

FURTHER INFORMATION

FOR

**ARGYLL AND BUTE COUNCIL
LOCAL REVIEW BODY**

24/0002/LRB

REFUSAL OF PLANNING PERMISSION 23/00825/PPP

SITE FOR THE ERECTION OF A DWELLINGHOUSE

LAND NORTH OF ROWAN BRAE, GLENCRUITTEN, OBAN

Applicant's Further Submission 8th April 2024

ARGYLL AND BUTE

A HOUSING EMERGENCY AND MORE FLEXIBILITY REQUIRED

Statement by Pippa Milne, Chief Executive of Argyll and Bute Council, in March 2024 in reply to Mike Mackenzie following concerns raised over depopulation and lack of flexibility in the existing planning process.

“The Council remains focussed on reversing the population decline and sees housing as a key factor in tackling this. This has been demonstrated by it being the first local authority in Scotland to declare a housing emergency and its recent housing summit.

These are complex issues which require a partnership approach to tackle them.

The Council's LDP2 has also now been formally adopted and is now the first LDP in Scotland to be adopted since NPF4. It brings with it more flexibility for development across Argyll and Bute.”

The following policy failures are a consequence of the planning authority's assessment that “general support for development is caveated with the requirement to demonstrate that there will be no unacceptable adverse effects (either individually or cumulatively) on natural heritage resources, built and/or cultural heritage resources, and landscape and visual amenity.”

The planning Authority have considered that the proposed development would cause material harm to the immediate and/or wider landscape based on the review of material submitted in application for planning permission rather than the using an evidence based technical matrix for assessing landscape impacts, where the importance of the viewpoint is judged against the magnitude of the impact of the proposed development in relation to the landscape condition.

Those conditions are characterised as:-

HIGH

MODERATE

LOW.

The detail can be seen by clicking this link.

[METHODOLOGY FOR LANDSCAPE AND VISUAL ASSESSMENT](#)

In this application the sensitivity of the viewpoint, the magnitude of the impact of the proposal and the condition of the landscape generally could only be described as LOW.

Using a much simpler “glass half full/glass half empty” analogy, and where a landscape assessment matrix reflects low scores, and even assuming that this application is borderline, in terms of whether or not the “development would cause material harm to the immediate and/or wider landscape” which we do not agree is the case, but even if we did, there is scope to adopt a “GLASS HALF FULL” approach as suggested by the Pippa Milne above.

That would be the start of a much more flexible approach to development across Argyll and Bute reflecting a much more a more positive ethos of interpretation of the new Planning Framework NPF4. Scottish Government introduced this framework to do that very thing, to make the planning process more flexible, not more rigid and inflexible as the Glass half empty approach would suggest.

According to the handling report of this application it fails on NPF4, Policy 9, 14 and 17, which I have noted below and commented on for ease of reference.

Incidentally, a house was recently approved at a position 800m away from this application site and was approved.

NPF4 POLICY 9

BROWNFIELD. DERELICT AND VACANT LAND & EMPTY BUILDINGS

Local Development Plans:

LDPs should set out opportunities for the sustainable reuse of brownfield land including vacant and derelict land and empty buildings.

Policy 9

- a) Development proposals that will result in the sustainable reuse of brownfield land including vacant and derelict land and buildings, whether permanent or temporary, will be supported. In determining whether the reuse is sustainable, the biodiversity value of brownfield land which has naturalised should be taken into account.
- b) 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.
 - c) Where land is known or suspected to be unstable or contaminated, development proposals will demonstrate that the land is, or can be made, safe and suitable for the proposed new use.
- d) Development proposals for the reuse of existing buildings will be supported, taking into account their suitability for conversion to other uses. Given the need to conserve embodied energy, demolition will be regarded as the least preferred option.

The Land is of little agricultural merit, and the biodiversity value limited. Although not a brownfield site the development proposals for the re-use of derelict land should be supported as the proposals are consistent with NPF9 in that regard.

NPF4 POLICY 14

LIVEABLE PLACES

Local Development Plans:

LDPs should be place-based and created in line with the Place Principle. The spatial strategy should be underpinned by the [six qualities of successful places](#). LDPs should provide clear expectations for design, quality and place taking account of the local context, characteristics and connectivity of the area. They should also identify where more detailed design guidance is expected, for example, by way of design frameworks, briefs, masterplans and design codes.

Planning authorities should use the Place Standard tool in the preparation of LDPs and design guidance to engage with communities and other stakeholders. They should also where relevant promote its use in early design discussions on planning applications.

Policy 14

- a) Development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale.
- b) Development proposals will be supported where they are consistent with the six qualities of successful places:
 - Healthy:** Supporting the prioritisation of women’s safety and improving physical and mental health.
 - Pleasant:** Supporting attractive natural and built spaces.
 - Connected:** Supporting well connected networks that make moving around easy and reduce car dependency
 - Distinctive:** Supporting attention to detail of local architectural styles and natural landscapes to be interpreted, literally or creatively, into designs to reinforce identity.
 - Sustainable:** Supporting the efficient use of resources that will allow people to live, play, work and stay in their area, ensuring climate resilience, and integrating nature positive, biodiversity solutions.
 - Adaptable:** Supporting commitment to investing in the long-term value of buildings, streets and spaces by allowing for flexibility so that they can be changed quickly to accommodate different uses as well as maintained over time.

Further details on delivering the [six qualities of successful places](#) are set out in Annex D.

- c) Development 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.

The proposal fits the “THE 6 QUALITIES OF SUCCESSFUL PLACE” which underpins the essence of Policy 14, therefore must be compliant.

NPF4 POLICY 17

RURAL HOMES

Local Development Plans:

LDPs should be informed by an understanding of population change over time, locally specific needs and market circumstances in rural and island areas.

LDPs should set out tailored approaches to rural housing and where relevant include proposals for future population growth - including provision for small-scale housing such as crofts and woodland crofts and the appropriate resettlement of previously inhabited areas. The Scottish Government's 6 fold Urban Rural Classification 2020 should be used to identify remote rural areas. Plans should reflect locally appropriate delivery approaches. Previously inhabited areas that are suitable for resettlement should be identified in the spatial strategy.

Policy 17

a) Development proposals for new homes in rural areas will be supported where the development is suitably scaled, sited and designed to be in keeping with the character of the area and the development:

- i. is on a site allocated for housing within the LDP;
- ii. reuses brownfield land where a return to a natural state has not or will not happen without intervention;
- iii. reuses a redundant or unused building;
- iv. is an appropriate use of a historic environment asset or is appropriate enabling development to secure the future of historic environment assets;
- v. is demonstrated to be necessary to support the sustainable management of a viable rural business or croft, and there is an essential need for a worker (including those taking majority control of a farm business) to live permanently at or near their place of work;
- vi. is for a single home for the retirement succession of a viable farm holding;
- vii. is for the subdivision of an existing residential dwelling; the scale of which is in keeping with the character and infrastructure provision in the area; or
- viii. reinstates a former dwelling house or is a one-for-one replacement of an existing permanent house.

b) Development proposals for new homes in rural areas will consider how the development will contribute towards local living and take into account identified local housing needs (including affordable housing), economic considerations and the transport needs of the development as appropriate for the rural location.

c) Development proposals for new homes in remote rural areas will be supported where the proposal:

- i. supports and sustains existing fragile communities;
- ii. supports identified local housing outcomes; and

Part 2 - National Planning Policy

National Planning Framework 4

66

- iii. is suitable in terms of location, access, and environmental impact.
- d) Development proposals for new homes that support the resettlement of previously inhabited areas will be supported where the proposal:
 - i. is in an area identified in the LDP as suitable for resettlement;
 - ii. is designed to a high standard;
 - iii. responds to its rural location; and
 - iv. is designed to minimize greenhouse gas emissions as far as possible.

Applicable policies from above.

a) i, ii, v, vi,

b)

c) i, ii,

NPF4 66

ii, iii, and iv.

And to underpin those policies the LDP 2 extract from above

“LDPs should set out tailored approaches to rural housing and where relevant include proposals for future population growth - including provision for small-scale housing such as crofts and woodland crofts and the appropriate resettlement of previously inhabited areas. The Scottish Government’s 6 fold Urban Rural Classification 2020 should be used to identify remote rural areas. Plans should reflect locally appropriate delivery approaches. Previously inhabited areas that are suitable for resettlement should be identified in the spatial strategy.”

building design studio

inveresregan house ardchattan argyll PA37 1RG

iain@inveresregan.co.uk

07766394079

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