

**Planning Application Report and Report of Handling as required by Schedule 2 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 relative to applications for Planning Permission or Planning Permission in Principle**

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**Reference No:** 25/00516/PP  
**Planning Hierarchy:** Local  
**Applicant:** Mr Billy McPhee  
**Proposal:** Repositioning of 3 chalets (static caravans) (retrospective)  
**Site Address:** Auchengower Caravan Park, Auchengower Park, Cove, Argyll  
And Bute

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**DECISION ROUTE**

- Delegated - Sect 43 (A) of the Town and Country Planning (Scotland) Act 1997
- Committee - Local Government Scotland Act 1973
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**(A) THE APPLICATION**

**(i) Development Requiring Express Planning Permission**

- Repositioning of 3 caravans (chalet style) within the site boundary (Retrospective)
- Formation of parking/turning areas for each plot (Retrospective)
- Associated land engineering/reprofiling ground levels work (Retrospective)
- Erection of associated timber decking (Retrospective)

**(ii) Other specified operations**

- N/A
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**(B) RECOMMENDATION:**

Having due regard to the Development Plan and all other material considerations, it is recommended that Planning Permission be granted as a minor departure to Development Plan Policy and subject to the conditions, reasons and advisory notes appended to this report.

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**(C) CONSULTATIONS:**

Argyll and Bute Council – Roads Authority 01.05.2025

On review, it is considered that the proposed does not represent an intensification of an existing site facility.

Additionally, the proposed does not feature any alterations to the existing parking provision or any parking provision requirements.

Furthermore, as the application does not propose or suggest any alterations to, or intensifications of, any point of access/ egress. I therefore confirm Roads have no objection to the proposed.

Core Paths – No response at time of writing the report

Biodiversity Officer – 26.08.2025

**European Protected Species and Protected Species**

Desk studies show that bats, red squirrel and breeding birds are present within the area, with other species likely present due to the habitat present. As no surveys were submitted prior to works being carried out I cannot comment on whether licences would have been required from NatureScot for works to proceed, but it is likely that protected species were present. It is therefore important that measures are taken to mitigate against the loss and provide biodiversity enhancement.

**Trees**

Ancient Woodland is present on site and was impacted upon by the development.

This is an irreplaceable habitat and in accordance with NPF4 Policy 6:

*b) Development proposals will not be supported where they will result in: i. Any loss of ancient woodlands, ancient and veteran trees, or adverse impact on their ecological condition; ii. Adverse impacts on native woodlands, hedgerows and individual trees of high biodiversity value, or identified for protection in the Forestry and Woodland Strategy; iii. Fragmenting or severing woodland habitats, unless appropriate mitigation measures are identified and implemented in line with the mitigation hierarchy;*

A tree survey indicating the biodiversity value of each individual tree should have been submitted along with the condition of the woodland, species present, age and location.

A programme of tree planting should be submitted to include species which must be native and appropriate to the locality of the area and sourced locally, location, age, timing of planting and a schedule of monitoring and maintenance until such a time as the trees become established.

**Biodiversity Enhancement Measures**

As no further works are proposed and due to the loss of habitat and biodiversity on the site, I ask the applicant to provide a plan of biodiversity enhancement measures.

A programme of tree planting should be submitted to include species which must be native and appropriate to the locality of the area and sourced locally, location, age, timing of planting and a schedule of monitoring and maintenance until such a time as the trees become established.

If there is any Invasive Non-Native Species (INNS) on site, then I recommend these are removed and managed accordingly to ensure they do not grow back.

Other measures could include installation of bird and bat boxes including swift boxes if appropriate, insect bricks, red squirrel feeding boxes, retention of dead wood and log piles, planting of native wildflowers appropriate to the locality of the area. The applicant should refer to the 'Developing with Nature' guidance on the NatureScot website <https://www.nature.scot/doc/developing-nature-guidance#planting-for-nature> for further guidance.

Further comments on 20/01/2026

The site sits wholly within ancient woodland of semi-natural origin. Ancient woodland is an irreplaceable habitat and sensitive to impact and change. Any proposed planting must be carried out in a sensitive matter, using species that are appropriate to the habitat, locality of the area and locally sourced. I am satisfied with the proposed tree, shrub and hedge species to be used (*This is referring to the proposal planting plan submitted 20/01/26*).

Any potential soils that need to be added to the site must be carefully managed and if possible, sourced from a nearby site with compatible soil type to reduce impact. The use of chemicals should be avoided, especially within this habitat due to the sensitivities present. I note *Rhododendron ponticum* is in the process of being removed. This guidance from FLS may be of use [Stem Guide \(low res web copy\) single pages](#). Any proposed debris clearance must also be sensitively managed.

I recommend a survey is carried out by a suitably qualified ecologist to determine species already present. This survey will feed into the Landscape Design and help formulate appropriate mitigation and management measures necessary as well as enhancement opportunities on site and ensure further impact to this habitat is avoided. I am satisfied for the above to be Conditioned.

#### Environmental Health – 20.08.2025

No objections subject to a condition relating to the control of external lighting.

#### Cove and Kilcreggan Community Council – 11.06.2025

The Community Council (majority decision) object in the strongest possible terms to this large retrospective planning application regarding the 'sighting' of what are new caravans outside the area designated in initial planning permission 11/00984/PP. The granting of this large retrospective planning application would appear to people in the community that non-compliance with statutory requirements is 'rewarded' with ex-post planning permission. The CC and members of the community feel this is unfair and has a potential 'knock-on' effect for other sites where developers can evade normal systems and processes and still achieve their individual aims. The use of the discretionary powers that rests with A&B Council are, in this instance, possibly inappropriately applied given the level of complaints at 'delivery' of the new units to the site when enforcement action (to a site with a history of planning issues) could have been easily taken.

We are also mindful that we understand that 2 of these units are residential and the third is more holiday accommodation. Therefore, the CC requests that should the decision regarding the 25/00516/PP be to remove the 3 units from their current location that the relocation, to other sites within Auchengower, is undertaken at the expense of the site owner and not those who appear to have purchased their unit in good faith.

In the event that A&B Council grants this planning application the Community Council wishes to see significant amelioration of the current site to reduce the visual impact of this development. This would include issues of vegetation management, resolving the drainage issues which cause significant flooding on the B833 and more appropriate colour schemes for fencing etc.

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**(D) HISTORY:**

**24/00057/ENOTH2**

Unauthorised siting of three caravans without planning permission; siting and use of caravans not in accordance with approved planning permission (C.3122).

**13 separate live enforcement cases**

Relating to each individual caravan that is alleged to be in breach of condition as not in accordance with approved planning permission.

**20/00053/ENFLB**

Unauthorised demolition of a Listed Building (Auchengower House)

**11/00202/ENFOC2**

Layout differs from original consent.

**C.3122**

Use of land as part residential caravan site for 30 caravans and part non-residential caravan site for 30 caravans and erection of 6 toilet units. Approved 1969 subject to the condition "that all caravans located in the non-residential area are vacated and removed from their summer positions during the period 1<sup>st</sup> November to 31<sup>st</sup> March of each calendar year."

**C3122/1**

Amendment to layout of caravan park. Approved 1977 subject to the conditions:

- that all caravans located in the non-residential area are vacated and removed from their summer positions during the period 1<sup>st</sup> November to 31<sup>st</sup> March of each calendar year.
- No trees shall be removed without the prior consent of the District Council.

**C.3122/2 (also known as 94/00218/VARCON)**

Winter storage (removal of condition). Approved 1996

**97/00312/DET**

Erection of porch- Caravan 8 Holly Twirl Shore Road Cove

**11/00984/PP**

Variation of Condition 1 (occupancy restriction) in relation to planning permission (C.3122)

Holiday caravans to be vacated 1<sup>st</sup> Feb- 7<sup>th</sup> March.

Approved August 2011.

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**(E) PUBLICITY:**

Advert Type: Regulation 20 Advert Local Application

Expiry Date: 05.06.2025

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**(F) REPRESENTATIONS:**

There has been a total of 14 representations made in respect to the application, of which 12 are in objection and 2 are in support.

**(i) Representations received from:**

**Objection**

Mrs J Barr, South Park East, Shore Road, Cove 05.05.2025  
Mr Lionel Wilson, Auchengower Mansion House, Shore Road, Cove 05.06.2025  
Mr Ken Owen, Hartfield Court, South Ailey Road, Cove 22.06.2025  
Ms Anne Strachan, Edendene, Shore Road, Cove 15.06.2025  
Mr Alastair McLean, Ellerslie, Shore Road, Cove 12.06.2025  
Mr Richard Reeve, Aidenwood, Barbour Road, Kilcreggan 14.06.2025  
Mr James Greg, Upper Flat, Craigowlet House, West Shore Road, Cove 13.06.2025  
Mr Euan Wright, Waveney, Argyll Road, Kilcreggan 12.06.2025  
Mr James McLean, Seymour Lodge, Shore Road, Cove 29.05.2025  
Ms Charlotte McLean, Seymour Lodge, Shore Road, Cove 29.05.2025  
Dr Lucy Steeds, Ailey Cottage, North Ailey Road, Cove 14.06.2025  
Mrs Penny Elles, West Ailey, Shore Road, Cove 04.06.2025

**Support**

Mr Andy Evans, 3 Bluebell Dell, Auchengower Park, Cove 09.06.2025  
Mr Roy Pearce, 12 Mansion View, Auchengower Park, Cove 15.05.2025

Representations are published in full on the planning application file and are available to view via the [Public Access](#) section of the Council's website.

**(ii) Summary of issues raised:**

**Objections**

Amenity

- The siting of the caravans has a negative impact on visual amenity, as they are positioned at the roadside/shore with no supplementary landscaping.  
*Officer Comment: Please see the assessment below.*

Character/Landscape Impact

- The character of the area is affected, as the other caravans are out of view up the hill. An objector argues that this development does not fall within the original applications scope, where caravans were permitted out of sight from the road and shore side.  
*Officer Comment: Please see the assessment below.*
- It is mentioned that the character of built heritage and natural landscapes is broken by the development. It is a sensitive site as it forms a first impression when entering the village.  
*Officer Comment: The Site is on the boundary to the village, although not within it. Please see the assessment below.*
- The objector requests the site be returned to woodland as per the conservation area.  
*Officer Comment: the site is outwith the Cove and Kilcreggan Conservation Area.*

### Woodland

- There has been a loss of trees in order to make room for the site, and to provide views of the loch for the caravans. The objector mentions the loss of trees should be viewed in the context of the climate crisis and the relevant development plan policies which seek to protect, conserve, restore and enhance biodiversity.  
*Officer Comment: The development is sited in an area of ancient woodland but is not in a conservation area, and the trees were not protected by a tree protection order (TPO). Please see the assessment below.*
- Trees were cut down without first informing the council, and there are no trees on the existing site plan provided by the applicant. These include native trees of significant value.  
*Officer Comment: The tree removal did not require permission and therefore there is no requirement to include the trees on the existing site plan. As above, see the assessment below.*
- It is alleged that the applicant felled trees in the Open Space Protected Area (OSPA) adjacent to the site.  
*Officer Comment: This would be treated as a separate issue to this application as it is outside the red line site boundary but it should be noted that the trees within the adjacent OSPA are not protected by conservation area or TPO and would not have required consent for felling.*

### Site Designation

- The site is not designated for residential homes in the local development plan 2 (LDP2), and does not comply with criteria for developments outside of designated areas, sustainable development, placemaking and conservation of the built environment required by the LDP2.  
*Officer Comment: While it is not an allocated site within the Local Development Plan, the residential caravans are repositioned within the original boundary of the caravan park rather than an addition/extension of the caravan park boundary. The overall site area therefore has an established use as a caravan park. Please see the assessment below as it pertains to compliance with the relevant development plan.*

### Climate Impact

- The development is contrary to the National Planning Framework 4 (NPF4) in its provisions to address the nature crisis.  
*Officer Comment: Please see the assessment below.*

### Miscellaneous

- There is objection to the nature of retrospective planning applications and how this damages the civic environment of the area, including local faith in the planning system.  
*Officer Comment: This pertains to the Scottish planning system in general rather than this specific application.*
- The objector states that the caravans are not repositioned from elsewhere in the site, but new caravans. The site is already at the permitted quota for caravan provision.  
*Officer Comment: The caravans have been accounted for against the submitted plans and there are the correct number of caravans on site.*

- The foundations and hardstanding laid on the site is alleged to be insufficient in terms of safety. Objections to the dumping of materials to form hardstanding are made, and the objector requests the area is replanted to return it to woodland.  
*Officer Comment: The engineering works to create the platform are not part of this application as the works were undertaken more than 4 years and are exempt from planning enforcement.*
- It is mentioned that the needs of the current residents are addressed by the landowner before the removal of the caravans.  
*Officer Comment: Please see the assessment below.*
- Reference is made to previous planning enforcement issues with the site.  
*Officer Comment: Each application is weighted on its own merits. Please see the assessment below.*
- The site does not comply with the views set out in the Cove and Kilcreggan Local Place Plan – which has care for the natural environment and encouraging working age people to move to the area as key aims.  
*Officer Comment: Please see the assessment below.*
- The objector states that the site is outwith the boundary of the original planning application.  
*Officer Comment: the new development is within the red line boundary on 11/00984/PP, although it is not designated as pitches for caravans.*

## **Support**

### Economic Impact

- The economic benefit of development is mentioned, with the contributor stating that more people will be attracted and contribute financially to the local area.  
*Officer Comment: While it can be argued that if the park is enhanced there may be economic benefit, the caravans are repositioned from elsewhere in the site – there is no overall increase in plots meaning that there will not be significantly more residents or holiday makers than previous to the development.*

### Road Safety

- It is mentioned that the development will not increase risks to motorists or pedestrians on Shore Road.  
*Officer Comment: Please see the assessment below.*

### Character/Landscape

- The development is small, and therefore will have a low impact on the character of the area.  
*Officer Comment: Please see the assessment below.*

### Amenity

- The siting of the caravans enhances the view of the park from the road, and will only improve as the landscaping becomes settled and managed.  
*Officer Comment: Please see the assessment below.*

Environmental Impact

- The attached septic tanks will prevent pollution in the loch.  
*Officer Comment: the caravans are shown as within Scottish Water Mains Supply.*
- There will be minimal impact on light or noise pollution.  
*Officer Comment: Please see the assessment below.*

Miscellaneous

- The development is supplying residential homes in the context of a housing crisis.  
*Officer Comment: The new caravans replace old caravans that have been removed from the site, and as they are repositioned they are not providing any additional residential homes.*
- Should the caravans be required to be removed, that part of the site could damage visual amenity being an area of hardstanding only, potentially becoming a site for antisocial behaviour.  
*Officer Comment: The potential for antisocial behaviour in the future is not a material planning consideration.*

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**(G) SUPPORTING INFORMATION**

**Has the application been the subject of:**

- (i) **Environmental Impact Assessment Report:** Yes No
- (ii) **An Appropriate Assessment under the Conservation (Natural Habitats) Regulations 1994:** Yes No
- (iii) **A Design or Design/Access statement:** Yes No
- (iv) **Sustainability Checklists (with reference to the requirements of LDP2 Policy 04)**

TN06 Sustainability Checklist Yes No

TN07 Sustainable Buildings Checklist Yes No

*The Checklist was submitted 08/09/2025 and then a revised Sustainability Checklist was submitted 20/01/2026.*

Contribution to community – *The parks supports both permanent residents and holidaymakers. The three new chalets have greater accessibility and inclusivity and provide shorter walking distances.*

Support for home working – *The chalets is supported by good broadband access.*

Minimise need for travel – *The site is located near shops, schools, healthcare and recreation. There is no increase in units on the site, so no increase in travel movements.*

Existing public transport and active travel – Local bus services connect the site to nearby towns. There is walking and cycling routes locally.

Appropriate location for regeneration/growth - The site has been successfully operated for decades, making it a sustainable location. There is no growth proposals and relocations would satisfy a demand for more accessible units near the entrance.

Impact on existing org – Local businesses benefit from sustained tourist trade and resident expenditure. There is no food store or restaurant on site so residents require to purchase food locally.

Infrastructure – the development uses existing utilities, road and drainage.

Brownfield – The works are entirely within an area of Brownfield land previously used for storage and does not involve naturalised or greenfield land.(note: the planning authority do not consider the full site to have been used for storage and there has been loss of Ancient Woodland).

Measures to improve/retore the natural env – Landscaping will be maintained and natural vegetation is preserved to support biodiversity.

Loss of trees/woodland – There were 4 silver Birch trees removed from the area as part of woodland maintenance. The trees were in poor condition. As well as the trees some invasive Rhododendron were removed. (Note: this is not been evidenced and the planning authority have concluded more trees were removed)

Loss of Open space – The development is entirely within an area previously used for storage in an established site.

Construction phase – no applicable, retrospective.

Landscape – the site is in a countryside location but not in a NSA or LLA. The chalets are located on the lower levels of the park and wont be prominently located or highly visible to the public. It respects the established landscape character. (Note: planning authority assessment on landscape impacts is below, this is the applicant's perspective).

Building details – The chalets are single storey, low ridge with neutral colour and sited to maximise natural light while benefiting from woodland shelter. No cut and fill was required.

Conclusion – The proposals strengthens the long-term viability of an established mixed use site. It reinforces local economic resilience by supporting both permanent housing and tourism sectors.

- (v) **A report on the impact of the proposed development eg. Retail impact, transport impact, noise impact, flood risk, drainage impact etc.**

Yes  No

Planning Statement / Economic

A short statement was initially submitted explaining the site context and nature of the retrospective application and then it was subsequently revised and further information on the Housing Emergency and Economic factors was submitted. Initially all that was said was *“The purpose of this application is to seek retrospective approval for the re-siting of 3 existing chalets within the park, with no increase in the currently approved number of chalets”* They state the reason for the application is: *“As accommodation and safety standards have increased over the years, minor changes have been made to chalet plots to best accommodate vehicles, fire safety distances between chalets, and to the chalet units themselves to deliver the most up to date modern living accommodation standards. This has resulted in the site owner relocating the 3 chalets to an alternative location where accessibility is improved on a lower ground level near the entrance of the site.”*

*“The retrospective 3 chalets are in use as 2 residential chalets, and 1 holiday chalet. The applicant is simply reorganising 3 existing chalets to an alternative location within their established site boundary. The proposal does not constitute an intensification of use, and complies with the limitations set out in Policy 69 of the LDP2, and the intended aims of NPF4 Policy 30.”*

The additional / revised statement also includes the following key points:

- *“The two residential chalets included in this application provide permanent homes, directly contributing to housing availability. While sustainability objectives are important, the housing emergency requires planning decisions to prioritise the preservation of existing housing stock.”*
- Granting permission would be *“ensuring that the Auchengower Caravan Park can continue to play its part in supporting local tourism, sustainable rural living, and addressing Scotland’s pressing housing challenges.”*
- Park investment *“the applicant has invested £570,000 in maintaining, improving and safeguarding the site over the last 10 years. This investment has been funded entirely from private means and reflects a sustained commitment to the site.”* Also in summary they state that prior to investment, internal roads were badly maintained and footpaths unsafe, woodland/tree management was non-existent, and rhododendron was overgrown throughout the site. The removal of the Listed Auchengower House was for genuine safety reasons as the building was derelict, unsafe and beyond repair. The applicant accepts that formal consent was not secured but the works were carried out in good faith.
- The retrospective units are necessary to the site financial structure and the income will help meet the

ongoing essential costs – tree inspections, woodland management, compliance upgrades, insurance and general maintenance. Without this investment, the site will inevitably deteriorate and there will be increased safety risks. Refusal would remove a key income stream.

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*Supporting Information is published in full on the planning application file and is available to view via the [Public Access](#) section of the Council's website.*

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**(H) PLANNING OBLIGATIONS**

**Is a Section 75 agreement required:**      Yes No

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

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

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

**[National Planning Framework 4 \(Adopted 13<sup>th</sup> February 2023\)](#)**

**Part 2 – National Planning Policy**

**Sustainable Places**

NPF4 Policy 1 – Tackling the Climate and Nature Crises

NPF4 Policy 2 – Climate Mitigation and Adaption

NPF4 Policy 3 – Biodiversity

NPF4 Policy 6 – Forestry, Woodland and Trees

NPF4 Policy 7 – Historic Assets

NPF4 Policy 9 – Brownfield, Vacant and Derelict Land and Empty Buildings

**Liveable Places**

NPF4 Policy 14 – Design, Quality and Place

NPF4 Policy 16 – Quality Homes

NPF4 Policy 17 – Rural Homes

NPF4 Policy 20 – Blue and Green Infrastructure

NPF4 Policy 22 – Flooding and Water Management

**Productive Places**

NPF4 Policy 29 – Rural Development

NPF4 Policy 30 – Tourism

**[Argyll and Bute Local Development Plan 2 \(Adopted 2024\)](#)**

**Spatial and Settlement Strategy**

Policy 02 – Outwith Settlement Areas  
Policy 04 – Sustainable Development

### **High Quality Places**

Policy 05 – Design and Placemaking  
Policy 06 – Green Infrastructure  
Policy 08 – Sustainable Siting  
Policy 10 – Design – All Development  
Policy 16 – Listed Buildings

### **Diverse and Sustainable Economy**

Policy 23 – Tourism Development, Accommodation, Infrastructure and Facilities  
Policy 26 – Informal Public Outdoor Recreation and Leisure Related Development

### **Connected Places**

Policy 33 – Public Transport Infrastructure  
Policy 35 – Design of New and Existing, Public Roads and Private Access Regimes  
Policy 37 – Development Utilising an Existing Private Access or Existing Private Road  
Policy 39 – Construction Standards for Private Access  
Policy 40 – Vehicle Parking Provision

### **Sustainable Communities**

Policy 52 – Community Plans, Local Place Plans and Locality Plans  
Policy 60 - Private Sewage Treatment Plans and Wastewater Drainage Systems  
Policy 61 – Sustainable Drainage Systems

### **Homes for People**

Policy 66 – New Residential Development on Non-Allocated Housing Sites within Settlement Areas  
Policy 69 – Residential Caravans and Sites (for Permanent Homes)

### **High Quality Environment**

Policy 73 – Development Impact on Habitats, Species and Biodiversity  
Policy 77 – Forestry, Woodland and Trees

**(ii) List of all other material planning considerations taken into account in the assessment of the application, having due regard to Annex A of Circular 3/2013.**

- Third Party Representations
- Consultation Responses
- Planning History
- Caravan Sites and Control of Development Act 1960 (“The 1960 Act”)
- Cove and Kilcreggan Local Place Plan
- Landscape Character Assessment (Nature Scot 2019)

- Rosneath Peninsula Environmental Baseline Report (LUC 2023)
- Argyll and Bute Local Housing Strategy 2022-2027 (“LHS”)
- Housing (Scotland) Act 2014 (“The 2014 Act”)
- [TN06 Sustainability Technical Note and Checklist \(Oct. 2023\)](#)
- [ABC Economic Development Action Plan](#)
- [SEPA Standing Guidance for Development Management \(Dec. 2022\)](#)
- Historic Environment Scotland - HEPS
- Historic Environment Scotland – Managing Change in The Historic Environment - various

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

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

**(M) Does the Council have an interest in the site:** Yes No

**(N) Requirement for a pre-determination hearing:** Yes No

A total of 15 public representations have been received in response to this planning application, of which 12 are in objection and 2 are in support. There is also a representation from the Community Council in objection. Although the application has raised many concerns locally given it is retrospective and required enforcement case being opened, it is the opinion of the Planning Authority that the representations received do not raise any complex issues. We consider that the Officer assessment of the relevant planning issues contained within this report and the presentation at PPSL which will present the finished retrospective development, provides all the information required to enable Members to make an informed decision based on all the material planning considerations in this case. It is therefore not considered that a discretionary local hearing would add value to the planning process.

**(O)(i) Key Constraints/Designations Affected by the Development:**

- Ancient woodland inventory
- Semi ancient woodland
- Setting of Listed Building

**(O)(ii) Soils**

[Agricultural Land Classification:](#)

Class 4.1 - Land capable of producing a narrow range of crops, primarily grassland with short arable breaks of forage crops and cereal.

[Peatland/Carbon Rich Soils Classification:](#)

- Class 1
- Class 2
- Class 3
- N/A

[Peat Depth Classification:](#)

N/A

Does the development relate to croft land?  Yes  No  
Would the development restrict access to croft or better quality agricultural land?  Yes  No  N/A  
Would the development result in fragmentation of croft / better quality agricultural land?  Yes  No  N/A

**(O)(iii) Woodland**

Will the proposal result in loss of trees/woodland?  Yes  
 No

Note: This is a retrospective application and tree loss has already taken place. No further tree loss is proposed.

Does the proposal include any replacement or compensatory planting?  Yes  
 No details to be secured by condition if to be approved  
 N/A

**(O)(iv) Land Status / LDP Settlement Strategy**

Status of Land within the Application  Brownfield  
 Brownfield Reclaimed by Nature  
 Greenfield

Site is part brownfield and part greenfield.

**ABC LDP2 Settlement Strategy**

Settlement Area  
 Countryside Area  
 Remote Countryside Area  
 Helensburgh & Lomond Greenbelt

**ABC LDP2 Allocations/PDAs/AFAs etc:**  
N/A

**(P) Summary assessment and summary of determining issues and material considerations**

This application is made following planning enforcement case 24/00057/ENOTH2.

Retrospective planning permission is sought for the following; a repositioning of three caravans (one holiday and two residential use), along with associated works being the erection of associated decking for each caravan and formation of parking/turning areas for the caravans within an established caravan park. The application site is at the south-west of the Auchengower Park, on the first bend of the access that leads up to the rest of the park. Auchengower Park has been a registered caravan site from 07/04/2017 for both residential and holiday caravans.

At the time of writing, public representations had been received by the Planning Authority from 15 respondents in relation to this planning application with 13 objecting (including the Community Council) and the remaining 2 supporting. Loss of woodland and landscape/visual impacts are the key concern of the public representatives.

In summary the key conclusions of the officer's assessment are:

- There are significant benefits of the proposal in terms of providing affordable, accessible permanent homes within an established residential park to meet current expected standards.
- There are benefits in creating an income stream for an existing established tourism / residential caravan site that requires the income to ensure the long term maintenance and sustainability of the site as a whole.
- The layout and landscape effect of the development has altered the woodland and coastal character of the area, affected the setting of a listed building, namely Auchengower Lodge and the important gap between the settlements has adversely affecting the sense of place, and resulting in a proposal that is therefore not consistent with the development plan but subject to conditions these impacts can be reduced significantly.
- There were adverse impacts on trees and Ancient Woodland through the creation of the original hardstanding area but this area was created more than 4 years ago and is now lawful. There was also further removal of trees to create views from the caravans within the Ancient Woodland. There is however no objection from the biodiversity officer as there is now an opportunity to mitigate the loss of woodland and protected species, via conditions, by requiring a wildlife survey, bringing in soils from a local source and securing compensatory native planting to enhance the woodland in the long term. This long-term enhancement also includes continued management of the non-native rhododendron on site which is a significant benefit to the area.
- On balance, the provision of caravans on this area of hardstanding that has become lawful, will be an improvement to the area being used for storage/materials which would be more unsightly than this tidy and quality caravan development. The landscaping will reduce any impacts to negligible in the long term.

In conclusion, there is support within the policy provision of the adopted National Planning Framework 4 (NPF4) and Local Development Plan 2 (LDP2) in terms of providing permanent affordable homes, supporting the tourism sector and sustaining an established long business but it is acknowledged the local landscape and ancient woodland has been affected by the development works. In approving the proposal, there can be significant gains to local biodiversity in terms of long-term woodland management and the landscape harm can be somewhat mitigated.

It is therefore recommended that planning permission be approved as a minor departure from the development. The full report is provided in Appendix A.

This application would be determined as a local application under the Council's delegation scheme; however, several public representations has been received. To meet the requirement of the scheme of delegation, the planning application for the proposed development is therefore put to Members for determination.

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

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

See Section (S) below.

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

NPF4 policies 9, 14, 30 and LDP2 policies 05, 08, 09, 10 and 23 seek to ensure that development is of appropriate design and siting and does not adversely affect on landscape character or valued landscape qualities. The proposal has had an adverse impact on the sensitive undeveloped woodland and coastal landscape character and valued landscape qualities of this countryside area between Ardpeaton and Cove.

NPF4 Policies 4 and 6 and LDP2 Policies 02, 73, 77 and 78 seek to enhance biodiversity, protect woodlands including Ancient Woodland. The proposal has involved the loss of some woodland which has not been able to be quantified. The loss of Ancient Woodland is contrary to the aforementioned policies.

NPF4 Policy 7, LDP2 Policy 16 and relevant HES guidance seek to protect historic assets. The setting of the nearby Listed Building - Auchengower Lodge – has been affected by the introduction of the three new chalets. The lodge house would have previously been the only building at the road level to the main house.

In the particular circumstance of this case, it is considered that this shortfall can be accepted as a minor departure to policy given the following wider considerations:

- There are significant benefits of the proposal in terms of providing affordable, accessible permanent homes and also creating an income stream for an existing established tourism / residential caravan site that requires the income to ensure the long term maintenance and sustainability of the site.
- The site is within an established site with necessary infrastructure provision and does not result in an overall net increase in the number of caravans in terms of impact on travel. There is good connections by bus from the site to nearby facilities such as medical centre, shops, onward travel, schools and the residents and holiday makers of the site will support the local businesses – shops and facilities etc.
- There will be suitable tree re-planting to reduce the visual impact and the previous unsightly storage area has been removed.
- There will be biodiversity gains from long-term woodland management and removal of invasive Rhododendron ponticum.
- The application site was the previously a storage area at the entrance to the caravan site with a bin area and so had already had its setting affected. The impact therefore considered minor.

- There are no objections from Roads, Environmental Health or the Council's biodiversity officer. It is noted that the Community Council object but this is on the issue that it was retrospective rather than the impacts the proposal has on the environment.

Whilst it is recognised that the proposal does not fully meet the provisions of a number of policies in terms of landscape, woodland and historic assets, the mitigating factors detailed above are of sufficient materiality for the application to be approved as a minor departure to the Development Plan.

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

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**Author of Report:** Kirsty Sweeney **Date:** 30.01.2026

**Reviewing Officer:** Sandra Davies **Date:** 05.02.2026

**Fergus Murray**  
**Head of Development & Economic Growth**

## CONDITIONS AND REASONS RELATIVE TO APPLICATION REF. NO. 25/00516/PP

### 1. **Approved Details**

Unless otherwise directed by any of the conditions below, the development shall be implemented in accordance with the details specified in the application form dated 1 May 2025; the supporting information; and the approved drawings listed in the table below unless the prior written approval of the planning authority is obtained for an amendment to the approved details under Section 64 of the Town and Country Planning (Scotland) Act 1997.

| <b>Plan Title.</b> | <b>Plan Ref. No.</b> | <b>Version</b> | <b>Date Received</b> |
|--------------------|----------------------|----------------|----------------------|
| Location Plan      | 1 of 4               |                | 28.04.2025           |
| Existing Site Plan | 2 of 4               |                | 31.03.2025           |
| Proposed Site Plan | 3 of 4               |                | 28.05.2025           |
| Chalet Floor Plan  | 4 of 4               |                | 10.04.2025           |
| Landscape Plan     | 10B                  |                | 20.01.2026           |

Reason: For the purpose of clarity, to ensure that the development is implemented in accordance with the approved details.

### 2. **Defining Use of Caravans:**

The occupation of caravans 1 and 3 hereby approved shall be permanent residences and the occupation of caravan 2 hereby approved shall be solely for holiday purposes and may not function as a permanent residence.

Reason: In order to define the permitted occupancy having regard to the lawful use of the site.

### 3. **External Lighting**

Unless otherwise agreed in writing with the Planning Authority, all external lighting on the application site shall be operated, positioned and angled in compliance with the Scottish Government Guidance Note "*Controlling Light Pollution and Reducing Lighting Energy Consumption*" (March 2007).

Reason: In order to protect the amenity of the immediate area from the creation of nuisance due to light pollution and to support the reduction of energy consumption

### 4. **Wildlife Surveys**

Notwithstanding the provisions of Condition 1, within 1 month from the date of this decision, a detailed habitat and species survey shall be undertaken and the results, together with a scheme of enhancement measures, shall be submitted to and approved in writing by the Planning Authority. The survey methodology shall be submitted to and approved in writing by the Planning Authority before the survey commences. The scheme of measures shall be implemented in full accordance with a time-scale to be agreed in writing with the Planning Authority or no later than 12 months from the date of this decision.

Reason: To safeguard protected species and nature conservation interests and ensure the proposed biodiversity enhancement and landscape proposals are suitable.

## 5. **Biodiversity Enhancement**

Notwithstanding the provisions of Condition 1, within 3 months from the date of this decision, a final biodiversity statement, based on the findings of the species survey as per Condition 4, shall be submitted to and approved in writing by the Planning Authority. The statement shall demonstrate how the proposal will contribute to conservation/restoration/enhancement of biodiversity, and how these benefits will be implemented and maintained for the lifetime of the development.

All physical biodiversity enhancement measures (e.g. bird nesting boxes, 'swift bricks', wildlife ponds, bat and insect boxes, hedgehog homes, etc) shall be implemented in full no later than 12 months from the date of this decision.

All biodiversity enhancement measures consisting of new or enhanced planting shall be undertaken either in accordance with the approved scheme of implementation or within the next available planting season or no later than 12 months from the date of this decision.

The biodiversity statement should refer to [Developing with Nature guidance | NatureScot](#) and [Scottish Government Planning Guidance: Biodiversity](#) as appropriate.

Reason: In order to comply with the requirements of NPF4 Policy 3.

## 6. **Non-Native Species Removal Plan**

Within 3 months of the date of this permission, a long-term Invasive Non-Native Species (INNS) Flora Management and Removal Plan, including a timetable for the maintenance works, shall be submitted to, and approved in writing by, the Local Planning Authority in consultation with the Council's Biodiversity Officer. The approved plan shall have been prepared by a suitably-qualified person. Thereafter, the plan shall be fully adhered to, and any removal shall be implemented in accordance with the plan and the timetable.

Reason: In the interests of biodiversity

**Note:** This guidance from FLS may be of use [Stem Guide \(low res web copy\) single pages](#)

## 7. **Landscaping scheme**

Notwithstanding the provisions of Condition 1, within 3 months from the date of this decision, a final scheme of landscape plan (based on the draft plan, received 20.01.2026) shall be submitted to and approved in writing by the Planning Authority. The scheme shall comprise a final planting plan and schedule which shall include details of:

- i. Proposed soft landscaping including the final location, species and size of every tree/shrub to be planted alongside the road edge with no gaps (based on any recommendations from the protected species survey);
- ii. Final paint colours for the decking;

- iii. Details of any soils to be brought on to site, including the source. Note: *it should be sourced from a nearby site with compatible soil type to reduce impact.*
- iv. A programme for ongoing maintenance.

All of the hard and soft landscaping works shall be carried out in accordance with the approved scheme unless otherwise approved in writing by the Planning Authority within 6 months of the decision hereby issued.

Any trees/shrubs which within a period of five years from the completion of the approved landscaping scheme fail to become established, die, become seriously diseased, or are removed or damaged shall be replaced in the following planting season with equivalent numbers, sizes and species as those originally required to be planted unless otherwise approved in writing by the Planning Authority.

Reason: To assist with the integration of the proposal with its surroundings in the interest of amenity.

#### 8. **Changes to caravans**

The permission hereby granted relates to the retention of the caravans existing on the site at the date of the application only and no replacement caravans shall be sited on the land unless, and until, details of the size, design and colour of such replacement caravans have first been approved in writing of the Planning Authority.

REASON: For the avoidance of doubt and to safeguard the visual amenities of the area.

9. **Numbers of Caravans:** Not more than 3 caravans shall be sited on the land the subject of this permission at any one time and shall not be laid out other than in accordance with the approved Proposed Site Plan received by the Planning Authority on 28.05.2025.

REASON: For the avoidance of doubt and to safeguard the visual amenities of the area.

#### 10. **Surface Water Drainage**

Notwithstanding the provisions of Condition 1, within 3 months from the date of this decision, details of a sustainable urban drainage system compliant with the guidance set out in CIRIA's SuDS Manual C753 shall be submitted to and approved in writing by the Planning Authority, in consultation with the Council's Flood Advisors. The approved surface water drainage system shall be operational within a further 3 months of the scheme being approved and shall be maintained as such thereafter.

Reason: In order to ensure that adequate surface water drainage is implemented to prevent flooding elsewhere.

#### 11. **Parking**

The parking area for a minimum of 1 vehicle per unit shall be retained for such a dedicated purpose, unless the prior consent for variation is obtained in writing from the planning authority.

Reason: To comply with car parking standards contained in Policy 40 of the Argyll and Bute Local Development Plan.

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|---|--------------------|
| <b>COMMITTEE REPORT</b>                             |                    |
| <b>APPENDIX A – RELATIVE TO APPLICATION NUMBER:</b> | <b>25/00516/PP</b> |
| <b>PLANNING LAND USE AND POLICY ASSESSMENT</b>      |                    |
|   |                    |

## 1. Background and Settlement Strategy

- 1.1. The Caravan Park is located between the settlements of Cove and Ardpeaton in an area of countryside and has been in operation since the 1970s and is a long-established local business. The caravan site has permission for 30 residential caravans and 30 non-residential caravans – a total of 60 caravans with a specific layout, required by Condition 5 of C3122: *“That the caravans are sited in accordance with the layout plan approved by the county council”*. The site was originally built around a Victorian Villa, known as Auchengower Mansion House (Category B Listed Building), which has been subject to unauthorised demolition in circa 2020. The House sat up on the cliffside and its landscaped gardens surrounding was developed into the caravan park. There are numerous enforcement cases live at the caravan park, mostly relating to the repositioning of caravans without permission, some which followed the demolition of the listed building. Members should be aware that it is the planning authority’s opinion that the building was likely to have been beyond economic repair and was subject to a Demolition Notice issued by the Council’s building standards team. The applicant states in their supporting statement that *“The removal of the Listed Auchengower House was for genuine safety reasons as the building was derelict, unsafe and beyond repair. The applicant accepts that formal consent was not secured but the works were carried out in good faith.”* So it is agreed that even though formal consent was not sought that the works to demolish the house are likely to have been consented as the Policy on Listed Buildings allows demolition where there a property is beyond economic repair. It has therefore not been considered expedient to enforce against this matter.
- 1.2. The historic planning permissions provide clear detail on the layout of the caravan park as it relates to the pitches and access to caravans in the upper part of the site, in contrast to this, the application site is listed as a ‘refuse/bin store and collection point’ and ‘woodland area’. In the historic planning reports it was states that: *“We would also like to set a limitation on the siting of caravans in that they must not be visible from the main road”*. The previous planning history of the park clearly and precisely sets out the permitted number of caravans and their layout, which this application contradicts hence the reason for enforcement. Further, both C3122 (condition 6) and C3122/1 (condition 2) require that: *“no trees or bushes be removed from the site without the consent of the county council”* and *“No trees shall be removed without the prior consent of the district council. Reason: In accordance with previous consent and in the interests of amenity”* respectively which is a breach of condition.
- 1.3. The legislation from the Scottish Government on fire safety was updated guidance in 2022, requiring spacing between caravans to generally be no less than 6 metres and the site license has conditions dictating this minimum distance between caravans. The applicant argues that increased demands on space for parking/turning, larger units as well as legislation requiring set distances between caravans to increase, the site has become crowded in its previously permitted layout. It is therefore not offering the best environment for permanent residents in accordance with current standards and is bringing the viability of the caravan park into question. They argue that this is why the repositioning has been carried out, to improve access and privacy for residents across the whole site.

- 1.4. In terms of the LDP2, the site is defined as 'Outwith Settlement Areas' within an area identified as 'Countryside Area' (CA) where Policy 02 of LDP2 gives a presumption in favour of sustainable development where it is of an appropriate scale, design, siting and use for its countryside location, as set out in the relevant sustainable siting and design policies of LDP2. In CAs, where there are nature conservation or landscape designations in place, Policy 02 requires that development proposals will demonstrate that they are compatible with the designation interests. The woodland interests and landscape character have been impacted by the development. The clearing of trees on the boundary of the site has made it especially prominent, especially compared to the previously woodland appearance along the roadside. The landscape character of the area has been altered. There has been no submission of a landscape and visual impact assessment to support the application. Further detailed assessment of this impact is below.
- 1.5. The site is partially brownfield site, as prior to siting the caravans part of the site was a level area of hardstanding. The area of hardstanding was unauthorised works undertaken in 2020 that is now time barred from enforcement. The rest of the site was greenfield and included woodland. The proposed development must be considered against NPF4 Policy 9 – Brownfield, Vacant and Derelict Land and Empty Buildings. Policy 9 b) requires that: *proposals on greenfield sites will not be supported unless the site has been allocated for development or the proposal is explicitly supported by policies in the LDP*. The proposal is a minor departure from this policy given a very small part of the application site was greenfield.
- 1.6. LDP2 Policy 23 – Tourist Development, Accommodation, Infrastructure and Facilities dictates a presumption in favour of new or improved tourist facilities and accommodation, provided it meets certain criteria. NPF4 Policy 30 Tourism states that a) development proposals for new or extended tourist facilities or accommodation, including caravan and camping sites, in locations identified within the LDP, will be supported if they meet a number of criteria. The proposal is effectively re-positioning of caravans for tourist and residential use and therefore the principle of the development is supported by this policy. However, the policy has other criteria including compatibility with the surrounding area which is relevant when considering the re-positioning and this is assessed below.
- 1.7. NPF4 Policy 17 rural homes does not apply to this proposal, as the caravans are not new homes. Similarly, Policy 69 – residential caravans and sites (for permanent homes) states that no new residential caravans will be permitted for permanent homes; however, there is no policy conflict between this requirement and the proposal. Several objectors mentioned that the caravans are new, and that this development therefore must be contrary to policy, however the caravans on site have been counted and accord to the site plans that have been provided. There is no increase in residential caravans. This aspect of the application is therefore consistent with policy 17 and 69, despite it being a development that involves residential caravans. They are caravans that previously have had permission and are solely being re-positioned. Despite the lack of support from Policy 69 for new residential caravans, it should be recognised that the residential caravan sector in Scotland plays a significant role in delivering housing, particularly affordable housing.

## **2. Local Living and sustainable transport**

- 2.1. NPF4 Policy 13 – Sustainable Transport seeks to encourage, promote and facilitate developments that prioritise walking, wheeling, cycling and public transport for everyday travel and reduce the need to travel unsustainably.
- 2.2. As the development is a repositioning of 3 caravans within the existing Auchengower Park, this development creates no additional travel generation. Furthermore, the site is

already served by nearby public transport routes, although it has been identified in the LPP that active travel routes in the area need improvement. The 3 units are also not up the steep road so provide 3 more accessible units wherein those that are disabled can easily access the bus stop at the entrance of the site. Overall, the application is consistent with the requirements of NPF4 – Policy 13 and LDP2 Policy 33 – Public Transport Infrastructure and Local Living Policy 15 of NPF4.

### **3. Location, Nature and Design of Retrospective Development**

- 3.1. The application site is within the existing boundary of Auchengower Caravan Park, approximately 30 metres up the access from the B833 (Shore Road). It is rectangular in shape, 1500 square metres in size, and approximately 6 metres east of the B833. As the application is retrospective, the site has already been cleared of vegetation, the ground has already been profiled, and the caravans have been erected on site with associated decking, new internal road and parking areas.
- 3.2. In terms of the engineering works to create the previous storage area, this was created approximately 9-10 years ago shortly after the new owner bought the site. The area was used to store rubble at the time of the demolition of the Auchengower Mansion site in circa March 2020 and the council have photographic evidence of this and the expansion of this area (now 6 years ago). The engineering works to create this platform / storage area and the loss of woodland as the result of this storage area are not subject to consideration as they have become time barred from any enforcement action.
- 3.3. Peaton Glen, Ardpeaton Woods is designated as a Local Nature Conservation Site (LNCS) and it bounds Auchengower Caravan Park to the north, approximately 100 metres from the application site. Open Space Protected Area (OSPA) OS2036 is immediately to the west of the B833; it runs parallel to the site and separates the land between the shore of Loch Long and the B883. There is no overlap between the application site and the LNCS or the OSPA, they are merely in close proximity. While the site is not within the settlement boundary of Cove, it is immediately adjacent to the village boundary making it approximately half a kilometre from the Cove and Kilcreggan Conservation Area. It is concluded that the LNCS, OSPA and the Conservation Area are not affected by the development.
- 3.4. The site is within an area of Ancient Woodland and this is assessed in more detail below as there has been some impacts in this regard.
- 3.5. The landscape and seascape character of the wider Rosneath Peninsula is described as *noticeably less developed, giving a greater sense of rurality. The smaller-scale wooded nature of the coastal fringes create a more intimate landscape with a higher perceived sense of wildness, whilst the open moorland hills offer panoramic views across the sea lochs to the mountains beyond* by the Rosneath Peninsula Environmental Baseline Report (2023). The site of this development is visible primarily in close view from the road, and the area is accessed by a diverse array of receptors, from commuters and locals to recreational walkers, cyclists and those on ferries, sailing or fishing but the wider views are from a distance and are filtered and framed by trees along the shore (which remain and are in the OSPA on the opposite side of the road).
- 3.6. The proposal consists of the repositioning of three Boston model caravans, measuring 12 metres x 6 metres (12.68 metres x 6.644 metres size from roof and including barge boards) and single storey in height with a sloped roof. They have been erected with the decking facing towards the B833 and Loch Long, with the side elevation visible on approach from the access. They provide an open plan lounge, dining area and kitchen at the rear, with bedrooms, shower room, and en-suite at the front. The caravans are of

contemporary design, finished with wood grained aluminium cladding. The attached decking extends a further 2.5 metres from the rear elevation, 7.2 metres across from the elevation, 9 metres parallel down the side elevation, before meeting the side elevation again 1.2 metres in. The siting of the caravans positions panoramic windows and decking towards Loch Long and positioning near to the entrance of the site is intended to enhance the accessibility. The layout can therefore be said to improve views of the landscape from the caravans.

- 3.7. The Landscape Character Assessment (Nature Scot 2019) states that the area is 'Open Ridges' Landscape Character Type and it is described as "*Settlement is largely confined to the loch edges. The houses are typically at an acute angle to the road and are stepped up the slope on terraces. Beech hedges contrast with local stone walls, natural rock outcrops and mixed woodlands to create a richly varied local landscape. The strip of land by the loch side is particularly prominent in views from the opposite side of the loch. Reflection increases the visual effect of built development on this shoreline landscape.*" It also states "*Despite the wooded character, there are many long, framed views and the landscape has an open, well-structured character*" and "*On the loch edges, there is a gradual change to a smaller scale landscape, with wooded gills and a narrow, intermittent band of built development*".
- 3.8. The topography of Auchengower Caravan Park contributes to the assessment of this site as it relates to landscape character and amenity. The park sits on a steep slope and before this development the caravans were all sited in the upper portion, therefore screened from view by the slope and surrounding woodland. This also meant the landscape character between the settlements of Cove and Ardpeaton was predominately the original woodland character. This is only a small section between the two settlements but it is important green area between the build up areas and interrupts the ribbon development that makes up the settlement areas.
- 3.9. The caravans sit on a small and gentle slope down to the B833, with the rear raised to maintain level, which provides the caravans a better view out onto Loch Long; and their height above the road mean they are not immediately on the roadside and there is space for landscaping to the front. Part of the application site was the 'refuse/bin store and collection point' as shown on the original application C.3122 and 11/00984/PP which benefited from a woodland screen. This woodland screen could be replaced.
- 3.10. It is accepted that the previously approved layout (in the 1970s) was carefully considered to avoid the area on the lower side of the cliff next to the road where there is a strip of Ancient Woodland. However, via suitable mitigation a new woodland screen can protect and enhance this important roadside strip on the lower slope.
- 3.11. The applicant claims it was only 4 birch trees that were removed but there was evidence of more than 4 trees and a mix of species. On the officer's site visit it was noted that there were a number of stumps of Sycamore trees left along the edge of the site beside the road, and one stump from a birch. The trees are already growing back and the original stone boundary wall remains. Even though there has currently been no replanting to form screening via new shrubbery/trees, the applicant confirms that he was told to stop works before he had finished the landscape works. The applicant has submitted a detailed replanting plan including the replacement of a mixed native hedgerow along the side of the wall, 15 larger Oak and Birch trees and a mix of smaller native bushes around the edge of the decking. This is welcomed and will significantly mitigate the landscape and visual impacts of this development.

- 3.12. NPF4 Policy 14 – Design, Quality and Place seeks to encourage, promote and facilitate well designed development that makes successful places by taking a design-led approach and applying the ‘Place Principle’. LDP2 Policies 05, 08, 09 and 10 serve to ensure that development, by reason of density and layout, effectively integrate with their setting and they resist developments with poor quality or inappropriate layouts or densities including over-development. NPF4 Policy 29 – Rural Development b) requires that development proposals in rural areas should be suitably scaled, sited and designed to be in keeping with the character of the area.
- 3.13. The design of the development does not in itself present a contradiction to NPF4 policy 14 or LDP2 Policies 05, 08, 09 and 10 as the caravan’s colour and style is in keeping with the caravans across the existing caravan park. The LDP2 states that: “Argyll and Bute’s wet and damp climate and often exposed locations mean that such homes [Caravans] can be difficult to heat and are prone to deteriorating faster than their designed life and so they are not considered suitable for long term retention” (8.7). However, the caravans are new, likely making them more sustainable than older models.
- 3.14. LDP2 Policy 23 – Tourist Development, Accommodation, Infrastructure and Facilities dictates a presumption in favour of new or improved tourist facilities and accommodation, provided that: *i. the development is in a form scale and location which is consistent with its surroundings; ii. The proposals respect and integrate well with the landscape/townscape character and the amenity of the surrounding area; iii. They are located in accessible locations, taking into account the scale and nature of the proposed development, and include proposals to widen the options for sustainable travel to access them (including public transport, cycling or on foot); and iv. They are well related to the existing built form of settlement areas or the existing development pattern outwith the settlement areas and avoid dispersed pattern of development unless the developer has demonstrated a locational requirement based upon the need to be near to the specific tourist interest being exploited and that the proposed development will not undermine these interests.* It is considered that this development is acceptable in terms of its location with access to sustainable travel, and subject to the landscaping as mentioned above, it will be framed and sit comfortably in the landscape in the longer term. Even though it is creating further ribbon development, this development pattern is existing and therefore the development has not created a dispersed pattern of development.
- 3.15. NPF4 Policy 30 has similar criteria and requires proposals to be *compatible with the surrounding area in terms of nature and scale of the activity and impacts of increased visitors.* There is no increase in the number of visitors as the caravans are not ‘new’ but re-positioned.
- 3.16. The Rosneath Peninsula Environmental Baseline Report (2023) states that *new development and changes in land use along the coastal fringes of the peninsula may result in the degradation of the landscape and visual resource, including loss of important landscape features such as trees and woodland.* The proposal is considered to be a minor departure from both LDP2 Policy 23 and NPF4 Policy 30 given that there has been loss of important landscape features i.e. trees, but subject to extensive new landscaping the coastal fringe is considered to be protected in the long term.
- 3.17. The significant level of replanting will bring back the woodland character and reverse the adverse effect on the previously woodland character of the site. Subject to the compliance with the condition, the development will become sympathetic to the woodland landscape that it is positioned in, and the concern over the current lack of boundary treatment on the landscape will be removed.

## 4. Visual Amenity

- 4.1. As stated above, the site of this development is visible to the locality, with the visual amenity of this site characterised by a rural, woodland and coastal appearance between the settlements of Cove and Ardpeaton. The contemporary design of the caravans, coupled with the raw material finish and loss of woodland has had an impact on the visual amenity of the area, particularly from fleeting glimpses as you travel along the road.
- 4.2. LDP2 Policy 02 and 23 requires that there will be no unacceptable adverse effects on visual amenity. NPF4 Policy 14 – Liveable Places c) states that proposals that are poorly designed, detrimental to the amenity of the surrounding area or inconsistent with the six qualities of successful places, will not be supported.
- 4.3. The LDP2 states that: “*static caravans because of their shape, size and materials of construction can often be difficult to integrate visually with their landscape or townscape settings and can therefore have a detrimental impact on the amenity of a local area*” (8.8). There are concerns from several contributors with regard to the amenity of the local area, and how the development has negatively impacted it. Even though the impact on amenity of the development is currently deemed unacceptable, there is significant mitigation proposed. As previously mentioned, the site is sensitive due to its location on the B833 and proximity to the OSPA and shorefront where there are a large and diverse array of receptors. However, the views from the loch are framed by existing woodland and are fleeting. The muted brown colours of the caravans means that from a distance they will be difficult to distinguish in the wider landscape.
- 4.4. The decking and fencing surrounding the caravans is of timber construction, it significantly extends the footprint and visibility of the caravans. The raw material finish of the timber fencing makes the caravans stand out strongly against the surrounding trees which previously characterised the site. The contemporary finish and design of the caravans is acceptable in the context of a long-established caravan park. Currently, there has been no replanting to screen or soften the visual impact of the caravans, however the owner proposing new landscaping to help integrate the caravans with their site.
- 4.5. Conditions requiring extensive boundary treatments and landscaping to integrate the site with its surroundings and provide screening would be required to reduce the harm to amenity. It is therefore considered that subject to the screening the proposal would be a minor departure from policy in this regard.

## 5. Natural Environment

- 5.1. The site is within an area of ancient woodland, where there has been a loss of woodland resource which may have been home to red squirrels, bats and many other important birds and plants. The woodland has already been removed and the information provided by the owner has not been verified by any supporting information and there is no information on the condition or the biodiversity value of the current site. Aerial photography and street view imagery illustrates there was continuous woodland on the site (prior to the unauthorised engineering works and the caravans being sited) and a number of mature trees. It should be noted that there is a small part of the site (next to the access road) has been clear of woodland for many years, so the full site is not ancient woodland. This part of the site has been listed as a bin store or vacant space in different approved plans and constitutes under a third of the total site.
- 5.2. The Rosneath Peninsula Environmental Baseline Report (2023) states that *increasing demand for new development along the narrow coastal fringes of the Rosneath Peninsula*

*could result in increased fragmentation of habitats (e.g., woodland). Not only does this vegetation provide habitats for biodiversity, but it is also integral to defining the smaller scale landscape character of the coastal fringes.*

- 5.3. Even though part of the application site has been previously a bin storage area of potentially low biodiversity value given the rhododendron which is invasive, there has been part of the site that would have been mature woodland (as can be seen from google imagery), where there could have been important wildlife. The clearing of vegetation and ground engineering works will have had some impact on biodiversity. NPF4 Policy 3 – Biodiversity requires that *d) any potential adverse impacts, including cumulative impacts, of development proposals on biodiversity, nature networks and the natural environment will be minimised through careful planning and design.* A draft landscaping plan has been submitted to show proposed landscaping works with some biodiversity enhancement measures including the continued control of the non-native invasive rhododendron and retention of felled trees/logs on the woodland floor. The draft landscape plan will help reduce the fragmentation of the woodland and enhance biodiversity. The biodiversity officer is content with the draft landscape plan, although there was some concern about bringing soil into the site and the need for a species survey to gauge what species are using the site currently to inform the final landscaping and biodiversity enhancement measures.
- 5.4. It is recommended that conditions would secure the implementation of the landscaping plan and the final details of the size of species and any other biodiversity enhancement measures inc. long-term control of the invasives and features that help the wildlife on site. Therefore, nature based solutions would contribute significantly to enhance the site, and potentially could make the proposed development consistent with the requirements of NPF4 Policy 4 or LDP2 policy 73 (development impact on habitats, species and biodiversity).
- 5.5. Conditions are considered to make the development compliant and enhance the biodiversity to reverse the loss. This would include biodiversity enhancement measures: a programme of tree planting and monitoring; bird and bat boxes; red squirrel feeding boxes; native wildflower planting; among other possible measures.

## **6. Trees and Woodland**

- 6.1. As indicated above, the site is identified as Ancient Woodland where there has been removal of woodland resource to accommodate the hardstanding/engineered platform (which is exempt from enforcement) where the caravans are sited but also areas of woodland around this platform were cleared to create views. This means that developing part of the site would not have resulted in loss of woodland and the area removed has mainly been along the roadside.
- 6.2. The applicant has said 4 silver birch were removed and were in poor condition but they have not backed this up with any evidence of the size or condition of the trees that have been cleared. A tree survey was not carried out on site before works began, meaning that it cannot be said what trees were on site; however, during a site inspection there was evidence of several tree stumps from mainly Sycamore and Birch and that the site is fairly wet with a ditch running behind the wall. There was evidence of rhododendron having been removed and is now returning in small shoots. There is woodland removed outwith the red line boundary, but the works to remove it were carried out in conjunction with this development. In addition, historic images and mapping show a mixture of trees and shrubbery contained along this stretch.

- 6.3. NPF4 – Policy 6 b) states that *development proposals will not be supported where they (i.) result in any loss of ancient woodlands, ancient and veteran trees, or adverse impact on their ecological condition; (iii) fragmenting or severing woodland habitats, unless appropriate mitigation measures are identified and implemented in line with the mitigation hierarchy.* The loss of ancient woodland in this instance is contrary to the development plan.
- 6.4. NPF4 - policy 6 c) requires: *“Development proposals involving woodland removal will only be supported where they will achieve significant and clearly defined additional public benefits in accordance with relevant Scottish Government policy on woodland removal. Where woodland is removed, compensatory planting will most likely be expected to be delivered.”* This, at a minimum, requires compensatory planting to be carried out by the applicant to become compliant with this aspect of the policy.
- 6.5. LDP2 Policy 77 states there is *“a strong presumption in favour of protecting woodland resources”* with particular care to be taken to ensure that ancient semi-natural woodland of high nature conservation value is safeguarded, conserved and, where possible, enhanced. While a loss of irreplaceable woodland has already resulted from this development, further works must be undertaken to compensate for the impact.
- 6.6. The proposal is clearly contrary to the development plan as it relates to trees and woodland where Ancient Woodland has been removed to accommodate this development site. If the development is approved, a programme of tree planting should be submitted to include species which must be native and appropriate to the locality of the area and sourced locally, location, age, timing of planting and a schedule of monitoring and maintenance until such a time as the trees become established.
- 6.7. Both previous permissions contain conditions restricting the removal of trees from the site in order to preserve the amenity that they provide in screening the site. *No trees or bushes are to be removed without the prior consent of the planning authority*, which means that these works constitute a breach of conditions as well as being contrary to the development plan. This is however it a minor breach given the owner is willing to provide replacement tree planting, in native species which will mitigate the loss and indeed further enhance the woodland, that was previous choked with invasive rhododendron, via long-term management of the invasives.

## **7. Historic Environment**

- 7.1 The caravans are positioned at the entrance of what was the Auchengower Lodge House which is a Category B Listed Building. The Listing states *“Later 19th century. Single storey, L-plan, gabled Gothic lodge with Jacobean Baronial details en suite with villa of Auchengower. Whinstone and sandstone rubble, polished sandstone dressings and margins; chamfered reveals, lintel band with chip-carved floral details. Base course; quoins; eaves band. Projecting eaves supported on paired timber consoles at corners.”*
- 7.2 The caravans are approximately 70m to the north of the Lodge and therefore the setting of the Lodge House needs to be considered.
- 7.3 NPF4 Policy 7 (Historic assets and places) generally seeks to protect and enhance the historic environment, assets and places, and to enable positive change as a catalyst for the regeneration of places. NPF4 Policy 7(c) requires that development proposals affecting the setting of a listed building preserve its character, and its special architectural or historic interest. LDP2 Policy 16 (Listed Buildings) add to this that that development must be of the highest quality, and respect the original structure in terms of setting, scale, design, materials and proposed use.

7.4 Historic Environment Scotland do not advise on matters relating to category B or C listed properties.

7.5 It is considered that the proposed development, by reason of siting, scale, form and style will have an adverse impact on character of the listed lodge house in accordance with NPF 4 Policy 7, LDP2 Policy 16 and relevant HES guidance on development impact on historic assets, but it must be noted that the site was previously a storage area (albeit constructed without planning permission) and was unsightly. Therefore this is considered to be a minor departure from the development plan.

## **8. Road Network, Parking and Associated Transport Matters.**

8.1. The proposal does not provide an intensification of use, and so access does not materially differ from previous to the development. As mentioned previously, there are existing public transport networks that serve the park; and while the LPP states active travel links need improvement, they are in place. The parking provision is sufficient for the caravans, and there has been enough space provided for one car between each caravan as per the fire safety guidance (2022).

8.2. As the roads authority has no objections to the proposal, access and parking is consistent with requirements.

## **9. Infrastructure, flood and water management**

9.1. NPF4 Policy 22 – Flood Risk and Water Management seeks to strengthen resilience to flood risk and to ensure that water resources are used efficiently and sustainably. While some contributors mention concern about the potential for flooding on the B833, the site is not within a future flood likelihood area, or a drainage consultation area. This site is within Scottish Water Mains Supply.

9.2. The proposal therefore aligns with NPF4 Policy 22 and LDP2 Policy 55 – Flooding.

## **10. Contaminated Land**

10.1 The source of the material to construct the storage area where the caravans are now sited, is unknown. There may have been risk of contaminants but the engineering works to create the platform is not part of this planning application.

## **11. Other Material considerations**

11.1. The Local Place Plan (LPP) produced by Cove and Kilcreggan Community Council, accords with NPF4 and LDP2 requirements by: *showing how the community has been engaged and involved in the plan; it has been informed by place based assessments; spatial maps clearly show development and improvement proposals; and, an outline delivery strategy is included*, meaning that it can be considered in this application as a material consideration.

11.2. The Local Place Plan (LPP) requires that all new developments show a commitment to sustainability while preserving the area's unique heritage. *Protecting and building on the Victorian heritage of the village, any new development should fit in and reflect this*. It is accepted that the site is on a prominent approach to the village, but once the new landscaping is established this will preserve the character and heritage of the village.

- 11.3. Environmental protection is identified as a core tenant of the LPP, it is the second theme addressed by the plan. The repositioning of three caravans and their associated decking is not considered to be a significant detriment to the nature or climate crisis in itself. Depleted biodiversity in the area is a key challenge addressed under this theme however, and as mentioned above, the full extent of biodiversity impact of the development is difficult to assess when the development is retrospective. The biodiversity requirements set out in the LPP include: *the planting of native species and wildflowers, as well as providing wildlife habitat. A community initiative detailed in the plan identifies the coastal foreshore (including this site in the caravan park) as key for providing better access, whilst maintaining and managing habitats for wildlife.* The applicant has submitted a draft landscape scheme which includes details of the new native planting and also rhododendron clearance in line with this aspiration.
- 11.4. The Cove and Kilcreggan Community Council whilst they offer objection, it relates to the owner undertaking the works retrospectively, rather than in principle or in relation to the harm caused. Indeed the Community Council have suggested suitable mitigation. They request that in the event of the application being given permission that “significant amelioration of the current site to reduce the visual impact of this development”, including vegetation management, appropriate colour schemes for the fencing and resolving any potential drainage issues which could cause flooding on the B833. They also state that in the event enforcement action requires the removal and replacement of the caravans to elsewhere in the park, that this is done at the expense of the owner and not the residents.