618 Chapter 1: Introduction	<ol style="list-style-type: none"> 1. Modify paragraph 1.3.8 by replacing “Argyll and Bute is an internationally important area for biodiversity ...” with “Argyll and Bute contains many internationally important areas for biodiversity ...” 2. Modify paragraph 1.6.1 by inserting “to support the transition to a low carbon economy;” after “to help retain and improve essential services;”. 3. Modify Policy LDP STRAT 1 h) by replacing “Conserve the natural and built environment” with “Conserve and enhance the natural and built 	605

	environment ...”.	
ISS619 Chapter 4: Creating a Sustainable &d Growing Economy Together	No modifications.	611
ISS620 Chapter 7: Improving Our Connectivity Map	Modify the penultimate bullet point in paragraph 7.7 by inserting “(subject to no adverse effect on the integrity of any European site)” after “Oban, Coll and Colonsay”.	612
ISS700 Chapter 9: Glossary, Key Environmental Features/Definition of Aquaculture	No modifications.	614

Appendix 1 - Associated proposals map changes
Also available on line at www.argyll-bute.gov.uk/ldp

Appendix 2 – Timeline to Adoption

Local Development Plan		Environmental Reports	
Received Examination Report	21/11/14	Environmentally appraise modified Plan. Carry out Appropriate Assessment of modified Plan if required.	December 2014 – February 2015
Examination Report brought to Council for consideration and decision to proceed to Adoption	22/1/15		
Preparation of LDP and associated materials for submission to Scottish Government and publicity.	January/February 2015		
Submission to Scottish Ministers of Modified plan and all other documentation. Undertake publicity as per requirements	By 21 st February 2015	Ministers publish revised Environmental Report (and revised HRA Record) if required	February – March 2015
Proposed Adoption of LDP including submission and publicity.	From 20 th March 2015	Publish Post-Adoption SEA Statement and submit to SEA Gateway	From 20 th March 2015
Action Programme	Complete 3 months from Adoption. anticipated date – late June		