

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

Reference No: 25/01118/PP
Planning Hierarchy: Local
Applicant: Mr Nikolay Petkov
Proposal: Siting of 4 glamping pods and associated works
Site Address: Balkan House, Rahane, Argyll and Bute G84 0QW

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**
- Change of use of land to site for siting of glamping pods.
 - Siting of 4 no. holiday accommodation pods / cabins
 - Formation / improvement of private access junction with public road (C72 Peaton Road).
 - Formation of circulation track and parking
 - Ground engineering works
- (ii) Other specified operations**
- Connection to public water supply network
 - Connection to existing private waste water treatment plant and surface water drainage systems
 - Removal of trees and natural vegetation.
 - Landscaping
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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 refused for the reasons appended to this report.

(C) CONSULTATIONS:

Area Roads

28.07.2025

Recommend that consideration of the application be deferred pending submission of further details.

It is noted that the point of access drawing references a previous planning permission ref:18/00952/AMSC (in conjunction with 16/00115/PPP), however it should be similarly noted that the above permission is for an access to a single dwelling and that the current application is for 4 no. glamping pods.

Environmental Health

07.07.2025

No objections subject to recommended planning conditions to safeguard local amenity relating to matters including external lighting and potential sources of nuisance during the construction phase. Further details relating to waste / recycling containers and storage should be required by condition. It is also recommended that any requirement for a Short-term Let Licence be secured by planning condition.

It is recommended that any permission be subject to advisory notes relating to surface water drainage; private sewage treatment plant/drainage; CDM Regulations; and 'anti-gull' construction measures.

Scottish Water

17.07.2025

There is current capacity for water supply however the applicant should be aware that further investigations may be required once a formal application has been submitted to Scottish Water.

There is no (Scottish Water) record of public wastewater infrastructure in the vicinity of the site and as such the applicant is advised to investigate private treatment options.

Surface water connection into Scottish Water combined sewer system will be allowed only in limited, exceptional circumstances however this would require significant justification by the applicant.

Further advice is offered with regard to the responsibilities / obligations of the applicant / developer with regard to the implications of separate legislation including the Water Services (Scotland) Act 2005 and the Sewerage (Scotland) Act 1968.

(D) HISTORY:

18/00952/AMSC - Approval of matters specified in conditions 1-10 relative to planning permission in principle reference 16/00115/PPP - Site for the erection of 2 dwellinghouses

Approved – 26.11.2025

16/00115/PPP - Renewal of planning permission in principle 13/00732/PPP - Site for the sub-division of garden ground for the erection of 2 dwellinghouses and installation of septic tank.

Approved subject to conditions – 12.06.2017

13/00732/PPP - Site for the sub-division of garden ground for the erection of 2 dwellinghouses and installation of septic tank.

Approved subject to conditions – 04.13.2013

Notes:

The above consent has been partially implemented in that the north eastern plot, identified as “House 2” on the approved drawings, has been constructed. This dwellinghouse is known as “Balkan House”. The implemented development includes a private driveway along the eastern edge of the application site that connects the residential curtilage with the Peaton Road.

The plot annotated as “House 1” has not been developed. The site for the current application for siting of 4 no. holiday let cabins corresponds to the undeveloped House 1 plot previously approved.

(E) PUBLICITY:

Regulation 20 Advert Local Application: Date of expiry – 07.08.2025

(F) REPRESENTATIONS:

(i) Representations received from:

A total of 15 submissions have been received. 14 of these are objections to the proposed development and 1 is categorised as a representation (i.e. making comments on the application proposal without specifically supporting or objecting to it.)

Objection

- Mr Ciaran MacKechnie - 13 Roodwell Cottages, Stenton EH42 1TE
- Mr Allan Liebow – Harwin, Rahane, Helensburgh, Argyll and Bute G84 0QW
- Mr Joseph Morris - 11 William Street Helensburgh, Argyll and Bute G84 8BD
- Kathleen Watmough - 17/14 Lochrin Place, Edinburgh EH3 9QT
- Blyth Kerr – 106 Biggar Road, Edinburgh EH10 7DU
- Hannah Napier – Lothlorien, Rahane Argyll and Bute G84 0QW
- Garry Ludford – Greenlea, Rosneath Road, Rahane, Argyll And Bute G84 0QW
- Craig Dalrymple - The Priory, Peaton Road, Rahane, Near Helensburgh, Dumbartonshire G84 0QW
- Nicola O'Neill - 101 Corsehill Crescent, Hamilton, North Lanarkshire ML3 8FD
- Mrs Angela Varley - 6 Herons View, Rahane, Argyll and Bute G84 0QW
- Craig Thornton - Corlach, Peaton Road, Rahane, G84 0QW
- Jeal Kilshaw - 2 Aikenshaw Cottages Rahane G84 0QW
- Mrs Dorothy MacLeod - Aonach View, Peaton Road, Rahane, Argyll and Bute G84 0QW
- Mrs Kellie Gourlay - Manora Rahane Argyll and Bute G84 0QW

Representations

- Mr Michael McManus - 24 Argyll Road, Rosneath, Helensburgh, Argyll and Bute G84 0RP

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:**

Incompatible land use

- Commercial tourism development would result in an intensification of activity that would be out of keeping with and harmful to the quiet residential character of the area contrary to Local Development Plan policy.

Comment: This matter is considered in detail within the following assessment sections.

Impact on local visual amenity

- Location, layout, scale, density and detailed design of the cabins would be out of keeping with the visual character of existing development, and detrimental the visual amenities / character of the local area contrary to NPF 4 and LDP 2 planning policy. No visual impact assessment has been submitted.

Comment: This matter is considered in detail within the following assessment sections.

- Concern is expressed that the proposed external materials can deteriorate over a short period of time.

Comment: This matter is considered in detail within the following assessment sections.

Impact on residential amenity

- Loss of privacy from direct overlooking into existing houses and overlooking of private open amenity space of nearby houses.

Comment: This matter is considered in detail within the following assessment sections.

- Disturbance to occupiers of nearby houses resulting from intensification of activity / noise. Nature of proposed use including external decking areas likely to result in late-night disturbance. Lack of on-site management to control / address guest behaviour. "Transient occupancy associated with higher risk of inappropriate behaviour."

Comment: This matter is considered in detail within the following assessment sections.

Ecological impact

- Adverse ecological impact by reason of tree vegetation removal. No ecological impact assessment has been carried out.

Comment: This matter is considered in detail within the following assessment sections.

Landscape impact

- Adverse visual landscape impact by reason of removal of trees and natural vegetation

Comment: It is considered that the information submitted does not clearly indicate whether existing trees / hedgerows along the site boundaries are to be removed.

Sustainable transport

- Location is not sustainable in relation to transport provision and is not well located in relation to local services and amenities resulting in the proposed development being car dependent contrary to climate policies.
- There are no amenities / services in Rahane to support visitors, and this will result in car journeys.

Comment: This matter is considered within the following assessment sections.

- Notwithstanding the emphasis placed on cycling in the Design and Access Statement, local road / cycling conditions suggest that anyone other than dedicated, “hardened” cyclists would not be suited to cycling in the local area and that it’s totally unsuitable for “small families.”

Comment: This matter is considered within the following assessment sections.

Highways, access and parking

- The public road network is not suitable to accommodate the resultant intensification of traffic resulting in road traffic hazards. No traffic impact assessment has been submitted.

Comment: The Area Roads consultation response does not raise concerns with regard to the capacity of the surrounding public road network to serve the traffic levels generated by the proposed development. It is not considered that the scale of the proposed development would warrant a traffic impact assessment.

- Insufficient car-parking provision which will create pressure for parking on the Peaton Road and increase road traffic hazards. No management mechanism evident to control one car per cabin.

Comment: The Area Roads Authority has not raised concerns regarding off-street parking provision with reference to adopted standards.

- Concern regarding road traffic hazards at the junction of the proposed access with the public road network with reference to traffic speeds and conflict with cyclists.

Comment: Notwithstanding the submission that the previously approved access junction is suitable to accommodate the increased intensity of traffic movements generated by the proposed development, the planning authority as advised by Council Area Roads, considers that the application submission does not demonstrate that the proposal can be adequately served by the previously approved access; and that additional information is required to allow a full assessment of access and road safety issues.

Inadequate infrastructure

- No demonstration that sewage system has capacity to accommodate intensification of use leading to potential contamination.

Comment: This matter is addressed in detail in the following assessment.

- Additional provision for refuse storage is likely to create detrimental environmental effects.

Comment: It is not considered that this matter is an over-riding constraint to development. Were the planning authority minded to support this application then it is considered that acceptable provisions for refuse / recycling storage could be achieved by means of planning condition.

- Inadequate mains water supply

Comment: The consultation response from Scottish Water does not raise any concerns relating to water capacity constraints.

Procedural

- Inadequate information to allow full assessment on matters including visual impact; noise impact; ecological impact.

Comment: The planning authority considers that inadequate information has been submitted in respect of potential impact on several planning considerations. Where this is considered to be the case then this will form a technical reason for refusal.

- Inadequate neighbour consultation.

Comment: Planning officers are satisfied that publicity and neighbour notification has been carried out by the planning authority in full accordance with the appropriate legislative / procedural requirements.

General / Miscellaneous

- Any activity would be an improvement in the current condition of the site.

Comment: Improvement of the visual appearance of the site would not warrant support of a proposed development that is considered to be unacceptable with reference to planning policy. It is noted the current proposal is not the only means of improving the appearance of the site and that, for example, implementation of the extant planning permission for erection of a house would also improve the appearance of the site.

- No demonstration of economic necessity or community benefit.

Comment: The planning authority does not consider that the proposed development would result in a level of material benefit to the local economy or community that would warrant support of this application proposal.

- The pavement required by the previous application 18/00952/AMSC has not been provided and this breach has not been enforced.

Comment: This matter will be investigated by the planning authority, however it is not considered to be directly relevant to the assessment of the current application for planning permission.

- The level of demand has been primarily been assessed on the basis of out-dated / irrelevant statistics.

Comment: It is not considered that this matter is material to the planning assessment.

- Bin collection in Rahane is erratic which forces pedestrians onto the road at a bad bend on a busy road

Comment: Bin collection is not a material planning consideration.

- Submitted photographs are 4 years (plus) old and as such misrepresent the present site conditions.

Comment: Notwithstanding the photographic images submitted as part of the application, planning officers have assessed the proposed development on the basis of thorough site inspections. The current condition / appearance of the site will be reported to PPSL Committee members by means of this written report and by a presentation including current photographic images. On this basis, the assessment of this application will not be prejudiced by out-dated photographs of the planning application site.

- The term “glamping pod” is misleading in that it suggests a smaller scale and nature of development than the lodges proposed, that can accommodate 4 no. people.

Comment: Notwithstanding the use of terminology, the scale and appearance of the proposed tourist accommodation units is clearly shown on the application drawings and the planning authority will assess the proposed development on this basis.

- Ambiguity and contradiction within the submitted details with regard to the total no. of guests that can be accommodated and management mechanisms for control of numbers.

Comment: The proposal has been assessed on the basis that the proposed accommodation pods / cabins have the potential to accommodate up to small families.

- There is no ‘draw’ for guests to tourist accommodation in a quiet residential hamlet with existing accommodation available at “Cove Park” and “Rosneath Caravan Park.”

Comment: The provision of tourist accommodation at nearby locations is not a material planning consideration. This application should be considered on its own merits.

- Precedent for similar commercial development within gardens of houses.

Comment: It is not considered that any support of this application would set a precedent for support of commercial development within residential curtilages. Any such future applications that may be submitted will be assessed with regard to their individual planning merits and circumstances.

- Impact on local property values.

Comment: This matter is not a material planning consideration.

(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

- New native landscape planting will help the proposed cabins into their surroundings; reinforce the rural setting of the site; and enhance biodiversity.
- It is submitted that the proposed development will accord with all relevant Development Plan policy.
- The proposed cabins have been carefully positioned and “guest expectations will be set before booking” in order to preserve the residential amenities of the occupiers of nearby houses.
- Site access will be via the access point with the C72 Peaton Road approved under the terms of planning permission ref: 18/00952/AMSC and 16/00115/PPP. The access is suitable for the low volume and type of traffic associated with small-scale visitor accommodation.
- On-site parking and turning will be provided in a discreet manner.
- Cycle storage will be provided to encourage sustainable travel options.

(iv) Sustainability Checklists (with reference to the requirements of LDP2 Policy 04)

TN06 Sustainability Checklist Yes No
 TN07 Sustainable Buildings Checklist Yes No

- (v) A report on the impact of the proposed development eg. Retail impact, transport impact, noise impact, flood risk, drainage impact etc: Yes No
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(H) PLANNING OBLIGATIONS

Is a Section 75 agreement required: Yes No

- (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 \(Adopted 13th February 2023\)](#)

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 4 – Natural Places

NPF4 Policy 5 – Soils

NPF4 Policy 6 – Forestry, Woodland and Trees

NPF4 Policy 9 – Brownfield, Vacant and Derelict Land and Empty Buildings (*includes provisions relevant to Greenfield Sites*)

NPF4 Policy 12 – Zero Waste

NPF4 Policy 13 – Sustainable Transport

Liveable Places

NPF4 Policy 14 – Design, Quality and Place

NPF4 Policy 15 – Local Living and 20 Minute Neighbourhoods

NPF4 Policy 18 – Infrastructure First

NPF4 Policy 20 – Blue and Green Infrastructure

Productive Places

NPF4 Policy 25 – Community Wealth Building

NPF4 Policy 26 – Business and Industry

NPF4 Policy 29 – Rural Development

NPF4 Policy 30 – Tourism

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

Spatial and Settlement Strategy

Policy 01 – Settlement Areas
Policy 04 – Sustainable Development

High Quality Places

Policy 05 – Design and Placemaking
Policy 06 – Green Infrastructure
Policy 07 – Provision of Temporary Green Infrastructure on Sites
Policy 08 – Sustainable Siting
Policy 09 – Sustainable Design
Policy 10 – Design – All Development
Policy 14 – Bad Neighbour Development

Diverse and Sustainable Economy

Policy 23 – Tourism Development, Accommodation, Infrastructure and Facilities

Connected Places

Policy 32 – Active Travel
Policy 33 – Public Transport
Policy 34 – Electric Vehicle Charging Points
Policy 36 – New Private Accesses
Policy 37 – Development Utilising an Existing Private Access or Existing Private Road
Policy 39 – Construction Standards for Private Accesses
Policy 40 – Vehicle Parking Provision

Sustainable Communities

Policy 60 – Private Sewage Treatment Plants and Wastewater Drainage Systems
Policy 61 – Sustainable Urban Drainage Systems (SUDS)

High Quality Environment

Policy 73 – Development Impact on Habitats, Species and Biodiversity
Policy 77 – Forestry, Woodland and Trees
Policy 78 – Woodland Removal
Policy 79 – Protection of Soil and Peat Resources

(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
 - [ABC Technical Note – Biodiversity \(Feb 2017\)](#)
 - [TN06 Sustainability Technical Note and Checklist \(Oct. 2023\)](#)
 - [TN07 Sustainable Buildings Technical Note and Checklist \(Oct. 2023\)](#)
 - [ABC Economic Development Action Plan](#)
 - [SEPA Standing Guidance for Development Management \(Dec. 2022\)](#)
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(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

A total of 15 representations have been received in relation to the proposed development (14 objections and one representations of a neutral nature.)

The approved Hearing protocol advocates a lesser emphasis on the previous numbers (of representations) threshold as a 'trigger' for a Hearing and more reliance on a criteria based approach in order to 'add value' to the determination process.

- In relation to the assessment of this application proposal, it is considered that notwithstanding the number of representations, there is consensus between the local community and the planning authority's recommendation.
- The material considerations in relation to the proposal are not considered to be significantly complex and are largely limited and impact upon the character and appearance of the settlement; impact on residential amenities of nearby residents; and technical matters including the private access junction with the adopted road and potential capacity issues with the private waste-water drainage system.
- The proposed development is considered to be contrary to fundamental and up-to-date Local Development Plan policies. As such, the recommendation does not seek to justify a departure to the provisions of the Local Development Plan.
- Therefore, having regard to the criteria-based assessments set out in current protocol, it is considered that a Pre-Determination Hearing will not add value to the decision-making process, and is not required.

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

- None

(O)(ii) Soils

Agricultural Land Classification:

Built Up Area

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

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

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

Status of Land within the Application

Brownfield
Brownfield Reclaimed by Nature
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

The site is located within the Rahane settlement area as identified in LDP 2 wherein Policy 1 states that development proposals will normally be acceptable subject to qualifying criteria including it being the redevelopment of a brownfield site; compatibility with surrounding uses; being of an appropriate scale and fit for the size of settlement in which it is proposed; that it respects the character and appearance of the surrounding townscape in terms of density, scale, massing, design, external finishes and access arrangements; and that it complies with all relevant Local Development Plan 2 policies.

In this instance, it is considered that the proposed development for siting of 4 no. tourist accommodation cabins would result in an overly-intensive nature of commercial activity that is incompatible with surrounding homogenous residential land use; and that it would not respect the character and appearance of the surrounding townscape. On this basis, it is considered that the proposal would not be consistent with the Settlement and Spatial Strategy as set out in the Argyll and Bute Local development Plan 2.

Rahane is a minor, rural settlement that has a tranquil, residential character. It is considered that the proposed development to site 4 no. 1-bedroom tourist accommodation pods / cabins would result in a significant intensification of use that would be out of keeping with, and detrimental to this established quiet residential character.

It is considered that the proposed siting of 4 no. tourist accommodation pods / cabins would fail to respect the character and appearance of the existing built development with regard to site layout / development pattern; site density; scale; massing and volumetric form. As such, the proposal would result in a materially adverse impact on local visual amenity and conflict with the principles of 'place-making' contrary to relevant local development plan policy.

Having regard to the scale and nature of the proposed development and its proximity to nearby residential properties, it is considered that the proposal would result in materially adverse impact upon the residential amenities of the occupiers of nearby houses by reason of direct over-looking of private outdoor amenity space and noise disturbance.

NPF 4 and LDP 2 Policies support development proposals that would contribute positively to the local economy, and this includes tourist accommodation. However, this support is subject compliance with several qualifying criteria, including that the proposed development is in a "form, scale and location" which is consistent with its surroundings; respect and integrate well with the townscape character and amenity of the area; relate well to the existing built form of settlement areas; and are in accessible locations. It is not considered that this proposal satisfies these qualifying criteria, and as such it cannot be supported by those policies.

There are existing mature trees and large shrubs along the southwestern and northwestern boundaries of the site. These natural features make a significantly positive contribution to the visual character of the area and have biodiversity value – although whether this is minor or high is unknown. The application does indicate which of these existing trees are to be cut-back or felled to allow the proposed development. Were the planning authority minded to support his application then additional information would be requested to allow further assessment. As proposed development is considered to be unacceptable in principle then this additional information has not been requested, however the absence of this information forms part of the reasons for refusal.

Inadequate information has been submitted to allow a full assessment of the intensification of traffic movements generated by the proposed development (relative to development of the application site to provide a single dwellinghouse as previously approved) and the private access junction.

On the basis of the information submitted, it has not been demonstrated to the satisfaction of the planning authority that the development can be adequately serviced by existing private sewage treatment infrastructure.

Having regard to all relevant material planning considerations, it is considered that this planning application should be refused.

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

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

The proposal is considered to be contrary to policies 14, 18, 30 of National Planning Framework 4, and policies 01, 04, 05, 10, 14, 23, 36, 37, 39 and 60 of the Argyll and

Bute Local Development Plan 2, and there are no other material considerations of sufficient significance to indicate that it would be appropriate to grant planning permission in this instance as a departure to the Development Plan having regard to s25 of the Act.

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

N/a

(T) Need for notification to Scottish Ministers or Historic Environment Scotland:

Yes No

Author of Report: Norman Shewan

Date: 04.02.2026

Reviewing Officer: Kirsty Sweeney

Date: 05.02.2026

Fergus Murray
Head of Development & Economic Growth

REASONS FOR REFUSAL RELATIVE TO APPLICATION REF. NO. 25/01118/PP

1. Rahane is a minor settlement comprising exclusively residential development with no services / shops or other commercial land-uses located within this settlement and on this basis, the settlement has a tranquil, residential character. The introduction of a commercial tourist accommodation use comprising 4 no. 1-bedroom accommodation units, with capacity for small family accommodation, within an area of former residential garden area considered by the planning authority as capable of accommodating 1 no. 4-bedroom dwellinghouse, would result in an incompatible use relative to the surrounding homogenous residential land-use, that would be overly-intensive in nature and out of keeping with and detrimental to the established tranquil, residential character of this rural, residential settlement contrary to NPF 4 Policies 14 and 30 and LDP 2 Policies 01, 04, 05, 10 and 23.
2. The visual character of Rahane is made up largely by the pattern of built development in conjunction with natural landscape features. Existing houses are typically detached; average to relatively large in scale; traditional pitched-roof volumetric form and massing; and set within spacious and maturely landscaped gardens. There is a mix of external finishes including render, stone and timber cladding with roofs typically clad with natural or 'artificial' slate. The proposed siting of 4 no. single-storey, relatively small cabin type pods with mono-pitched roofs at a very shallow angle dispersed around the peripheries of the site would be completely out of keeping with the character of built development within this settlement in terms of layout, density, scale, massing and form to the detriment of visual character and amenity and inconsistent with the principles of 'place-making' contrary to NPF 4 Policies 14 and 30, and LDP 2 Policies 04, 05, 08, 10 and 23.
3. It is considered that the proposed development would have a significantly adverse impact upon the residential amenities of the occupiers of nearby houses by reason of loss of privacy through overlooking of private open amenity space and by general disturbance from noise generated by the short-term accommodation of 4 no. holiday cabins/pods, contrary to the provisions of NPF 4 Policy 14 and 30 and LDP 2 Policies 08, 14 and 23.
4. The site cannot be accessed by foot easily as there is no pavement from the bus stop on the nearby Shore Road and the road is two-way and traffic volumes are not low. The proposal is therefore not easily accessible by public transport, foot or bicycle, and as such is contrary to the provisions of NPF 4 Policy 30 and LDP 2 Policy 23, as it fails to provide safe access via sustainable and active travel to nearby tourist facilities.
5. The application states that a new private access is not proposed nor are any proposed improvements to an existing access. The application proposes that the development is to be served by an existing private access junction with the public road that has been formed under the provisions of planning permission for a house ref: 18/00952/AMSC and 16/00115/PPP and that this access has capacity to accommodate traffic movements generated by the current proposed development. The planning authority note that the private access junction has not been completed in accordance with the previously approved details. Furthermore, the planning authority considers that the proposed development to provide 4 no. 1-bedroom tourist accommodation cabins will result in a material intensification of traffic movements relative to development of the site to provide 1 no. 4-bedroom house, and that the applicant has failed to submit adequate information to demonstrate to the satisfaction

of the planning authority that access can be provided to serve the proposed in accordance with LDP 2 Policies 36, 37 and 39.

6. The planning application forms confirm that there are trees on or adjacent to the application site and the Design and Access Statement advises that "existing mature vegetation has been retained wherever possible." However, the existing trees on the site are not shown on the application drawings (other than a diagrammatic indication of the extent of the existing tree canopy) and it is not indicated if any of the existing trees are to be felled or cut back. It is considered by the planning authority that additional information is required in order to allow a full assessment of impact upon trees, including their biodiversity value. This additional information would include a tree survey and tree impact plan clearly identifying any trees to be cut-back or felled. It is considered that the information submitted is inadequate to allow a full assessment of impact on trees and their biodiversity value.
7. The waste water drainage for proposed development is proposed to connect into an existing private treatment plant with an outflow to an existing watercourse, that has been sized for 2 no. 4-bedroom houses. One of these 4-bedroom houses, "Balkan House," has been erected and connected to the private drainage system. On the basis of the information submitted, it is not considered that the applicant has demonstrated to the satisfaction of the planning authority that the existing private treatment system has adequate capacity to serve the existing 4-bedroom dwellinghouse plus the proposed 4 no. 1-bedroom tourist accommodation cabins; and as such the proposal is likely to have adverse impact on environmental, amenity or health problems contrary to NPF 4 Policy 18 and LDP 2 Policy 60.

COMMITTEE REPORT	
APPENDIX A – RELATIVE TO APPLICATION NUMBER:	25/01118/PP
PLANNING LAND USE AND POLICY ASSESSMENT	

1. Settlement Strategy

- 1.1. The planning application site is located within the Rahane Settlement Area Development Management Zone as identified in the LDP 2.
- 1.2. NPF 4 Policy 1 requires significant weight to be given in the assessment of development proposals to the global nature and climate crises. The supporting text advises that Local Development Plans (LDPs) must address global climate and nature crises by ensuring that the spatial strategy will reduce emissions. Policy 2 addresses climate mitigation and adaptation and requires that development proposals are sited to minimise greenhouse gas emissions and that this should be 'designed into' the LDP Spatial Strategy. Policy 9 supports the sustainable re-use of brownfield land including derelict or vacant land.
- 1.3. This site is located within the Rahane settlement area identified in LDP 2 wherein Policy 01 states that development proposals will normally be acceptable subject to qualifying criteria including it being the redevelopment of a brownfield site; compatibility with surrounding uses; being of an appropriate scale and fit for the size of settlement in which it is proposed; that it respects the character and appearance of the surrounding townscape in terms of density, scale, massing, design, external finishes and access arrangements; and that it complies with all relevant Local Development Plan 2 policies.
- 1.4. It is acknowledged that the site comprises the proposed development of a vacant area of land (with extant planning permission for the erection of a house). It is also acknowledged that the development proposal is of a small-scale that is appropriate to the small settlement size.
- 1.5. Rahane is a small settlement with a homogeneous residential land use and the site is adjoined on two sides by existing houses, and on a third side by a residential house plot forming part of a larger residential development that is currently under development. It is not considered that the use of this application site as a commercial tourist accommodation site would be compatible with surrounding residential land-use and character of the settlement and as such it is considered that the proposal would have an adverse impact upon the established residential character of the settlement and upon the residential amenities of the occupiers of nearby houses by reason of the relatively intensive and commercial nature of the proposed development. Additionally, it is considered that the development of this site to provide 4 no. cabins would not respect the character and appearance of existing built development. This assessment is set out in more detail within this report. Whilst sustainable development of this site is consistent with the LDP 2 Spatial Strategy in principle, on the basis of the above assessment, it is not considered that LDP 1 supports the proposed development for the change of use and siting of 4 no. tourist accommodation cabins.
- 1.6. As such, it is considered that the development proposal is not consistent with the LDP Spatial Strategy.

2. Location, Nature and Design of Proposed Development

- 2.1. The site comprises an area of land extending to 995m² with a frontage onto the C72 Peaton Road and located towards the western edge of the small settlement of Rahane.
- 2.2. The site historically formed part of the residential curtilage of a dwellinghouse known as "Corlach." The original curtilage was sub-divided and planning permission has been approved for the erection of two houses within the north western part of the garden area. The approved layout for this planning permission has one house plot at the front of the site (fronting onto Peaton Road) and a second house plot to the rear of it. The planning permission includes the formation of two new, separate private access junctions onto Peaton Road i.e a separate access to serve each of the two approved houses. The rear plot has since been developed to provide a 4 bedroom house along with the access junction and private drainage system under the provisions of the earlier planning permission. This house is known as "Balkan House." The previous planning permission has therefore been partially implemented (by the development of Balkan House) and as such the front plot has an extant planning permission for the erection of a dwellinghouse and private access junction. The current application site for the siting of 4 no. glamping pods approximately corresponds with the front house plot previously approved. The current application site is extended into the curtilage of the adjoining house, Balkan House, to include the existing private waste water treatment plant and surface water filter trench located to the rear (north east) and a strip of land along the end of Balkan House required to install underground foul and surface water pipework connection the proposed 4 no. accommodation units to the existing drainage system.
- 2.3. The main part of the site for the siting of the pods and the private vehicular circulation / parking (i.e excluding the land required for the drainage system) is an irregular triangular shape in plan. It is bounded to the south by Peaton Road. To the north east, the site is bounded by the curtilage of Balkan House, and the private driveway from Peaton Road to Balkan House runs adjacent to the eastern boundary of the application site, separating the site from a nearby residential property to the east. This latter house is known as "Corlach." The application land is bounded to the north west by an area of former undeveloped agricultural land which is currently being developed under a separate planning permission for residential development. The prevailing ground levels fall from south west to north east from a high point of 33.0m AOD at the south western corner of the site adjacent to Peaton Road down 26.0m AOD measured at the northern corner of the site adjacent to the front boundary with Balkan House. Due to the sloping topography, "Balkan House" to the north east of the application site, and "Corlach" to the east are at a significantly lower level relative to the application site.
- 2.4. The site boundary with Peaton Road is demarcated by a row of mature trees with a gap towards the centre where trees have been removed to form an access junction into the application site. The north western site boundary is demarcated by trees and hedgerow.
- 2.5. The site has an overgrown character and neglected appearance including the siting of a static caravan, a car that doesn't appear to have been used for a long time and various random piles of assorted construction materials.
- 2.6. The proposed development is for the change of use of land for the siting of 4 no. "glamping pods." Several objectors have expressed concern that the use of the term "glamping pod" is misleading with regard to the scale of the units and the number of guests that can be accommodated. In the interests of clarity, the basic unit has a footprint area of 9.0 x 3.8m with an internal floorplan comprising a double bedroom, shower-room and open-plan kitchen/dining/living area, and an external covered terrace area. Two of the units have an additional 2.0m deep external, covered terrace that runs along the full width (9.0m) of the

unit. Two of the units have a small, recessed, external decking area at the front (end) of the 9.0x3.8m 'footprint' area.

- 2.7. The 4 no. accommodation units are laid out around a central spine road/track that leads off of a private access junction with Peaton Road and culminates in a hammerhead turning point towards the north eastern end of the application site. 'Spurs' off of this central road / track provide a total of 4 no. parking spaces in front of or adjacent to the side of the proposed accommodation units. The circulation road / track and the parking bays are to be surfaced with a permeable material.
- 2.8. Two of the units are to be sited towards the front (road side) of the site, orientated 'end-on' to the road boundary, either side of the central vehicular access. Both of these units have patio doors / windows to the bedroom and kitchen / living spaces on the ESE facing elevations; and these open onto a covered, 2.0m deep external terrace that runs along the full width of the east facing elevations. The Proposed Layout Plan drawing refers to these units as "*side-entry cabin with covered deck.*" The other two units (C3 and C4) are located within the northern (lower) part of the site between the NW site boundary and the internal driveway and orientated approximately perpendicular to the alignment of the circulation road / track. These are referred to on the Proposed Layout Plan drawing as "Front-entry cabin with covered deck". These latter 2 no. units have a slightly smaller internal plan-form than the side entry units as the front wall, including patio doors/windows to the kitchen/living space is 'pushed back' into the 9.0 x 3.8 overall plan form to create an external deck that is enclosed by the side walls and roof. The front elevations of these 2 no. units face due south east. The walls of the proposed accommodation units are to be clad with natural timber vertically fixed planks. The mono-pitched roofs have a very shallow angle of pitch with timber fascias / soffits and grey-coloured metal roofing material. The side-entry cabins have max. 3.0m height from ground level to the higher roof edge and the front entry cabins will have a corresponding height of 2.9 metres.
- 2.9. Access is to be by means of the private access junction approved under the terms of planning permission for two houses (18/00952/AMSC and 16/00115/PPP). From this junction, a spine road / track continues to the rear part of the site where there is a hammerhead turning area. Four parking spaces are provided as 'spurs' off of the main track. Bike stands are to be installed outside of each unit.
- 2.10. Foul water drainage is to be provided by a connection into an existing treatment plant that has been installed within the residential curtilage on the north eastern side of the adjacent house, "Balkan House." Surface water drainage is also proposed to connect into a filter trench located to the north east of Balkan House. Overflow from the filter trench and treated waste water discharges to a watercourse that runs through the curtilage of Balkan House, and to the Gareloch.
- 2.11. The Proposed Layout Plan indicates the extent of the existing tree canopy along the south western (Peaton Road) and north western edges of the site. In regard to landscaping, the Design and Access Statement "*Existing mature vegetation has been retained wherever possible, helping to maintain a green buffer between the development and surrounding properties.*" However, no indication is given as to whether it is proposed to cut back or fell any of these existing trees. New native planting is proposed including a mix of native trees, low-growing shrubs, meadow-style grass and wildflower areas. A new fence is proposed along the eastern site boundary with the existing private access driveway serving Balkan House.
- 2.12. No finished floor levels are submitted for the accommodation units and a section through the site showing existing and proposed levels has not been submitted.

- 2.13. An area for storage for refuse / recycling bins is indicated adjacent to Peaton Road to one side of the private access junction.
- 2.14. NPF 4 Policy 14 requires that proposals will be designed to improve the quality of an area and supports development that are consistent with six identified qualities of successful places. The policy continues that: *“development proposals that are poorly designed, detrimental to the amenity of the surrounding area or inconsistent with the six qualities of successful spaces will not be supported.”*
- 2.15. LDP 2 Policy 04 requires (amongst other considerations) that the planning authority take into account whether proposed development will respect the landscape character of an area and the setting and character of settlements. Policy 05 seeks to achieve “good quality places” by requiring that development proposals comply with several criteria including that the proposed use should be compatible with surrounding land uses; and that the design should develop the areas sense of identity by embracing existing distinctive characteristics, with the design respecting and complimenting its surroundings. In relation to “sustainable siting,” Policy 08 requires that development be assessed with regard to specified criteria including that development should integrate into the existing built form; that siting should take into account the character of the area in terms of settlement pattern, layout and density; avoid overlooking other properties. Policy 10 requires that design of any development must respond appropriately to the site and its context including consideration of character in relation to urban grain, scale, mass and spirit of nearby buildings. Policy 14 advises that the Council will resist development that would have an unacceptable adverse impact upon the amenity of neighbouring land uses resulting from, but not limited to, issues including noise. The policy goes on to advise that in certain circumstances, it may be possible to mitigate adverse impact on neighbouring amenity by means of planning conditions or legal agreements.
- 2.16. The minor, rural settlement of Rahane has a tranquil residential character. The pattern of built development / urban grain is made up of medium to relatively large detached houses set in spacious and maturely landscaped gardens. Houses are typically set approximately centrally within their plots. House designs vary but are typically 1 ½ to 2 storey designs with traditional pitched roof volumetric forms. Material finishes vary and include render, stone and timber cladding with slate (or ‘artificial’ slate) roofs.
- 2.17. The proposed development comprises long and narrow cabins / pods with mono-pitched roofs at a very shallow angle. The footprint area of each unit is approximately 34m². The proportions/scale/volumetric form of the units recall static caravans, although it is acknowledged that the detailed design is elevated above that of typical static caravans by the detailing and material finishes. In this respect it is considered that the scale, massing and form of the proposed development is out of keeping with that of existing development. The layout, which shows 4 no. volumetric forms with almost identical scale and form, dispersed around the peripheries of the site around a central open area (vehicle circulation and landscaping) is at odds with the existing development pattern which comprises a single, large, pitched-roof form house set roughly centrally within large residential plots. Any other built structures within existing residential curtilages by reason of their siting and scale have a very clearly subordinate relationship to the principal volume, that is the house. In conclusion, by reason of site layout, scale, massing and volumetric form it is considered that the proposed development will not respect the established character of the area contrary to the provisions of the local development plan that relate to quality ‘place-making’ and design.
- 2.18. The 4 no. units are orientated such that the principal elevations comprising the windows to the main living spaces and external decked areas face due south east towards a nearby dwellinghouse, “Corlach.” There is an intervening private access to “Balkan

House” between east side of the application site and the boundary of the curtilage of “Corlach.” The distance from the decking in front of C1 to the boundary of the residential curtilage of “Corlach” at its closet point is approximately 8.0 metres. The distance from the front of the decking areas in front of units C3 and C4 to the nearest point of the boundary with “Corlach” is 16.0m and 11.0m respectively. It is also noted that the level of the proposed pods / cabins is significantly higher than that of the curtilage of “Corlach.” It is considered that a combination of the proximity of the proposed accommodation pods, orientation and levels relative to nearby properties, notably “Corlach” would result in a significantly detrimental impact upon the residential amenities that the occupiers of that property would reasonably expect to have by reason of loss of privacy through overlooking of private open amenity space.

- 2.19. It is also considered that the development of the site to provide 4 no. holiday-let units of accommodation, each with potential to accommodate small families, would result in a significant intensification of activity relative to one dwellinghouse, as previously approved on this site. Given the relatively modest size of the site, and that it is bounded on 3 sides by existing residential properties, it is considered that this intensity of activity would have a detrimental impact upon the tranquil, residential character of this settlement and result in a significant level of disturbance to the residential amenities of the occupiers of nearby houses by reason of noise. It is also considered that the elevated nature of the site relative to most of the settlement will exacerbate noise disturbance.
- 2.20. Having regard to Schedule 2 of the Town and Country Planning General Permitted Development Scotland Order 1992 para. (8) it is considered that the proposed use and buildings will affect residential property by reason of noise and will alter the character of an area of established amenity; and as such that it should be assessed as being “Bad Neighbour Development.” It is acknowledged that this is a modest scale of tourist accommodation development, however it is considered that the character of this settlement is very sensitive to change by reason of its small scale and quiet residential character; and that even a commercial tourist accommodation use for 4 accommodation pods / cabins on a relatively small site and in such proximity to existing houses has potential to materially affect nearby residential property and alter the character of an area of established amenity. On this basis, it is considered that the proposal should be assessed as “bad neighbour development” with reference to LDP 2 Policy 14.
- 2.21. Whilst the consultation response from the Council’s Environmental Health Service does not object to this application, the requirement for a Short Term Let Licence is highlighted and in this respect the response advises that: *“Particular attention should be paid to noise control during the holiday rental given its proximity to local residential property and light construction type.”* Therefore, the potential for noise nuisance to the occupiers of nearby houses is noted. Notwithstanding that Council Environmental services has not objected to this application, the planning authority considers that the proposed use would have an unduly detrimental impact on local amenity contrary to relevant planning policy.
- 2.22. With regard to LDP 2 Policy 14 it is not considered that the adverse impact on nearby residential amenity by reason of disturbance through an increased intensity of activity and noise could be mitigated by means of conditions.

3. Tourist Accommodation Development - Economic / Community Benefit

- 3.1. NPF 4 Policy 30 advises that proposals for tourism related development will take into account a number of considerations including contribution to the local economy; compatibility with the surrounding area; opportunities for sustainable travel etc.

- 3.2. LDP 2 Policy 23 establishes a presumption in favour of new tourist accommodation where development is in a “form, scale and location” which is consistent with its surroundings; respect and integrate well with the townscape character and amenity of the area; relate well to the existing built form of settlement areas; and are located in accessible locations.
- 3.3. The design and access statement states that there will be secure cycle storage. There is a bus stop on the shore road but the route to get to the bus stop is via the side of a busy road with no pavement. There are no established walk routes close by that the visitors could access. The site is not considered to be sustainably accessible in this regard.
- 3.4. It is considered that the proposed development does not comply with the qualifying criteria, nor has it been demonstrated that the development proposal will provide material benefit to the local economy / community and is not located in an accessible location, and as such is not supported by NPF 4 Policy 30 or LDP 2 Policy 23.

4. Natural Environment / Biodiversity

- 4.1 The site was formed part of the residential curtilage of a dwellinghouse known as “Corlach.” The site is not overlain by any sites of international, national or local designations. However, there are a number of trees along the boundaries of the site and significant natural regrowth has taken place over recent years and it is considered that the site may provide biodiversity value. The application does not clearly show existing trees nor which of these trees will be required to be cut-back or felled to allow the proposed development to be implemented. In addition, a tree survey has not been carried out and as such it is considered that the planning authority does not have adequate information to allow a full assessment of impact on the natural environment, with particular regard loss of trees to the detriment of biodiversity.

5. Road Network, Parking and Associated Transport Matters.

- 5.1. The application forms state that it is not proposed to form a new / altered access from a public road. The submitted Road and Access Plan is notated as follows: “site access per application ref. 18/00952/AMSC.” The Design and Access Statement states that the proposed development will use the access junction approved under the provisions of planning permission ref. 16/00115/PPP & 18/00952/AMSC to serve “House 1.” It is further submitted that this access is “suitable for the low volume and type of traffic associated with a small-scale tourist development.
- 5.2. Having inspected the site, planning officers accept that a dropped kerb has been installed and stone chippings laid down within the site, including land adjacent to the dropped kerb; however officers do not accept that the access point has been formed in accordance with the access details approved under the provisions of planning permission ref: 18/00952/AMSC and 16/00115/PPP. Furthermore, it is considered that the proposed development to provide 4 no. holiday cabins with potential to each accommodate it has not been demonstrated to the satisfaction of Council officers, including Area Roads Officers, that the access point details previously approved to serve a single, 4-bedroom dwellinghouse are suitable to serve what would be a material intensification of traffic movements in relation to the approved use.
- 5.3. The consultation response from Area Roads request that determination of the application be deferred pending receipt of additional information to allow a full assessment of this proposal. The requested additional information includes improved access width appropriate to the level of intensification proposed; access road gradients; turning areas; visibility splays; and continuation of the existing footway along the kerb line. A request for this further information was issued by officers on 20.08.2025 however there is no record

of the requested information having been received. As such, the information currently available does not allow the planning authority, in consultation with Area roads, to carry out a full assessment of this development proposal with regards to access issues.

5.4. The Area Roads consultation response does not make reference to on-site parking provision. LDP 2 Policy 40 generally requires that all development make off-street parking provision to serve new development in accordance with standards set out in Table 5. The table does not specify standards for short-term letting accommodation. The requirement for a 1-bedroom (Use Class 9) residential unit is 1 parking space. For hotels / hostels, the standard requirement is 1.2 spaces per room. In the absence of comments from Area Roads, it is considered that 1 parking space per cabin is acceptable.

6. Infrastructure

6.1. NPF Policy 18 encourages an 'infrastructure first' approach to development to ensure that the infrastructure needs of proposed development is understood early in the development process. LDP 2 Policy 60 requires a (waste water) connection to the public sewer for all development proposals in all settlements where there is a public sewer available unless the applicant can demonstrate that this isn't feasible. Development with private waste water systems will only be supported where the proposal is not likely to result in or add to existing environmental, amenity or health problems. LDP 2 Policy 61 requires that *"development proposals will manage all rain and surface water through sustainable urban drainage systems (SUDS), which should form part of and integrate with proposed and existing blue-green infrastructure. All SUDS features should be in accordance with the Principles of The SUDS Manual (C753)."*

6.2. The application submission includes a proposed drainage plan which shows connection to an existing private treatment system located within the curtilage of the adjoining dwellinghouse "Balkan House." In this respect it is noted that the curtilage of Balkan House is within the ownership and control of the applicant and that the planning application site (edged red on the application drawings) extends to include the existing waste water treatment plant and surface water drainage scheme comprising a filter trench. Treated waste-water and the surface water filter trench connect to an outflow to a watercourse. The Design and Access Statement advises that the existing waste water treatment plant has been sized for two 4-bedroom houses (i.e Balkan House and the house that has permission on the current application site) and is therefore considered to have suitable capacity (to serve Balkan House plus the proposed 4 no. pods. In relation to SUDS, notes on the drainage drawing state that all vehicular tracks and parking area are to be constructed with a porous build up on free draining stone and that all (pod) units to have a 250mm wide by 200mm deep gravel border to all draining sides.

6.3. Whilst this issue is covered by Building Control legislation, reference to the SEPA Code of Practice – Flows and Loads (Sizing Criteria, Treatment Capacity for Sewage Treatment Systems indicates that loadings for 4 no. 1-bedroom cabins exceeds that for a 4-bedroom house. On this basis, there is an element of doubt as to whether the existing private water treatment plant has the capacity to serve the existing house and the proposed 4 no. tourist accommodation cabins, and if not then the proposal is likely to result in or add to environmental, amenity or health problems contrary to policy.

6.4. Were this application considered to be acceptable regarding all other relevant planning considerations it could be supported with these matters resolved by means of planning condition. However, as the proposal is considered to be unacceptable with regard to other planning matters, then it is considered that a technical reason for refusal would be appropriate to the effect that the applicant has failed to demonstrate to the satisfaction of

the planning authority that the development will make adequate infrastructure provision to meet the servicing requirements of the proposed development.

- 6.5. In the event of any appeal against the refusal of planning permission being upheld, it would be recommended that an upheld appeal be subject to a planning condition requiring satisfactory evidence that the existing private treatment plant has capacity treat the waste drainage from the proposed development; and if not, then the replacement / up-grading of the private treatment plant.