

**Argyll and Bute Council  
Development & Economic Growth**

**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:** 21/02265/PP  
**Planning Hierarchy:** Local Development  
**Applicant:** Rockhill Farm Ltd  
**Proposal:** Proposed redevelopment of barn and farmhouse to form self-catering tourist accommodation together with erection of self-catering tourist accommodation (3 units), installation of floating jetty, landscaping and associated infrastructure works  
**Site Address:** Rockhill, Ardbrecknish, Dalmally, Argyll and Bute, PA33 1BH

---

**DECISION ROUTE**

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

**(A) THE APPLICATION**

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

- Redevelopment of barn to form self catering holiday units (including demolition of barn)
- Redevelopment of farmhouse to form self catering holiday unit
- Erection of three self catering holiday units
- Installation of floating jetty (retrospective)
- Formation of hardstanding circulation space
- Utilisation of existing vehicular access
- Provision of vehicular parking
- Installation of water tank
- Provision of private water supply
- Installation of bio disc treatment plant

**(ii) Other specified operations**

- landscaping
- 

**(B) RECOMMENDATION:**

Having due regard to the Development Plan and all other material considerations, it is recommended that planning permission be granted subject the conditions and reasons appended to this report.

---

(C) CONSULTATIONS:

NatureScot

E-mail 15.12.2021, No comments to make. The proposal does not meet NatureScot's criteria for consultation.

SEPA

Letter dated 26.06.2024, Objection now withdrawn. We are now in a position to withdraw our previous objection as the topographic information provided in the submitted Flood Risk Assessment (Doc ref. RHF-CDL-XXXX-RP-C-10201 , Appendix C, Page 22. Cundall.) demonstrates that all proposed buildings in the site plan (Drawing No. 20/001 , February 2024) are outwith the flood risk area as:

- All proposed buildings lie on existing ground levels above the 1 in 200-year plus climate change flood level of 42.32 m AOD for Loch Awe.
- The culvert on the burn to the east of the proposed development lies at around 39 m AOD and the nearest proposed building lies at around 46 m AOD. As such, all of the proposed buildings are likely to be outwith the flood risk area resulting from a blockage at this culvert and / or out of bank flow from the burn.

SEPA requested clarification as to whether the building to the north of the site is an erroneous inclusion on the topographic map, or if it is proposed development in addition to those show in the previous site plans.

SEPA e-mail 01.07.2024, acknowledged that the additional building shown on the topographic map of the submitted FRA, in the north of the site which was not included in the proposed plans which SEPA previously commented on, is a temporary premises used by contractors while works are ongoing at Rockhill Farm. SEPA understand that this temporary structure is not included within the proposed plans and does not form part of the planning application. SEPA have further highlighted that such a building at this location would be unacceptable on the grounds of flood risk.

Flood Risk Assessor

Report dated 05.04.2024, No objections.

The northern portion of the site (the land on the banks of Loch Awe) is overlain by the indicative limits of fluvial flooding as per the SEPA Future Flood Maps. Our previous response concerned the previous site plan (dated September 2021) that included two houses in the northern area of the site that were within the fluvial flood extent. The revised site plan (dated February 2024) that has been submitted shows all of the proposed development (re-development of the barn and farmhouses, and 3 new proposed self-catering units) to be located on higher ground in the southern area of the site, and are hence outwith the fluvial flood extent. The revised site plan is considered acceptable regarding flood risk.

The supplied drainage layout indicates that each development will use a soakaway as a method of mitigating surface water runoff. This is acceptable.

Scottish Water

Letter dated 13.12.2021, No objections. No Scottish Water Infrastructure within the vicinity of the proposed development.

### Councils Roads Authority

Report dated 28.02.2024, No objections subject to conditions with regards to the provision of: upgrades to the existing private access track (within ownership control of the applicant) with Intervisible passing places required at intervals of no more than 150m. Track width to be a minimum of 3.7m. Level 2m verge/step off on one side of track required; Total length of unpaved access track surface requires upgrade including grading/leveling of surface, voids, potholes, rutting to be filled, levelled and compacted, using bituminous bound material and regularly maintained as required; visibility splays measuring 53m x 2.4m; parking and turning for two vehicles for each of the proposed self catering units; parking and turning for three vehicles for the farmhouse and 2 for the barn conversion and the provision of a turning head to Figure 18 of the Roads Development Guide to be provided within the farm yard area.

### Environmental Health

Memo dated 12.01.2022, Requirement for contaminated land site investigation and risk assessment survey prior to the commencement of development at the site.

Memo dated 06.08.2024, No objections raised subject to condition with regards to provision of water appraisal of the wholesomeness and sufficiency of proposed private water supply has been submitted to and approved by the Planning Authority prior to the commencement of development at the site.

Memo dated 08.08.2024, advised that a short-term holiday let licence will be required to be applied for. Also advised that safeguarding conditions will be required to avoid any potential light nuisance and potential construction noise nuisance.

### Historic Scotland

Letter dated 21.12.2021, No objections. Whilst not raising any objections HES have made it clear that their decision not to object should not be taken as support for the proposed development. HES have advised that this planning application should be determined in accordance with national and local policy on development affecting the historic environment together with related policy guidance.

### West of Scotland Archaeological Services (WOSAS)

No response at time of writing report and no request for an extension of time.

### Biodiversity Officer

E-mail received 12.01.2022, No objections, The Biodiversity Officer welcomes the addition of Barn Owl boxes and bat boxes within the site. A Landscaping and Planting Plan has been submitted further to consultation with the Biodiversity Officer. This plan is lacking in detail and shows an element of tree planting. Previous to this the Biodiversity Officer had advised that a Landscape Planting Plan could be requested via a planning condition.

### Core Paths

E-mail 16.06.2023, No objections, requested a suspensive planning condition with regards to the provision of an Access Plan, Implementation Plan and a habitable buildings Landscape plan

### Glenorchy and Inishail Community Council

Online submission from John Kerr, Chair of Glenorchy and Inishail Community Council (06.01.2022), Objection raised to proposed development, Advised that the applicant or agent has not had a site meeting with the Community Council as suggested in the Design and Access Document which forms part of this application.

---

**(D) HISTORY:**

21/00361/PP

Demolition of existing farm outbuildings, proposed change of use and extension of existing barn and farmhouse to form wedding/function facility together with erection of self-catering tourist accommodation (6 units), installation of septic tanks, bio disc treatment plant, landscaping and associated works, application withdrawn 05.08.2021

22/02038/PNCOUA

Conversion of existing barn to form extension to dwellinghouse, Not covered under GPDO Regulations, 08.01.1022.

22/02299/PNCOUA

Change of use of existing agricultural building to form a dwellinghouse (barn), Prior Approval granted 20.12.2022.

23/00183/ENOTH3

Demolition of barn subject of Prior Approval 22/02299/COU - Change of use of existing agricultural building to form a dwellinghouse, Case to be closed.

20/00153/ENOTH1

Unauthorised erection of self catering holiday unit, Enforcement Notice served and appeal allowed. Case to be closed.

---

**(E) PUBLICITY:**

The proposal has been advertised in terms of Regulation 20 and Neighbour Notification procedures, overall closing date 13.01.2022.

---

**(F) REPRESENTATIONS:**

**(i) Representations received from:**

**44 objections and 6 expressions of support have been received to the application. A petition has also been submitted in response to this application objecting to the proposed development.**

**OBJECTIONS**

Ms Gillian Payne, Dali Lodge, Ardbrecknish, Dalmally, PA33 1BH, (e-mail 20.10.2022)

Ms Jennifer Gilmour, The Blue Cottage, Ardbrecknish, Dalmally, PA33 1BH, (e-mail 07.01.2022)

Mr Laurence Mills, 79 Townsend Lane, Long Lawford, Rugby, Warwickshir, CV23 9DG, (e-mail 18.01.2022)

Alan Kettle White, [laia@live.co.uk](mailto:laia@live.co.uk), (e-mail 18.01.2022)  
Mr Stephen Booth, 22 Birch Ave, Newton, Preston, PR4 3TX, (e-mail 06.01.2022)  
Mr Ian Marshal, Popular Close, Ruskington, NG34 9TL, (e-mail 12.01.2022)  
Mr George Cloughley , 11a Summerlea Road, Seamill, West Kilbride, KA23 9HP, (e-mail 06.01.2022) )  
Mr David McCormick, 3 West Drive, Ardbrecknish PA33 1BH, (e-mail 10.01.2022)  
Lady Mary McGrigor, Upper Sonachan, Portsonachan, Dalmally, PA33 1BJ, (e-mail 10.01.2022)  
Ernie Jamieson, Creag Mor, Ardbrecknish, (e-mail 10.01.2022)  
Lara Jamieson, Creag Mor, Ardbrecknish, (e-mail 11.01.2022)  
Jan Turner, <mailto:janturner41@gmail.com> , (email 11.01.2022)  
Mr Paul Pryde, 32 Constitution Hill, Norwich, NR3 4BU, (e-mail 07.01.2022)  
Mrs Rosemary Munson, Dali Lodge, Ardbrecknish, Dalmally PA33 1BH, (e-mail 10.01.2022)  
Simon Webber, Jules Villa, Rowanbank , Dalmally , PA33 1AE, (e-mail 13.01.2022)  
Mr Leon Ingham, Kairos, Slockavullin, Lochgilphead, PA31 8QG, (e-mail 12.01.2022)  
Leslie Webber, Jules Villa, Rowanbank , Dalmally, PA33 1AE, (e-mail 13.01.2022)  
Mrs Lesley Mills, 79 Townsend Lane, Long Lawford, Rugby Warwickshire, CV23 9DG, (e-mail 07.01.2022)  
Mr Charles Larder, 2 Fell View, The Grove, Consett, DH8 8A, (e-mail 07.01.2022)  
Toby Maclean, 10 Barony Terrace, Edinburgh, EH12 8RE, (e-mail 08.01.2022)  
Mrs Catherine Nevison, Ardchonnell Cottage, East Lochaweside, Dalmally, PA33 1BW, (e-mail 10.01.2022)  
Melanie Baker, [melanie4baker@hotmail.com](mailto:melanie4baker@hotmail.com), (e-mail 12.01.2022)  
Janet Buchanan, Innishail Cottage, Ardbrecknish, Dalmally, PA33 1BH, (e-mail 11.01.2022)  
Jim Makinson, Ardbrecknish House, Ardbrecknish, Dalmally, PA33 1BH, (e-mail 09.01.2022)  
Sally Makinson, Ardbrecknish House, Ardbrecknish, Dalmally, PA33 1BH, (e-mail 09.01.2022)  
David McCulloch, Taigh Geal, Ardbrecknish , Near Dalmally, PA33 1BH, (e-mail 12.01.2022)  
Margaret McCulloch, Taigh Geal , Ardbrecknish, Near Dalmally , PA33 1BH, (e-mail 12.01.2022)  
John Lawler, Plot 68 Loch Awe Holiday Park, Taynuilt, PA35 1HT, (e-mail 12.01.2022)  
David Nesbitt , 102/22-26 Clifton Road, Clifton Beach, QLD Australia 4879, (e-mail 09.01.2022)  
Rebecca Phillips , 102/22-26 Clifton Road Clifton Beach QLD Australia 4879, (e-mail 09.01.2022)  
Mr William Smith, The Old school House, Snods Edge, Consett, DH8 9LE , (e-mail 12.01.2022)  
Mr Robert Duncan, The Rectory Ardbrecknish Dalmally Argyll And Bute PA33 1BH, (e-mail 13.01.2022)  
Mr Nigel Spratt, 59 Brinkburn Avenue, Darlington, DL3 0JN, (e-mail 14.01.2022)  
Mr Ewan Colville, The Blue Cottage, Ardbrecknish, Dalmally, PA33 1BH  
Mr Ian Ronald, 7 West Drive, Ardbrecknish, Dalmally, PA33 1BL, (e-mail 07.01.2022)  
Mr Thomas Lowcock, Ardbrecknish House, Ardbrecknish, Dalmally, PA33 1BH, (e-mail 06.01.2022)  
Mr Kevin Douglas, Hill House, Ardbrecknish, Dalmally, PA33 1BH, (e-mail 13.01.2022)

Mr Luke Kneeshaw, 18 Marston Close, Taunton, TA1 4HZ, (e-mail 06.01.2022)  
Mr Manson, Green Cottage, Ardbrecknish , By Dalmally, PA33 1BH, (letter dated 30.12  
Mrs Manson, Green Cottage, Ardbrecknish , By Dalmally, PA33 1BH, (letter dated 30.12  
Angela Peat, Sean Mhuilean An T-Sabdaih, The Old Sawmill, Ardbrecknish, By Dalmally, (e-mail 03.01.2022)  
Dr JR Peat, Sean Mhuilean An T-Sabdaih, The Old Sawmill, Ardbrecknish , By Dalmally, (e-mail 03.01, 2022)  
Ms Janet Lightbown, Taigh Hebe, Ardbrecknish, Dalmally, PA33 1BH, (e-mail 08.02.2022)  
Peter Smith, Wayside, Blackpool, FY4 5BP, (e-mail 12.01.2022)

Ardbrecknish Residents Petition

## **SUPPORT**

Calum McCrae, [www.barrachanderquarry.com](http://www.barrachanderquarry.com), (e-mail 17.02.2022)  
Jon Jackson, Fernhill Stone, (e-mail 10.02.2022)  
James McCahey, [s.r.swindowcleaning@hotmail.com](mailto:s.r.swindowcleaning@hotmail.com), (e-mail 24.02.2022)  
Mrs Jakkie Jemson, 120 Lochaber Road, Fort William, PH336TX, (e-mail 09.03.2022)  
Miss Siobhan Cameron, 5 Eorabus Croft, Ardtun, Isle Of Mull, PA67 6DH, (e-mail 10.03.2022)  
Mr Alexander Dawson, Lochnell Lodge, Kilmore, Oban, PA34 4XU, (e-mail 22.02.2022)

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:**

- Neighbour notification procedures haven't been carried out correctly. There are four building plots on East Drive plus one new building plot on Rockhill Drive, all of which have live planning permission for one dwellinghouse which should have been included in Neighbour Notification.

Officer Comment: Neighbour notification procedures have been carried out in accordance with legislation. The Council is required to notify those with an interest in "neighbouring land" of a planning application. Neighbouring land is defined as "an area or plot of land which, or part of which, is conterminous with or within 20m of the boundary of the land for which the development is proposed". The application has also been advertised terms of Regulation 20 in the Oban Times on the 23.12.2021.

- Unauthorised development has taken place at the site without planning permission. This unauthorised development risks setting out a negative precedent should planning permission be approved. Section 33 of The Town and Country Planning (Scotland) Act 1997 provides that an application for planning permission may be made retrospectively for buildings or works constructed or carried out, or a use of land instituted, before the date of the application.

Officer Comment: The site has been the subject of enforcement investigations which have resulted in the submission of this planning application through negotiations. The floating jetty has been installed and so this application is part retrospective.

- The red line boundary should include the whole of the Rockhill Farm Estate which would result in the application being a major development.

Officer Comment: There is no requirement for the whole of the Rockhill Farm Estate to be included in the application site edged red boundary. The site edged red is the planning unit which is defined as the area to which the application relates. The proposed development does not propose development on the whole of the farm only on part of it which is included in the application site edged red.

- The application is to change the house into four separate 2 bedroom self-catering units.

Officer Comment: A condition will be required to ensure that the Farm Guesthouse (1) and Barn Conversion (4), as annotated on Drawing No 20/001, Rev E – Site Plan As proposed, shall not be subdivided and used solely for the provision of 2 separate self catering holiday letting units. This is required in order to define the permission on the basis of the Planning Authority's assessment.

- Concerns raised with regards to the timing of the submission of the application during a public holiday period.

Officer Comment: The Council has no control over the timing of planning application submissions.

## **Roads**

- The red line boundary does not extend to the B840 and stops at the land ownership boundary of Rockhill Farm. Other applications using this access have included access to the junction of the B840. This has affected the no of properties given neighbour notification. Surely this application should not have been validated and cannot realistically progress without the inclusion of the correct red line planning boundary drawing.

Officer Comment: The development which is the subject of this application is for a reduced scheme of development from the previous application ref 21/00361/PP which was withdrawn. The Councils Roads Authority does not require the provision of any upgrades to the access at the junction of the public road or on any of the land outwith the application site edged red. It is considered that the site edged red boundary is accurate.

- A major section of the access track is not owned by the applicant and has multiple private ownership rights.



Officer Comment: The application includes a portion of the private access track which is owned by the applicant and has certified that this is the case in the planning application form.

- The access road to the site will not support increased traffic
- Concerns raised with regards to Emergency services and Waste collection services not being able to use the access road.
- Certain points of the track are no wider than 3m and many communal heavy lorries have already been using this track for unauthorised development which has taken place at the site.
- The access track to Rockhill is not of a robust enough construction to cope with the increased traffic flow.
- The access at the junction with the B840 is steep and acute and this issue should be addressed with a safe access and egress provided.
- The construction traffic accessing Rockhill Farm has not been managed as to the numbers and timing.
- Concerns raised about the condition of the B840 road not being able to sustain the amount of current traffic.
- The B840 should be white lined on both sides prior to any additional development being permitted in the area.
- Concerns raised with regards to a dry stone wall acting as a boundary to an existing dwellinghouse is inadequate and unable to support the additional traffic and construction vehicles.
- Even on the parts that they do own there is insufficient space to create passing spaces of the required length and breadth.

Officer Comment: The Councils Roads Authority has been consulted and has raised no objections subject to conditions which includes the provision of: upgrades to the existing private access track (within ownership control of the applicant) with intervisible passing places required at intervals of no more than 150m. Track width to be a minimum of 3.7m. Level 2m verge/step off on one side of track required; Total length of unpaved access track surface requires upgrade including grading/leveling of surface, voids, potholes, rutting to be filled, levelled and compacted, using bituminous bound material and regularly maintained as required; visibility splays measuring 53m x 2.4m; parking and turning for two vehicles for each of the proposed self catering units; parking and turning for three vehicles for the farmhouse and 2 for the barn conversion and the provision of a turning head to Figure 18 of the Roads Development Guide to be provided within the farm yard area. The requirement for the provision of a condition to secure visibility splays measuring 53m x 2.4m at the junction with the public road will not be necessary. These required visibility splays are required to be maintained by the Council as Roads Authority under the Roads (Scotland) Act 1984.

There is no requirement to manage construction traffic accessing Rockhill Farm. There is also no requirements for any works or upgrades to any part of the access at the junction at the public road or on any section of the B840.

- Local maps used in the application are out of date and do not show all the current properties along the access track.



Officer Comment: The Councils GIS mapping system shows a true reflection of the current properties accessing the access track which the Councils Roads Authority has access to.

### **Water and drainage**

- Concerns about where Rockhill Farm will source their water supply.
- Existing water supply is from a spring and is likely to be insufficient to supply a larger development. Ground source wells will require drilling and more construction with further disturbance to the local environment and neighbouring properties.

Officer Comment: The Environmental Health Unit have been consulted with regards to the proposed private water supply and have raised no objections subject to a suspensive pre-start condition to secure a report on the proposed private water supply to ensure that it is sufficient to serve the proposed development and does not impact on existing users of the same supply or adjacent supplies.

- Sewage discharge may affect the biological environment.
- The proposed bio waste disposal unit raises concerns as it will impact on the site and any outflow on such a low-lying area of ground.

Officer Comment: The application proposes the installation of a biodisc treatment plant. The Council's Building Standards Service will apply sufficient control over the treatment plant arrangements at Building Warrant stage. The proposed drainage system would be regulated under the building standards to ensure that it is capable of being provided to a safe, effective and appropriate technical standard. Any discharge to the water environment would be regulated by SEPA under the Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended). It is the responsibility of the installer and owner to ensure that the drainage system is installed and maintained correctly. Pollution enforcement is the responsibility of SEPA and as the proposed development is not located within a Waste Water Drainage Consultation Area there is no reason to assume that a safe and effective private wastewater system cannot be utilised.

### **Landscape**

- Understanding from speaking to planning department that no development in Ardbrecknish outwith the development plan would be considered and that "rounding-off" may be an option. The proposed development is clearly not a case of "rounding-off".

Officer Comment: The proposal is considered to be consistent with the relevant provisions of the Development Plan and there are no other material considerations of sufficient significance, including issues raised by third parties, to indicate that it would be appropriate to withhold planning permission having regard to Section 25 of the Act. See main assessment in Appendix A below.

## Design

- The “box” like construction of the existing cabin and other proposed new builds will not be in keeping with the other loch-side developments in the area that all have sloping roofs.

Officer Comment: The existing cabin which is located to the north of the site does not form part of this planning application and benefits from permitted development rights as a temporary building used by contractors while works are ongoing at Rockhill Farm

- The widely spaced sites of the cabins leaves raises concerns about further applications for infill sites and ongoing creeping of the site.

Officer Comment: Any further planning applications proposed at the site would be considered on their own merits and assessed against the relevant provisions of the Development Plan

## Biodiversity

- Concerns raised with regards to fish in the loch as a result of increased human traffic in this area.
- Proposed development will have a devastating effect on wild life which includes a large amount of different birds, bats and rare Hen Harrier.
- Demolition of previous farm buildings has already taken place without an ecological survey of the area. It is known that bats had roosts in these buildings and that swallows nested.
- No mention of frogs and toads in any environmental study or any remedial steps.
- Concerns raised with regards to the intended use of the jetty and general boating on Lochawe and impacts on spawning and feeding ground for fish in the shallow bay.
- The stream that feeds Wire Bay needs to be protected from construction and operational activities.

Officer Comment: The applicant has submitted a Survey for Otters & Birds and Potential Roost Assessment for Bats, a Tree Plan and a Sustainability Checklist in support of the proposed development.

Scottish natural Heritage (SNH) have been consulted and have advised that the proposal does not meet with their criteria for consultation

The Council's Biodiversity Officer has been consulted and has raised no concerns raised no objections to the proposed development and has provided comments on each report which is as follows:

### Survey for Otters & Birds and Potential Roost Assessment for Bats

The findings of the surveys and the mitigation are acceptable. The survey recommends that if works do not begin within 18 months of the report then a survey for otter should be repeated. The proposed self catering units which were proposed to be sited near the Loch and beside the watercourse at the eastern side of the site have been omitted from the application and so it is considered that such a condition will no longer be necessary. The Biodiversity Officer has provided advice with regards

to working practices and protocols for the developer to follow during construction works which will be added on as a note to the applicant. The Biodiversity Officer welcomes the addition of Barn Owl boxes and bat boxes within the site.

#### Tree Plan (4<sup>th</sup> of August 2021)

It is noted that one of the Ash trees (with signs of rotting and Ash die back) is recommended for felling as it is considered dangerous – this is acceptable along with a pre-felling survey for the presence of bats. The tree protection proposal is acceptable. I advise that contractors are made aware and implement the plan prior to work commencing. A note to the application will be required to relay this advice.

A Landscaping and Planting Plan has been submitted further to consultation with the Biodiversity Officer. This plan is lacking in detail and shows an element of tree planting. Previous to this the Biodiversity Officer had advised that a Landscape Planting Plan could be requested via a planning condition.

Previous farm buildings at the site which have been demolished did not require the benefit of planning permission. Therefore the Council could not afford any protection to any species that may have inhabited these buildings.

A condition will be required in order to ensure that the jetty is used solely for the recreational purposes of the occupants of Rockhill Farm and not for any commercial purposes. The use of this jetty for recreational purposes of the occupants of Rockhill Farm does not raise any concerns with regards to fish that may be present in the loch.

### **Noise and Light**

- Increased and excessive noise levels originating from oversized vehicles on the B840 and the track leading to Rockhill Farm.
- Concerns with regards to light pollution from Rockhill Farm. Site lights have been erected and are left on permanently.

Officer Comment: The Councils Roads Authority has been consulted and has not raised any concerns with regards to potential noise pollution emanating from the proposed development. The Environmental Health Unit have been consulted and have advised that safeguarding conditions will be required to avoid any potential light nuisance and potential construction noise nuisance at the site.

### **Amenity**

- Concerns raised with regards to the loss of the tranquil nature of the loch which may be disrupted by the use of powerful watercraft.

Officer Comment: A small floating jetty forms part of this planning application. A condition will be required in order to ensure that the jetty is used solely for the recreational purposes of the occupants of Rockhill Farm and not for any commercial purposes. The use of the loch by

watercrafts is not development and the Planning Authority are not able to control the type of watercrafts that use the Loch.

- Locked electric gates and high fence have been erected and are obstructing walkers access

Officer Comment: The Councils Access Manager has been consulted and has raised no objections to the proposed development subject to the requirement of an Access Plan via planning condition. An Access Plan should contain specification for all paths and gates, an implementation plan and a habitable buildings Landscape Plan.

**(G) SUPPORTING INFORMATION**

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

**(i) Environmental Impact Assessment Report:**  Yes  No (if Yes insert EIAR topics below)

**(ii) An Appropriate Assessment under the Conservation (Natural Habitats) Regulations 1994:**  Yes  No (if Yes attach as an appendix)

**(iii) A Design or Design/Access statement:**  Yes  No

A Supporting Design and Access Statement has been submitted with the application the content of which is discussed in the main assessment of the application within Appendix A of this report.

**(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 (if Yes list supporting documents below)

Flood Risk Assessment, RHF-CDL-XX-XX-RP-C-10201,  
28.05.2024 Parts 1-7  
Ardbrecknish Rendered Visualisations  
ECS Access Review

ECS Refuse Vehicle Access – Swept Path Analysis  
Outdoor Access Plan – North Planning & Development  
Design and Access Statement – North Planning and Design 14.03.2024  
Bat Survey Report – TransTech Limited  
Survey for Otters & Birds & Potential Roost Assessment for Bats – TransTech Limited Parts 1-4  
Tree Plan – TransTech Limited  
Historic Building Recording and Archaeological Monitored Topsoil Strip Report, AOC Archaeology Group, 24.09.2021 – Parts 1-3

---

**(H) PLANNING OBLIGATIONS**

**Is a Section 75 agreement required:**  Yes  No (if Yes insert details of the terms and heads of agreement and, grounds for refusal if not completed within 4 months below)

---

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

---

**(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 \(Adopted 13<sup>th</sup> February 2023\)](#)

(delete as appropriate)

**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 7 – Historic Assets and Places

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 18 – Infrastructure First

NPF4 Policy 22 – Flood Risk 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 09 – Sustainable Design

Policy 10 – Design – All Development

Policy 15 – Protection, Conservation and Enhancement of Our Historic Environment

Policy 19 – Scheduled Monuments

Policy 21 – Sites of Archaeological Importance

**Diverse and Sustainable Economy**

Policy 23 – Tourism Development, Accommodation, Infrastructure and Facilities

**Connected Places**

Policy 32 – Active Travel

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 55 – Flooding

Policy 58 – Private Water Supplies and Water Conservation

Policy 60 – Private Sewage Treatment Plants and Wastewater Drainage Systems

Policy 61 – Sustainable Urban Drainage Systems (SUDS)

Policy 63 – Waste Related Development and Waste Management

**High Quality Environment**

Policy 71 – Development Impact on Local Landscape Areas (LLA's)

Policy 73 – Development Impact on Habitats, Species and Biodiversity

Policy 77 – Forestry, Woodland and Trees

Policy 79 – Protection of Soil and Peat Resources

Policy 83 – Safeguarding Agricultural and Croft Land



**(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. (delete as appropriate)**

- Third Party Representations
- Consultation Responses
- Planning History
- [ABC Technical Note – Biodiversity \(Feb 2017\)](#)
- [TN06 Sustainability Technical Note and Checklist \(Oct. 2023\)](#)
- [TN21 VII and LVIA Light Technical Note \(Oct. 2023\)](#)
- [TN07 Sustainable Buildings Technical Note and Checklist \(Oct. 2023\)](#)
- [SEPA Standing Guidance for Development Management \(Dec. 2022\)](#)

---

**(K) Is the proposal a Schedule 2 Development not requiring an Environmental Impact Assessment:** Yes No (if Yes confirm date of screening opinion and reference below)

---

**(L) Has the application been the subject of statutory pre-application consultation (PAC):** Yes No (if Yes provide summary detail of PAC below)

---

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

---

**(N) Requirement for a pre-determination hearing:** Yes No (if Yes insert details below)

In deciding whether to hold a discretionary hearing Members should consider:

- How up to date the Development Plan is, the relevance of the policies to the proposed development, and whether the representations are on development plan policy grounds which have recently been considered through the development plan process.
- The degree of local interest and controversy on material considerations, together with the relative size of community affected, set against the relative number of representations and their provenance.

At the time of writing, 44 objections and 6 expressions of support have been received to the application. A petition has also been submitted in response to this application objecting to the proposed development.

The main thrust of the objections raised relate to the unsuitability of the junction with the public road and the private vehicular access track which serves the

---

application site. In this regard the applicant has worked closely with the Council's Roads Authority to agree the proposed access regime to serve the proposed development which includes the provision of upgrades to the existing private access track (within ownership control of the applicant) with intervisible passing places required at intervals of no more than 150m. Track width to be a minimum of 3.7m. Level 2m verge/step off on one side of track required; Total length of unpaved access track surface requires upgrade including grading/leveling of surface, voids, potholes, rutting to be filled, levelled and compacted, using bituminous bound material and regularly maintained as required; visibility splays measuring 53m x 2.4m; parking and turning for two vehicles for each of the proposed self catering units; parking and turning for three vehicles for the farmhouse and 2 for the barn conversion and the provision of a turning head to Figure 18 of the Roads Development Guide to be provided within the farm yard area. The upgrades to the existing private access track (within ownership control of the applicant) will be required to be completed prior to the development first being brought into use

The requirement for the provision of a condition to secure visibility splays measuring 53m x 2.4m at the junction with the public road will not be necessary. These required visibility splays are required to be maintained by the Council as Roads Authority under the Roads (Scotland) Act 1984.

The development which is the subject of this application is for a reduced scheme of development from the previous application ref 21/00361/PP which was withdrawn. The Council's Roads Authority does not require the provision of any upgrades to the access at the junction of the public road or on any of the land outwith the application site.

The main other concerns raised by objectors relate to biodiversity, water and drainage and noise and light emanating from the site and construction vehicles entering the site. It is the opinion of the Planning Authority that a suite of safeguarding conditions can address these concerns raised by objectors.

No objections have been received from consultees with regards to the proposed infrastructure to serve the proposed development.

It is the opinion of the Planning Authority that the representations received, together with officer assessment of the relevant planning issues contained within this report, provide all the information required to enable Members to make an informed decision based

on all of the material planning considerations in this case.

In this instance it is not considered that the objections raise any complex or technical issues that have not been addressed in the current Report of Handling and it is not considered that a discretionary local hearing would add value to the planning process.

The determining factor in the assessment of this application is whether the proposed small scale tourism development is consistent with the provisions of the adopted National Planning Framework 4 and Local Development Plan 2 and whether the issues raised by third parties raise material considerations of sufficient significance to withhold planning permission.

The proposed development is considered to be consistent with the provisions of both the adopted National and Local Policy with the issues raised by third parties not amounting to material planning considerations that have not been addressed through the processing of the planning application.

---

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

- Site located within Local Landscape Area (Formerly known as APQ (Area of Panoramic Quality))
- Archaeology
- Scheduled Ancient Monuments in vicinity of site
- Flooding

**(O)(ii) Soils**

Agricultural Land Classification:

Class 5.3 – Land capable of use as improved grassland. Pasture deteriorates quickly.

Peatland/Carbon Rich Soils Classification:

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

Peat Depth Classification:

(Insert)metres / 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  
(If yes, detail in summary assessment)

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 (tick all relevant boxes)  Brownfield  
 Brownfield Reclaimed by Nature  
 Greenfield

**ABC LDP2 Settlement Strategy**  
(tick all relevant boxes)

Settlement Area  
 Countryside Area  
 Remote Countryside Area  
 Helensburgh & Lomond Greenbelt

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

(Insert details) or N/A

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

Planning permission is sought for the redevelopment of barn and farmhouse to form self-catering tourist accommodation together with erection of self-catering tourist accommodation (3 units), installation of floating jetty, landscaping and associated infrastructure works at Rockhill, Ardbrecknish, Dalmally, Argyll and Bute, PA33 1BH.

It is important to note that the proposed development has been reduced in scale during the processing of this application. The application originally proposed the demolition of existing farm outbuildings, alterations, change of use and extension of existing barn and farmhouse to form self-catering tourist accommodation, erection of 6 self-catering tourist accommodation cottages, retrospective installation of floating jetty, installation of septic tanks and bio disc treatment plant. Three of the proposed self-catering tourist accommodation units have now been omitted from the application as a result of issues pertaining to flood constraints within the site. A large barn was previously attached to the farmhouse which has recently been demolished which formed part of prior approval application ref 22/02299/PACOUA. Prior approval was granted on the 20<sup>th</sup> of December 2022 for the change of use of an existing agricultural building to form a dwellinghouse. The demolition of this building did not require the benefit of planning permission. This grant of prior approval is no longer able to be implemented as a result of the barn being demolished. It is now proposed to demolish the farmhouse and to redevelop this site along with the barn site to form 2 self catering tourist accommodation units. The total of self catering tourism units to be formed in total is now five and not 8 as originally proposed by this application.

The application site lies 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.

Policy 02 further states that certain development will be supported, generally without the need for detailed environmental assessments, with these comprising,

infill, redevelopment opportunities of clusters; or previously developed sites.

In CAs, where there are nature conservation or landscape designations in place, Policy 02 details that development proposals will have to demonstrate that they are compatible with the designation interests.

The site lies within a designated Local Landscape Area (LLA) (formerly Area of Panoramic Quality) where LDP2 seeks to promote a flexible approach to small scale development in the Countryside through Policies 02 and 71 which clarify when the planning authority may require submission of a Landscape Visual Impact Assessment (LVIA).

A Design and Access Statement has been submitted in support of the proposed development. The site has been visited on a number of occasions as part of enforcement investigations, the previously submitted application which has been withdrawn and the current proposal which is the subject of this application. A Sustainability Checklists and Sustainability Buildings Checklist have also been submitted in support of the proposed development.

From the information which has been submitted it has been concluded by officers that no further information is required in terms of landscape or visual impacts. The site is not highly visible within the landscape which has been demonstrated by the applicant and has been experienced by Officers on the ground.

Consideration of these matters, alongside other relevant planning considerations, are assessed in further detail below.

Rockhill Farm occupies a large area of ground that is elevated at the southern side, dropping towards the shores of Loch Awe. The application site lies in the foreground of the farm to the north on land which is gently sloping towards the shores of Loch Awe. The existing farmhouse and buildings are located on the flattest part of the site in a set back position overlooking the loch. The farmhouse is currently vacant and dilapidated, most recently functioning as an eight bedroom bed and breakfast while the two cottage premises have been previously used for residential lettings and are currently used for the provision of self-catering tourist accommodation. The site is also located within the setting of two Scheduled Ancient Monuments and lies within a designated Local Landscape Area (formerly known as an Area of Panoramic Quality in the previous LDP)

The development proposed by this application is considered to be development that will facilitate the use of a derelict farm which is inhibited by a number of empty dilapidated buildings largely on a brownfield site by virtue of the fact that it is a proposal seeking to redevelop an existing dilapidated farmhouse and barn which form part of a cluster of buildings within the Rockhill Farm Estate. The additional 3 self catering units will be sited in relatively close proximity to the farmhouse and barn on the land to the west. The applicant has evidenced that the sites which the proposed self catering units will be sited on have previously accommodated outbuildings/sheds.

It is proposed to demolish the existing farmhouse building and to then build a replacement building which will site on the exact same footprint of the farmhouse and previously attached barn which has already been demolished. The replacement building will comprise of two separate self catering holiday units. The proposed self catering units will have a similar appearance when viewed from the loch to the north as the building which it is proposed to replace. The plans indicate

that the roof will be finished with part natural slate and part standing seam metal sheeting.

It is proposed to erect three detached self catering units within the site on land to the west of the two existing self catering units which are located to the immediate west of the farmhouse building.

The overall design and form of each unit is contemporary in character which reflects the agricultural vernacular of the application site. The walls will be clad using Scottish larch and the roof will be finished with a standing seam cladding.

The proposed development will utilise a private access track which is situated off the B840 East Lochaweside Road.

The application indicates the provision of a private water supply with a private drainage system comprising a biodisc treatment plant proposed due to the lack of public drainage infrastructure within the vicinity of the site

No objections have been raised by any of the consultees.

At the time of writing, representations had been received by the Planning Authority from 50 respondents in relation to this planning application. 44 respondents raise objection and 6 raise expressions of support.

The proposed small scale tourism development is considered to be consistent with the provisions of the adopted National Planning Framework 4 and Local Development Plan 2 with the issues raised by third parties not considered to raise material considerations of sufficient significance to withhold planning permission.

Taking account of the above, it is recommended that planning permission be approved subject to conditions.

A full report is provided in Appendix A.

---

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

---

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

**The proposal is considered to be consistent with the relevant provisions of the Development Plan and there are no other material considerations of sufficient significance, including issues raised by third parties, to indicate that it would be appropriate to withhold planning permission having regard to Section 25 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 (If yes provide detail below)

---

**Author of Report:** L Cuthbertson **Date:** 02.08.2024

**Reviewing Officer:** Peter Bain **Date:** 07.08.24

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

**CONDITIONS AND REASONS RELATIVE TO APPLICATION REF. NO. 21/02265/PP****Standard Time Limit Condition** (as defined by Regulation)**Standard Condition on Soil Management During Construction****Additional Conditions****1. PP - Approved Details & Standard Notes – Non EIA Development**

The development shall be implemented in accordance with the details specified on the application form dated 25.10.2021; 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.

Plan Title.	Plan Ref. No.	Version	Date Received
Site Plan As Existing	10/010	Rev A	18.03.2024
Site Plan as Proposed	20/001	Rev E	18.03.2024
Site Plan as Proposed 1:500	20/001		
Site Plan as Proposed 1:5000	20/001	Rev E	18.03.2024
Farmhouse & Barn Plan As Existing	20/001	Rev B	18.03.2024
Farmhouse & Barn Elevations As Existing	20/001	Rev A	01.12.2021
Farm Guesthouse Barn Elevations as Proposed	20/001	Rev C	18.03.2024
Farmhouse & Barn Plan as Proposed	20/001	Rev C	18.03.2024
Drainage and water supply layout	21-017-20	Rev C	18.03.2024
Landscape Planting Plan			18.03.2024
Cottage A1 Elevation as Proposed	20/001	Rev A	18.03.2024
Cottage A1, Plan as Proposed	20/001	Rev A	18.03.2024
Cottage A2 Elevations as Proposed	20/001	Rev A	18.03.2024
Cottage A2 Plan as Proposed	20/001	Rev A	18.03.2024
Cottage C Elevations as Proposed	20/001	Rev A	18.03.2024
Cottage C Plan as Proposed	20/001	Rev A	18.03.2024

Section as Proposed	20/001	Rev E	18.03.2024
Rendered Visualisations			18.03.2024

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

## 2. **PP – Vehicular Access**

No development shall commence until plans and particulars of the means of vehicular access to serve the development have been submitted to and approved by the Planning Authority in consultation with the Roads Authority. Such details shall incorporate:

- i) Details of upgrades to the existing private access track (within ownership control of the applicant) with intervisible passing places required at intervals of no more than 150m. Track width to be a minimum of 3.7m. Level 2m verge/step off on one side of track required;
- ii) Total length of unpaved access track (within ownership control of the applicant) surface requires upgrade including grading/leveling of surface, voids, potholes, rutting to be filled, levelled and compacted, using bituminous bound material and regularly maintained as required;
- iii) Details of parking and turning for two vehicles for each of the proposed self catering units; parking and turning for three vehicles for the farmhouse and 2 for the barn conversion;
- iv) Details of a turning head to Figure 18 of the Roads Development Guide to be provided within the farm yard area

The upgrades to the existing private access track (within ownership control of the applicant) shall be completed prior to the development first being brought into use.

*Reason: In the interests of road safety.*

## 3. **PP – Surface Water Drainage – Further detail required**

Notwithstanding the provisions of Condition 1, no development shall commence until details of the intended means of surface water drainage to serve the development have been submitted to and approved in writing by the Planning Authority.

The duly approved scheme shall be implemented in full concurrently with the development that it is intended to serve and shall be operational prior to the occupation of the development and maintained as such thereafter.

Reason: To ensure the provision of an adequate surface water drainage system and to prevent flooding.

Note to Applicant:

Regard should be had to SEPA's consultation comments in relation to the proposed development.

## 4. **PP – Landscaping Scheme and Biodiversity Enhancement Measures**

No development shall commence until a scheme of boundary treatment, surface treatment and landscaping has been submitted to and approved in writing by the Planning Authority. The scheme shall comprise a planting plan and schedule which shall include details of:

- i) Existing and proposed ground levels in relation to an identified fixed datum;
- ii) Existing landscaping features and vegetation to be retained; Details shall include tree protection measures to ensure that the trees which are located along the boundary of the eastern side of plot 7 are retained and maintained in perpetuity.
- iii) Location design and materials of proposed walls, fences and gates;
- iv) Proposed soft and hard landscaping works including the location, species and size of every tree/shrub to be planted;
- v) A programme for the timing, method of implementation, completion and subsequent on-going maintenance;
- vi) A biodiversity statement demonstrating how the proposal will contribute to conservation/restoration/enhancement of biodiversity, and how these benefits will be maintained for the lifetime of the development.

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.

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.

All physical biodiversity enhancement measures (bird nesting boxes, 'swift bricks', wildlife ponds, bat and insect boxes, hedgehog homes etc.) shall be implemented in full before the development hereby approved is first brought into use.

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 following the development first being brought into use.

The biodiversity statement should refer to [Developing with Nature guidance | NatureScot](#) as appropriate.

*Reason: To assist with the integration of the proposal with its surroundings in the interest of amenity and in order to comply with the requirements of NPF4 Policy 3.*

### **Note to Applicant**

The applicant is advised to observe the content of the consultation response which has been received from the Councils Biodiversity Officer.

## 5. **PP – Finishing Materials**

Notwithstanding the effect of Condition 1, no development shall commence until written details of the proposed external finishing materials to be used in the construction of the proposed development including details of the proposed decking have been submitted to and approved in writing by the Planning Authority. The development shall thereafter be completed using the approved materials or such alternatives as may be agreed in writing with the Planning Authority.

*Reason: In order to integrate the development into its surroundings.*

## 6. **PP – Private Water Supply**

No development shall commence until an appraisal of the wholesomeness and sufficiency of the intended private water supply and the system required to serve the development has been submitted to and approved in writing by the Planning Authority.

The appraisal shall be carried out by a qualified hydrologist and shall include a risk assessment having regard to the requirements of Schedule 4 of the Private Water Supplies (Scotland) Regulations 2006 which shall inform the design of the system by which a wholesome and sufficient water supply shall be provided and maintained. The appraisal shall also demonstrate that the wholesomeness and sufficiency of any other supply in the vicinity of the development, or any other person utilising the same source or supply, shall not be compromised by the proposed development.

The development shall not be brought into use or occupied until the required water supply system has been installed in accordance with the agreed specification and is operational.

Reason: In the interests of public health and in order to ensure that an adequate private water supply in terms of both wholesomeness and sufficiency can be provided to meet the requirements of the proposed development and without compromising the interests of other users of the same or nearby private water supplies.

Note to Applicant:

Regulatory requirements for private water supplies should be discussed with the Council's Environmental Health Officers in the first instance.

## 7. **PP – Outdoor Access Plan**

No development shall commence until a detailed Outdoor Access Plan of public access across the site (as existing, during construction and following completion) has been submitted to, and approved in writing by, the Planning Authority. The plan shall include details showing:

- i) All existing access points, paths, core paths, tracks, rights of way and other routes (whether on land or inland water), and any areas currently outwith or excluded from statutory access rights under Part One of the Land Reform (Scotland) Act 2003, within and adjacent to the application site;
- ii) Any areas proposed for exclusion from statutory access rights, for reasons of privacy, disturbance or effect on curtilage related to proposed buildings or structures;

- iii) All proposed paths, tracks and other routes for use by walkers, riders, cyclists, all-abilities users, etc. and any other relevant outdoor access enhancement (including construction specifications, signage, information leaflets, proposals for on-going maintenance etc.);
- iv) Any diversion of paths, tracks or other routes temporary or permanent, proposed as part of the development (including details of mitigation measures, diversion works, duration and signage).

The approved Outdoor Access Plan, and any associated works, shall be implemented in full prior to the first occupation of the development or as otherwise may be agreed within the approved plan.

Reason: In order to safeguard public access both during and after the construction phase of the development.

### **Note to Applicant**

The applicant is advised to observe the consultation response which has been received from the Council's Access Manager.

## **8. PP – Contaminated Land**

No development shall commence until an assessment of the condition of the land has been undertaken, submitted and approved in writing by the Planning Authority. The assessment shall determine the nature and extent of any contamination on the site and identify any potential risks to human health, the water environment, property or designated ecological sites.

Where contamination is identified, then a detailed remediation scheme to bring the site to a condition suitable for the intended use must be prepared and be subject to the approval in writing of the Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Any approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development with the exception of those actions required to carry out remediation unless otherwise agreed in writing by the Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation must be produced, and is subject to the approval in writing of the Planning Authority.

Reason: In order to ensure that contamination issues on the site have been fully investigated and remediated.

Note to Applicant:

- Regulatory requirements for land contamination issues should be discussed with the Council's Environmental Health Officers in the first instance.

- 9. The floating jetty shall be used solely for recreational purposes by the residents of Rockhill Farm Estate and for no commercial purposes.



Reason: To define the permission on the basis of the Planning Authority's assessment of the use applied for.

10. That the Farm Guesthouse (1) and Barn Conversion (4), as annotated on Drawing No 20/001, Rev E – Site Plan As proposed, shall not be subdivided and used solely for the provision of 2 separate self catering holiday letting units.

Reason: To define the permission on the basis of the Planning Authority's assessment of the use applied for.

#### 11. **PP– Short Term Residential Accommodation (e.g. Holiday Letting)**

Notwithstanding the provisions of Class 9 of the Town and Country Planning (Use Classes) (Scotland) Order 1997 the residential accommodation hereby approved shall be used for short term holiday occupancy only and not as a main residence and shall not be occupied by any family, group or individual for a cumulative period of more than three calendar months in any one year. A register showing dates of arrivals and departures shall be maintained at the premises and shall be available at all reasonable times for inspection by the Planning Authority.

Reason: To define the permission on the basis of the Planning Authority's assessment of the use applied for.

Note to Applicant:

- For the avoidance of doubt this permission only provides for the occupation of the premises on a short term basis on the grounds that the development is unsuited to full time residential occupation. Specifically the occupation of the premises as a dwelling shall require the benefit of a separate planning permission.

#### 12. **PP – Site Waste Management Plan**

No development shall commence until a detailed Site Waste Management Plan (SWMP) during construction has been submitted to, and approved in writing by, the Planning Authority. The plan shall include details for the management of pollution prevention monitoring and mitigation measures for all construction activities

The approved SWMP shall be implemented in full prior to the first occupation of the development or as otherwise may be agreed within the approved plan.

Reason: In order to ensure that effective provision for waste/recycling is provided.

13. No development shall commence until full details of any external lighting to be used within the site has been submitted to and approved in writing by the Planning Authority. Such details shall include the location, type, angle of direction and wattage of each light which shall be so positioned and angled to prevent any glare or light spillage outwith the site boundary.

No external lighting shall be installed except in accordance with the duly approved scheme.

Reason: In order to avoid light pollution in the interest of amenity.

Note to Applicant:

All external lighting should be designed in accordance with the Scottish Government's Guidance Note "Controlling Light Pollution and Reducing Light Energy Consumption" 2007, Annexes A and B. Site specific advice may be obtained by contacting the Council's Environmental Health Officers.

14. Notwithstanding the provisions of Condition 1, co construction plant and/or machinery shall be operated on the site outwith the following times:
- Monday to Friday: 08:00-18:00
  - Saturday: 08:00-13:00
  - Sunday: No noisy work to be carried out at any time

Reason: In order to protect the amenity of the area in terms of nuisance..

<b>COMMITTEE REPORT APPENDIX A – RELATIVE TO APPLICATION NUMBER:</b>	<b>21/02265/PP</b>
<b>PLANNING LAND USE AND POLICY ASSESSMENT</b>	

## 1. Introduction

- 1.1. The proposal which is the subject of this planning application is seeking planning permission for the proposed redevelopment of barn and farmhouse to form self-catering tourist accommodation together with erection of self-catering tourist accommodation (3 units), installation of floating jetty, landscaping and associated infrastructure works.

It is important to note that the proposed development has been reduced in scale during the processing of this application. The application originally proposed the demolition of existing farm outbuildings, alterations, change of use and extension of existing barn and farmhouse to form self-catering tourist accommodation, erection of 6 self-catering tourist accommodation cottages, retrospective installation of floating jetty, installation of septic tanks and bio disc treatment plant. Three of the proposed self-catering tourist accommodation units have now been omitted from the application as a result of issues pertaining to flood constraints within the site. The proposals which are the subject of this application are detailed in section 3 below.

## 2. Settlement Strategy

- 2.1. In terms of the adopted 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.

Policy 02 further states that certain development will be supported, generally without the need for detailed environmental assessments, with these comprising, infill, redevelopment opportunities of clusters; or previously developed sites.

In CAs, where there are nature conservation or landscape designations in place, Policy 02 details that development proposals will have to demonstrate that they are compatible with the designation interests.

The site lies within a designated Local Landscape Area (LLA) (formerly Area of Panoramic Quality) where LDP2 seeks to promote a flexible approach to small scale development in the Countryside through Policies 02 and 71 which clarify when the planning authority may require submission of a Landscape Visual Impact Assessment (LVIA). In this instance the proposed development is not considered likely to have a significant adverse effect upon the LLA designation. The assessment of landscape matters is set out in Section 5.4 below.

LDP2 Policy 23 sets out a general presumption in favour of new or improved tourism facilities and accommodation. A detailed assessment of the matters identified under LDP2 Policy 23 are addressed within Section 5.13 below.

## 3. Application Site

The site is located within Rockhill Farm which is a landholding comprising approximately 130 acres of agricultural grazing land with areas of woodland and associated structures. Rockhill Farm is located on the southern side of Loch Awe, west of Claddich and is accessed from a privately owned track which runs from the B840. There is a farmhouse and 2 residential cottage properties which form a cluster of development within the northern part of the farm. A large barn was previously attached to the farmhouse which has recently been demolished which formed part of prior approval application ref 22/02299/PACOUA. Prior approval was granted on the 20<sup>th</sup> of December 2022 for the change of use of an existing agricultural building to form a dwellinghouse. The demolition of this building did not require the benefit of planning permission. This grant of prior approval is no longer able to be implemented as a result of the barn being demolished.

As well as being used for agricultural grazing, Rockhill Farm previously operated as one of the UK's largest stud farms and accommodated a significant number of sheds and outbuildings, associated with this previous use, located across the farm estate. The majority of these sheds and structures have been removed by the applicant. However some of these structures do remain. Enclosed with our client's application are drawings which evidence the proliferation of structures associated with the site's previous stud farm use, together with the current arrangements on site.

Rockhill Farm occupies a large area of ground that is elevated at the southern side, dropping towards the shores of Loch Awe. The application site lies in the foreground of the farm to the north. The existing farmhouse and buildings are located on the flattest part of the farm in a set back position overlooking the loch. The farmhouse is currently vacant and dilapidated, most recently functioning as an eight bedroom bed and breakfast while the two cottage premises have been previously used for residential lettings and are currently used for the provision of self-catering tourist accommodation.

To the south of Rockhill Farm is the minor settlement of Arbrecknish which includes a mixture of dwellinghouses, tourist accommodation and Arbrecknish House Hotel. Rockhill Farm is located to the north of Arbrecknish and has a distinctive isolated character being well separated from the minor settlement. Beyond Arbrecknish, the local area is predominantly rural although it is home to various built developments, many of which have frontage to, or which overlook the loch. To the immediate west of the application site is Loch Awe Boats, a boat hire and marina business, which has direct access onto the loch. This commercial operation also includes areas of hardstanding, a loch side timber cabin, associated moorings and jetties.

The land at Rockhill has an undulating topography, and in general terms, the land falls from south to north with the farm estate sitting at a much lower level than the B840 to the south. The land around the existing farm buildings, and towards the loch shore, is generally level, with a gentle fall towards the edge of the loch. Running along the loch shore are a number of mature trees and areas of soft landscaping, while there are also expansive areas of mature trees and planting to the east and south east of the existing buildings.

#### **4. Proposed Development**

The proposed development which is the subject of this application has been reduced in scale. The application originally proposed the demolition of existing farm outbuildings, alterations, change of use and extension of existing barn and farmhouse to form self-catering tourist accommodation, erection of 6 self-catering tourist accommodation cottages, retrospective installation of floating jetty, installation of septic tanks and bio disc treatment plant. Three of the proposed self-catering tourist accommodation units have now been omitted from the application. The current application comprises of the following:

- Redevelopment of barn to form self catering holiday unit (including demolition of barn)
- Redevelopment of farmhouse to form self catering holiday unit
- Erection of three self catering holiday units
- Installation of floating jetty (retrospective)
- Formation of hardstanding circulation space
- Utilisation of existing vehicular access
- Provision of vehicular parking
- Installation of water tank
- Provision of private water supply
- Installation of bio disc treatment plant

The existing farmhouse and attached barn are the principle buildings on the site. It is proposed to demolish the existing farmhouse within the site which is in a dilapidated condition. The farmhouse is a one and a half storey building which is of traditional design predominantly finished in stone with a slate roof and extensions with concrete tile roofs. A single storey stone barn has been demolished which was attached to the western side of the farmhouse building which formed part of prior approval application ref 22/02299/PACOUA as detailed above. It is also proposed to demolish the existing farmhouse building and to then build a replacement building which will site on the exact same footprint of the farmhouse and previously attached barn. The replacement building will comprise of two separate self catering holiday units. The proposed building will slightly overlap the footprint of the building which is to be demolished. The building will be split into two with one occupying the barn part of the site and one occupying the farmhouse part of the site. The proposed self catering holiday unit at the barn part of the site will be single storey in height and will comprise of: a kitchen with a mezzanine; an entrance; a sauna with a toilet; and four en-suite bedrooms. The proposed self catering holiday unit at the farmhouse part of the site will be largely single storey with a one and three quarter section at the rear southern end of the building will comprise of: two kitchens (one with an integral living room); an entrance hall; one saunas; two w/c's; two bathrooms; 2 shower rooms; utilities room and three bedrooms (two with en-suite facilities). There are a small number of rooms on the ground floor in this part of the building which have not been titled and their use is uncertain. This self catering holiday unit has a number of entrance points to the building and a planning condition will be required to ensure that this unit is used as a single short term holiday letting unit and not subdivided for parts to be occupied separately.

The proposed self catering units will have a similar appearance when viewed from the loch to the north as the building which it is proposed to replace. The plans indicate that the roof will be finished with part natural slate and part standing seam metal sheeting.

It is proposed to erect three detached self catering units within the site on land to the west of the two existing self catering units which are located to the immediate west of the farmhouse building which are annotated as plots 5 (A1), 6 (A2) and 7 (Cottage C) on the proposed site plan.

The proposed self catering unit at plot 5 (A1) will be single storey in height and will have a pitched roof with gable ends. The unit will incorporate a large element of glazing on the front facing northern elevation in order to maximise the views over the loch. The overall design and form is contemporary in character which reflects the agricultural vernacular of the application site. The walls will be clad using Scottish larch and the roof will be finished with a standing seam cladding. An area of decking will be formed at the front of the proposed unit and will wrap around the north eastern corner.

The proposed self catering unit at plot 6 (A2) will be similar in design and scale as the proposed self catering unit at lot 5 (A1). This unit will orientated slightly differently taking into account the form of the access track. The proposed unit will incorporate a large element of glazing on the front facing northern elevation in order to maximise the views over the loch. The overall design and form is contemporary in character which reflects the agricultural vernacular of the application site. The walls will be clad using Scottish larch and the roof will be finished with a standing seam cladding. An area of decking will be formed at the front of the unit and will wrap around the north eastern corner. An area of decking will be formed at the front of the proposed unit

The proposed self catering unit at plot 7 (Cottage C) will take a slightly different form being one and a half storeys in height and will have a shallow pitched roof. The first floor will incorporate windows on both the north and south facing elevations that will join onto windows in the roof in order to maximise views and light. The rear south facing elevation will incorporate a small projection which will incorporate a roof terrace. The proposed unit will incorporate a large element of glazing on the front facing northern elevation in order to maximise the views over the loch. The overall design and form is contemporary in character which reflects the agricultural vernacular of the application site. The walls will be clad using Scottish larch and the roof will be finished with a standing seam cladding. An area of decking will be formed at the front of the unit and will wrap around the north eastern corner. An area of decking will be formed at the front of the proposed unit which will wrap around the north eastern corner.

A condition will be required in order to ensure that the specific finishing details of the proposed units and decking areas are submitted for the written approval of the Planning Authority prior to the commencement of development at the site.

The proposed units will be positioned in a similar set back position as the existing buildings to the east and will be set back against an existing farm track which runs to the west of the existing self catering units which are located to the west of the farmhouse. Plots 5 and 6 are areas of land which sit at a slightly higher level than the existing buildings at the farm. The farm track gently rises to the west where the ground is slightly more elevated. Plot 7 is an area of land which is set further along the access track on an area of higher ground which is slightly set apart from plots 5 and 6. Plot 7 occupies the upper corner of an undulating rugged area of ground that is backdropped with a small hill at the immediate rear southern side. There is a row of semi mature scots pine trees which run along the boundary of the eastern side of plot 7 which will also provide this part of the site with a backdrop. It is considered that the small hill to the rear southern side of this plot coupled together with the row of trees to the immediate eastern side of the plot will ensure that the proposed self catering unit proposed to be erected at this site will be well integrated with the surrounding landscape.

A floating jetty has been installed at the north western part of the site in Loch Awe. This jetty has been installed by the applicant. The supporting Design Statement specifies that this jetty is approximately 10 metres in length and does not require any fixtures or fittings which connect with the bed of the loch. The jetty is connected to the loch shore fixed via two small posts where the shore meets the land. This jetty is fairly minor in nature and does not have any impact on the landscape and is considered to be acceptable at this location. A condition will be required in order to ensure that the jetty is used solely for the recreational purposes of the occupants of Rockhill Farm and not for any commercial purposes.

The applicant is also proposing additional landscaping and planting within the site seeking to aid landscape value to the farm. A Landscaping plan has been submitted in support of



the application. This plan is lacking in detail and however an augmented Landscaping Plan can readily be secured via planning condition and has been requested by the Biodiversity Officer. Details of tree protection measures will also be required to be submitted in order to ensure that the trees which are located along the boundary of the eastern side of plot 7 are retained and maintained in order to assist with the integration of proposed development within the surrounding landscape.

## 5. Compliance with National and Local Development Plan 2 Policy

Argyll and Bute 'Local Development Plan 2' (LDP2) was adopted on 28 February 2024 which, together with NPF4 which was adopted on 13 February 2023, represent the Development Plan providing the policy background against which proposed developments are assessed.

The proposal is assessed against the relevant NPF4 Policies below which include details of the associated LDP2 policies.

### 5.1. NPF4 - Policy 1 – Tackling the Climate and Nature Crises

NPF4 Policy 1 seeks to prioritise the climate and nature crises in all decisions; it requires to be applied together with other policies in NPF4.

Guidance from the Scottish Government advises that it is for the decision maker to determine whether the significant weight to be applied tips the balance in favour for, or against a proposal on the basis of its positive or negative contribution to climate and nature crises.

**In this case, given the small scale nature of the development proposed and its alignment with all other relevant policies in NPF4 and those supporting policies in the adopted LDP, it is considered that the development proposed would be in accordance with the broad aims of NPF4 Policy 1 as underpinned by Policies 02 and 04 of pLDP2.**

### 5.2. NPF4 Policy 2 – Climate, Mitigation and Adaption

NPF4 Policy 2 seeks to ensure that new development proposals will be sited to minimise lifecycle greenhouse gas emissions as far as possible, and that proposals will be sited and designed to adapt to current and future risks from climate change.

Guidance from the Scottish Government confirms that at present there is no single accepted methodology for calculating and / or minimising emissions. The emphasis is on minimising emissions as far as possible, rather than eliminating emissions. The Spatial Settlement Strategy set out within LDP2 seeks to deliver sustainable levels of growth by steering the majority of development to our existing settlements as these are where the most of our current infrastructure, services, employment opportunities, housing and community facilities are to be found, however LDP2 recognises that there are instances where a different approach to significant development has to be taken particularly where existing infrastructure or services are at capacity and where a more sustainable option would be to provide new facilities elsewhere.

**It is considered that the proposed development would be consistent with Policy 2 of NPF4 having had due regard to the specifics of the development proposed and to the overarching planning policy strategy outlined Policies 02, 04 and 09 of LPD2.**



### 5.3. NPF4 Policy 3 - Biodiversity

NPF4 Policy 3 seeks to protect biodiversity, reverse biodiversity loss and deliver positive effects from development and strengthen nature networks.

The applicant has submitted a Survey for Otters & Birds and Potential Roost Assessment for Bats, a Tree Plan and a Sustainability Checklist in support of the proposed development.

Scottish natural Heritage (SNH) have been consulted and have advised that the proposal does not meet with their criteria for consultation.

The Councils Biodiversity Officer has been consulted and has raised no objections to the proposed development and has provided comments on each report which is as follows:

#### Survey for Otters & Birds and Potential Roost Assessment for Bats

The findings of the surveys and the mitigation are acceptable. The survey recommends that if works do not begin within 18 months of the report then a survey for otter should be repeated. The proposed self catering units which were proposed to be sited near the Loch and beside the watercourse at the eastern side of the site have been omitted from the application and so it is considered that such a condition will no longer be necessary. The Biodiversity Officer has provided advice with regards to working practices and protocols for the developer to follow during construction works which will be added on as a note to the applicant. The Biodiversity Officer welcomes the addition of Barn Owl boxes and bat boxes within the site.

#### Tree Plan (4<sup>th</sup> of August 2021)

It is noted that one of the Ash trees (with signs of rotting and Ash die back) is recommended for felling as it is considered dangerous – this is acceptable along with a pre-felling survey for the presence of bats. The tree protection proposal is acceptable. I advise that contractors are made aware and implement the plan prior to work commencing. A note to the application will be required to relay this advice.

A Landscaping and Planting Plan has been submitted further to consultation with the Biodiversity Officer. This plan is lacking in detail and shows an element of tree planting. Previous to this the Biodiversity Officer had advised that a Landscape Planting Plan could be requested via a planning condition.

The supporting Design and Access Statement states that the proposed development seeks to embrace opportunities for biodiversity and a series of opportunities within the application site have been identified with a view to delivering biodiversity benefits. Specifically, the proposals involve extensive areas of new landscaping and planting, as illustrated on the enclosed plans. Our client has identified areas within the existing estate, which will be enhanced by new plantings to connect with existing areas of habitat. It is also proposed to introduce bat and swift boxes and 'bug hotels' to further support biodiversity.

With regards to the need in NPF4 Policy 3 to secure biodiversity improvements, it is not considered that there are any issues of compliance with Policy 3. No material biodiversity impacts have been identified in the assessment of this application by the Planning Authority.

**Notwithstanding the plans, supporting information and biodiversity checklist submitted with the application, the Planning Authority is of the opinion that the proposed development provides the opportunity to provide further biodiversity**

**enhancement and protection could be delivered by planning condition which would align with the broad aims of NPF4 Policy 3 and be consistent with the requirements of LDP2 Policy 73, Development Impact on Habitats, Species and Biodiversity.**

#### **5.4 NPF4 Policy 4 – Natural Places**

NPF4 Policy 4 seeks to protect, restore and enhance natural assets making best use of nature-based solutions.

Part (a) of Policy 4 states that development proposals which by virtue of type, location or scale will have an unacceptable impact on the natural environment, will not be supported.

Part (d) of Policy 4 states that development proposals that affect a site designated as a local nature conservation site or landscape area in the LDP will only be supported where:

- i. Development will not have significant adverse effects on the integrity of the area or the qualities for which it has been identified; or
- ii. Any significant adverse effects on the integrity of the area are clearly outweighed by social, environmental or economic benefits of at least local importance.

The proposed development is not within any designated European site of natural environment conservation or protection, it is not located within a National Park, a National Scenic Area a SSSI or RAMSAR site, or a National Nature Reserve. Neither is it located within a site designated as a local nature conservation site or within an area identified as wild land.

The site is however located within a designated Local Landscape Area (LLA). LLAs are designated to safeguard and enhance the character and quality of a landscape that is valued locally or regionally. The site is located within the North Argyll Local Landscape Area (LLA) formerly known as the North Argyll Area of Panoramic Quality (APQ). The landscape at this location is predominantly rural in nature comprising of area of grazing and and forestry, with no definitive settlement pattern. Development is sporadic within this landscape either being set along the B840 public road or the shores of Loch Awe. The Rockhill Farm Estate occupies a large area of ground which is undulating in form and in many senses it is similar in nature to that of a low lying peninsula when viewed from the west. The whole of the Rockhill Estate is relatively well backdropped and well contained within the surrounding landscape as it is set on the forefront of a large hill that runs parallel to the Loch.

A Design and Access Statement has been submitted in support of the proposed development. The site has been visited on a number of occasions as part of enforcement investigations, the previously submitted application which has been withdrawn and the current proposal which is the subject of this application. A Sustainability Checklists and Sustainability Buildings Checklist have also been submitted in support of the proposed development.

From the information which has been submitted it has been concluded by officers that no further information is required in terms of landscape or visual impacts. The site is not a highly visible within the landscape which has been demonstrated by the applicant and has been experienced by Officers on the ground.

Overall it is considered that the proposed development would be of an appropriate scale to the natural and built surroundings and would integrate appropriately with the landscape setting. The development would be visually associated with the existing cluster of development which is existing at Rockhill Farm. The form of the proposed development

would respect the surrounding built developments at the farm. The site is not highly visible from any key viewpoints with views being limited to long distance views from Loch Awe which are framed in the site's wider context. The site when viewed from glimpsing long term views from the north is significantly backdropped as it is set against a large hillside which is contained within a vast highland mountainous backdrop. It is therefore the considered opinion of the Planning Authority that the proposal will not result in any significant adverse effects on the integrity of the area or the qualities for which it has been identified.

The proposed development is considered to be consistent with NPF4 Policy 4 and does not conflict with Policy 71, Development Impact on Local Landscape Areas (LLA's)

## 5.5 NPF4 Policy 7 – Historic Assets and Places

NPF4 Policy 7 seeks to protect and enhance historic environment assets and places, and to enable positive change as a catalyst for the regeneration of places.

Part (h) of Policy 7 states that development proposals affecting scheduled monuments will only be supported where:

- i. Direct impacts on the scheduled monument are avoided;
- ii. Significant adverse impacts on the integrity of the setting of a scheduled monument area avoided;
- iii. Exceptional circumstances have been demonstrated to justify the impact on a scheduled monument and its setting and impacts on the monument or its setting have been minimised.

Policy 19 of the LDP2 sets out a presumption against development that does not retain, protect, conserve or enhance a Scheduled Monument and the integrity of its settings. Developments that have an adverse impact on Scheduled Monuments or their settings will not be permitted unless there are exceptional circumstances. New development on sites affecting the settings of scheduled monuments must respect their architectural, historic and other special qualities and conform to the national policies and guidance including but not limited to the 'Related Documents'.

The developer is expected to satisfactorily demonstrate to the planning authority that the effect of a proposed development on a scheduled monument and its wider setting has been assessed and that measures will be taken to protect, conserve and where appropriate enhance the special interest of the asset. The use of appropriate setting analysis, design statements, character appraisals and conservation plans are expected to facilitate this assessment.

Part (o) of Policy 7 states that non-designated historic environment assets, places and their setting should be protected and preserved in situ wherever feasible. Where there is potential for non-designated buried archaeological remains to exist below a site, developers will provide an evaluation of the archaeological resource at an early stage so that planning authorities can assess impacts. Historic buildings may also have archaeological significance which is not understood and may require assessment. Where impacts cannot be avoided they should be minimised. Where it has been demonstrated that avoidance or retention is not possible, excavation, recording, analysis, archiving, publication and activities to provide public benefit may be required through the use of conditions or legal/planning obligations. When new archaeological discoveries are made during the course of development works, they must be reported to the planning authority to enable agreement on appropriate inspection, recording and mitigation measures.

There is a Scheduled Monument known as Rockhill Farm crannogs, 750m North East and 200m North of comprising the remains of two crannogs off the southern shore of Lochawe. The monument is of national importance because the two crannogs, being waterlogged, are likely to be rich in archaeological information relating to their construction and usage. In addition they are part of a large group of crannogs in Loch Awe which together can tell us more about social organisation of the time than any site viewed in isolation.

There is also a cairn which is located to the west of the application site which is also a Scheduled Monument. This monument survives as a large artificial mound 16m in diameter which is characteristic of prehistoric burial cairns around Loch Awe, situated in a prominent position commanding views across the loch. Like similar monuments nearby, it shares a visual relationship with other cairns around the loch and nearby areas of good agricultural ground.

Historic Environment Scotland (HES) have been consulted and have not raised any objections to the proposed development. Whilst not raising any objections HES have made it clear that their decision not to object should not be taken as support for the proposed development. HES have advised that this planning application should be determined in accordance with national and local policy on development affecting the historic environment together with related policy guidance.

HES in their response to the current planning application have advised that the extensive comments that they provided on 31<sup>st</sup> of May 2021 for the previous planning application ref 21/00361/PP at the site, remain valid and should be referred to. This is with the exception of the comments relating to Cottage C (plot 7), as the current application has provided more information on this aspect of the proposal. HES have advised that the supplied visualisation of Cottage C (plot 7) from Rockhill Farm cairn is helpful, demonstrating that this building, despite its size, would be tucked beneath the skyline when viewed from the monument. Therefore, while Cottage C would result in a detrimental impact on the setting of the cairn, its impact would be lessened in this position.

HES had advised in their response to planning application ref 21/00361/PP that the crannog which is located 750m North East of Rockhill Farm would not be affected by the proposed development. HES advised that the proposed Loch Cottage (which has been constructed at the site) would be positioned approximately 50m to the south of the part of the monument 200m of Rockhill Farm. This close proximity means that the proposed development would be located in the sensitive views, south from the monument, over the related agricultural ground at the loch edge. Though single storey, the close proximity of this building to the monument would result in a change to the setting of the monument. By changing the character of the area, this would detract from the crannog's relationship with the agricultural land to the south. HES concluded that Loch Cottage and Cottage C would detrimentally affect the settings of, respectively Rockhill Farm Crannog and Rockhill Farm Cairn respectively and whilst the impacts caused by these elements do not raise issues of national interest such that they would object. Loch Cottage now no longer forms part of this application for Flood Risk reasons. The additional information provided by the applicant has demonstrated that any detrimental impact that Cottage C may have (plot 7) on Rockhill Farm Cairn would be lessened in this position.

HES in response to the current application have also advised that any proposed jetty opposite Building 5 (Loch Cottage) would have a significant impact on the crannog's immediate setting, with the risk of subsequent physical impacts through passing boat traffic. The current proposal does not include the provision of any jetty near the location where Building 5 (Loch Cottage) was previously proposed and no longer forms part of this

application. HES have offered no comments with regards to the proposed floating jetty which has been installed on the foreshore at the north western end of the site.

The proposed development has been reduced in scale with three of the proposed self catering units being omitted from the overall proposal. The three units which have been omitted from the proposal are Loch Cottage (which has been constructed at the site), Loch View Cottage and Cottage B. Both Loch Cottage and Loch View Cottage were the units proposed to be sited near the foreshore of Loch Awe. The omission of Loch Cottage will ensure that the setting of the crannog monument will be preserved which addresses some of the concerns raised by HES. HES had not raised any concerns with regards to Loch View Cottage. The applicant has detailed in the supporting Design and Access Statement that the alignment of Cottage C (plot 7) has been purposefully selected so only the narrowest elevation is visible from the cairn, with the property designed to sit below the skyline so that it does not protrude higher than the hill behind it. Furthermore, the recessively coloured palette of materials is considered appropriate to the site's rural location, helping to ensure the integration of the proposed development into its countryside setting, reducing visibility and prominence within views into the site, particularly from Loch Awe. It is considered that the applicant has demonstrated that Cottage C (plot 7) will not have a direct on Rockhill Farm Cairn and that any detrimental impact will be lessened in this position within the site.

WOSAS have not offered comments in response to the proposed development.

The proposed development aligns with NPF4 Policy 7 and does not conflict with Policy 19 and 24 of LDP2.

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

NPF4 Policy 9 seeks to encourage, promote and facilitate the reuse of brownfield, vacant and derelict land and empty buildings, and to help reduce the need for greenfield development.

Part (a) of Policy 9 states that 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.

Part (d) of NPF4 Policy 9 notes the need to conserve embodied energy in order to give significant weight to the climate emergency as required by NPF4 Policies 1 and 2 and therefore it sets out that demolition will be the least preferred option, but does not expressly prohibit it. In this regard, as the existing building is not currently a Listed Building, or situated within a Conservation Area it does not benefit from any statutory protection which would prevent its demolition.

Policy 05 of LDP2 identifies that new development cannot be considered in isolation. It requires an intelligent response to its location, giving full consideration to the surrounding environment in terms of infrastructure, land uses, available community facilities, connectivity, the existing neighbourhood character, scale and density and views

The development proposed by this application is considered to be development that will facilitate the use of a derelict farm which is inhibited by a number of empty dilapidated buildings largely on a brownfield site by virtue of the fact that it is a proposal seeking to redevelop an existing dilapidated farmhouse and barn which form part of a cluster of buildings within the Rockhill Farm Estate. The additional 3 self catering units will be sited in relatively close proximity to the farmhouse and barn on the land to the west. The applicant has advised that the sites which the proposed self catering units will be sited on



have previously accommodated outbuildings/sheds. These outbuildings/sheds have been removed from the site. In land use terms the proposed small scale tourism development is compatible with the surrounding land use which is a farm which is the subject of tourism diversification. It is considered that the site presents an opportunity for development that would embrace the existing characteristics, with the design complementing its surroundings in terms of density, appearance, height, scale, masses and finishes.

**The proposed development aligns with NPF4 Policy 9 and does not conflict with Policies 02 and 05 of LDP2.**

### **5.7 NPF4 Policy 12 – Zero Waste**

NPF4 Policy 12 seeks to encourage, promote and facilitate development that is consistent with the waste hierarchy as defined within the policy document.

Policy 63 of LDP2 requires the provision of waste management within development sites. Development is required to make effective land use and layout provision for the storage, separation, recycling, composting and collection of waste with developers ensuring that the minimisation of waste generated during construction and demolition by the production of Site Waste Management Plans (SWMPs).

The development the subject of this planning application seeks to secure permission for the proposed redevelopment of barn and farmhouse to form self-catering tourist accommodation together with erection of self-catering tourist accommodation (3 units), installation of floating jetty, landscaping and associated infrastructure works.

The supporting Design and Access Statement specifies that the proposals will seek to utilise materials with a high recyclable content. Furthermore, the proposals incorporate the use of prefabricated, demountable components to minimise site waste and to reduce construction times. A condition will be required to ensure that a SWMP is submitted

Whilst this is a development likely to generate waste when operational, it will already benefit from regular waste uplifts by the Council and will be expected to comply with our adopted and enforced recycling and reuse strategy.

**The proposed development is considered to be in compliance with NPF4 Policy 12 and does not conflict with the requirements of LDP2 Policy 63, Waste Related Development and Waste Management which seek to ensure that effective provision for waste/recycling is provided within developments and the current proposal would raise no issue of conflict should permission be granted.**

### **5.8 NPF4 Policy 13 – Sustainable Transport**

NPF4 13 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.

The development is not considered to be a significant travel generating use or a proposal where it is considered important to monitor travel patterns resulting from the development.

The proposed development will utilise a private access track which is situated off the B840 East Lochaweside Road. The supporting Transport Statement gives details of the previous use of Rockhill Farm with the Farmhouse having functioned as an eight-bedroom guesthouse between 1959 and 2019 accommodating up to 24 guests with the two existing

self catering holiday cottages having been used for residential lettings and as self catering tourist accommodation. The supporting Transport Statement also states that during this time Rockhill Farm was also used for livestock rearing, agricultural grazing and as a stud farm. The applicant has submitted a letter from the previous owner of Rockhill Farm to corroborate these claims. The Area Roads Engineer has noted the content of the supporting Transport Statement and the letter provided by the previous owner.

The proposed development would result in a much less intense use of the site in terms of vehicular traffic. There is a bus stop located at the Cladich road junction on the A819 approximately 1.9 miles away from the junction at the B840 where Rockhill Farm takes its access from.. There is also a train station at Dalmally which is located approximately 6.5 miles away from the Cladich road end. There is therefore public transport facilities within the vicinity of the proposal site which could reduce the need for transport sustainably. The supporting Design and Access Statement details that the proposal site connects into an expansive network of walking routes, offering guests the opportunity to access the countryside, with consequential health benefits. The applicant has indicated in this statement that it is their intention on making cycles available to visitor to provide them with further active travel opportunities.

The applicant has worked closely with the Roads Authority to agree the proposed access regime to serve the proposed development which includes the provision of: upgrades to the existing private access track (within ownership control of the applicant) with intervisible passing places required at intervals of no more than 150m. Track width to be a minimum of 3.7m. Level 2m verge/step off on one side of track required; Total length of unpaved access track surface requires upgrade including grading/leveling of surface, voids, potholes, rutting to be filled, levelled and compacted, using bituminous bound material and regularly maintained as required; visibility splays measuring 53m x 2.4m; parking and turning for two vehicles for each of the proposed self catering units; parking and turning for three vehicles for the farmhouse and 2 for the barn conversion and the provision of a turning head to Figure 18 of the Roads Development Guide to be provided within the farm yard area.

The requirement for the provision of a condition to secure visibility splays measuring 53m x 2.4m at the junction with the public road will not be necessary. These required visibility splays are required to be maintained by the Council as Roads Authority under the Roads (Scotland) Act 1984.

Policy 32 of the LDP 2 requires active travel and recreation to be integrated in developments from the wider design process. The Land Reform (Scotland) Act (2003) (LRSA) established rights of responsible access to most land and inland water for everyone in Scotland, underpinning opportunities for active travel and recreation. The council is required to protect public access rights to and along the foreshore for all non-motorised users. Development proposals should safeguard and enhance active travel routes in a manner that is appropriate and proportionate to the specific site characteristics and the scale and impact of the proposed development on access issues.

The Council's Access Manager has been consulted and has raised no objections to the proposed development subject to the requirement of an Access Plan via planning condition. An Access Plan should contain specification for all paths and gates, an implementation plan and a habitable buildings Landscape Plan.

**With conditions to secure the requirements of the Roads Authority and the Council's Access Manager the proposed development is considered to be consistent with the broad aims of NPF4 Policy 13 and is consistent with the requirements of LDP2 Policies 32, 37, 39 and 40 of the LDP2.**



## 5.9 NPF4 Policy 14 – Design Quality and Place

NPF4 Policy 14 seeks to encourage, promote and facilitate well designed development that makes successful places by taking a design-led approach and applying the 'Place Principle'.

NPF4 Policy 14(a) details that development proposals should be designed to improve the quality of an area whether in urban or rural locations and regardless of scale with Part (b) affording support to developments where they are consistent with the six qualities of successful places: Healthy, Pleasant, Connected, Distinctive, Sustainable and Adaptable.

Part (c) details that development proposal which are poorly designed, detrimental to the amenity of the surrounding area, or inconsistent with the six qualities of successful places, will not be supported.

A statement addressing the six qualities of place has been submitted with the application as follows.

***“Healthy*** - . *In terms of creating a healthy and pleasant place, the proposed development represents a significant investment by our client in Rockhill Farm and the proposed development will enhance the environment of the farm estate. The proposed development will afford visitors access to open space, supporting healthier lifestyles and our client’s proposals actively promote connections to green spaces, including expanded woodland planting, encouraging people to interact and connect with nature.*

***Pleasant*** - *In terms of creating a healthy and pleasant place, the proposed development represents a significant investment by our client in Rockhill Farm and the proposed development will enhance the environment of the farm estate. The proposed development will afford visitors access to open space, supporting healthier lifestyles and our client’s proposals actively promote connections to green spaces, including expanded woodland planting, encouraging people to interact and connect with nature.*

***Connected*** - *In respect of connectivity, the proposed development is very much focussed on active travel and seeking to reduce car dependency. The proposals connect into an expansive network of walking routes, offering guests the opportunity to access the countryside, with consequential health benefits. It is also our client’s intention to make cycles available to visitors, providing guests with further active travel opportunities.*

***Distinctive*** - *The design, scale and massing of the proposed development takes account of the application site’s setting, and the proposed materiality of the development is consistent with site’s rural context and the recessively coloured palette of materials is considered appropriate to the site’s rural location, helping to ensure the integration of the proposed development into its countryside setting, reducing visibility and prominence within views into the site, particularly from Loch Awe.*

*Every step has been taken to minimise impacts on the landscape and the submitted proposals largely involve the development of new tourist accommodation on the site of existing and former agricultural outbuildings. Taken together with our client’s removal of various redundant agricultural buildings, the proposals result in a net reduction in the amount of built development at Rockhill Farm, something which will have a positive impact on the local landscape.*

***Adaptable*** - *The proposed self-catering accommodation units are of modular construction and can be repurposed for a range of alternative uses. For example, if needs were to*

*change over time, they could be repurposed to support agricultural activities, they could be converted to provide homes or indeed removed from the site and utilised elsewhere.*

**Sustainable** -. *The proposed development incorporates specific design measures and features that will minimise lifecycle greenhouse gas emissions and reduce climate change impacts.*

*The starting point for the project is to reduce energy demand wherever possible and the following measures are proposed in this respect:*

- *Good levels of natural daylighting will be ensured in the buildings, both to provide occupants with natural daylighting and reduce the demand for artificial lighting internally.*
- *Passive solar design: Excessive solar heat penetration in summertime shall be reduced through glazing specification, shading overhangs, and landscape shading.*
- *Excellent fabric performance for new thermal elements and openings to reduce the heat losses from the proposed building.*

*In terms of designing to adapt to current and future risks from climate change, the potential increases in temperature, wind speed and precipitation are expected to be accommodated within the current structural tolerances of the proposed development's design. Furthermore, the following mitigation measures will be implemented to lessen the impact of potentially significant climate effects on the proposed development:*

- *Building design is intended to be tolerant of increased temperature and rainfall over the design life;*
- *Site activities during the operational phase will be suspended during extreme weather events to mitigate against health and safety risks for site personnel and potential damage to structures and equipment.*

In land use terms the proposed small scale tourism development is compatible with the surrounding land use which is a farm which is the subject of tourism diversification. As detailed above the proposed development will be positioned suitably within the existing topography whilst having respect for the Scheduled Ancient Monuments which are located within the vicinity of the site. The proposed replacement farmhouse and barn building will be very similar in design and character as the former barn and farmhouse which is proposed to be demolished. The new self catering units will be contemporary in character which will reflect the agricultural vernacular of the application site. The scale of the proposed development is small scale in nature and it is considered to be relatively low key development that will respect and complement its surroundings. Overall it is considered that the proposed development will respect the existing character by taking opportunities to reinforce and embrace this throughout the sympathetic redevelopment of an existing dilapidated farm which presents an opportunity for diversification.

**The development the subject of this planning application is considered to be in accordance with the broad aims of NPF4 Policy 14 and the sustainable siting and design policies of LDP2 namely Policy 5, Design and Placemaking, Policy 08, Sustainable Siting, Policy 09, Sustainable Design and Policy 10, Design: All Development which, in summary, collectively seek to ensure that developments are compatible with surrounding land uses, are sited sensitively within the landscape making use of existing infrastructure, are of an appropriate scale, sustainable design and finishes for their site; and ensure that no adverse visual or amenity impacts arise.**

## 5.10 NPF4 Policy 18 – Infrastructure First

NPF4 Policy 18 seeks to encourage, promote and facilitate an infrastructure first approach to land use planning, which puts infrastructure considerations at the heart of placemaking.

The application indicates the provision of a private water supply with a private drainage system comprising a biodisc treatment plant proposed due to the lack of public drainage infrastructure within the vicinity of the site. Scottish Water have been consulted and have advised that there is no Scottish Water Infrastructure within the vicinity of the proposed development. The Environmental Health Unit have been consulted with regards to the proposed private water supply and have raised no objections subject to a suspensive pre-start condition will be required to secure a report on the proposed private water supply to ensure that it is sufficient to serve the proposed development and does not impact on existing users of the same supply or adjacent supplies. The Council's Building Standards Service will apply sufficient control over the private drainage arrangements at Building Warrant stage.

**With a condition to secure a report on the proposed private water supply, the proposed development aligns with NPF4 Policy 18 and is in accordance with LDP2 Policy 04, Sustainable Development, Policy 58, Private Water Supplies and Water Conservation and Policy 60, Private Sewage Treatment Plants and Wastewater Drainage Systems which seek to ensure that suitable infrastructure is available to serve proposed developments and give support to private water supply and drainage arrangements where connection to the public systems is not available.**

## 5.11 NPF Policy 22 – Flood Risk and Water Management

NPF4 Policy 22 seeks to strengthen resilience to flood risk and to ensure that water resources are used efficiently and sustainably.

As detailed at NPF4 Policy 18 above, the development the subject of this planning application proposes a private water supply, the details of which will be sought by planning condition.

The northern portion of the site (the land on the banks of Loch Awe) is overlain by the indicative limits of fluvial flooding as per the SEPA Future Flood Maps. SEPA had originally raised an objection to the proposed development when the application was first submitted. Three of the 6 originally proposed self-catering tourist accommodation units have now been omitted from the application as a result of the objection raised by SEPA. SEPA had previously objected to the proposed development on the grounds that three of the proposed self catering units were potentially at risk of fluvial flooding.

SEPA have been reconsulted and have now withdrawn their previous objections as the topographic information provided in the submitted Flood Risk Assessment (Doc ref RHF-CDL-XXX-RP-C-10201, Appendix C, Page 22. Cundall.) demonstrates that all of the proposed buildings in the site plan (Drawing No 20/001, February 2024) are outwith the flood risk area as:

- All proposed buildings lie on existing ground levels above the 1 in 200-year plus climate change flood level of 42.32 m AOD for Loch Awe.
- The culvert on the burn to the east of the proposed development lies at around 39 m AOD and the nearest proposed building lies at around 46 m AOD. As such, all of the proposed buildings are likely to be outwith the

flood risk area resulting from a blockage at this culvert and / or out of bank flow from the burn.

SEPA have also acknowledged that the additional building shown on the topographic map of the submitted FRA, in the north of the site which was not included in the proposed plans which SEPA previously commented on, is a temporary premises used by contractors while works are ongoing at Rockhill Farm. SEPA understand that this temporary structure is not included within the proposed plans and does not form part of the planning application. SEPA have further highlighted that such a building at this location would be unacceptable on the grounds of flood risk.

The Flood Risk Assessor has also been consulted and has raised no objections to the proposed development. The Flood Risk Assessor has advised that the revised site plan (dated February 2024) that has been submitted shows all of the proposed development (re-development of the barn and farmhouses, and 3 new proposed self-catering units) to be located on higher ground in the southern area of the site, and are hence outwith the fluvial flood extent. The revised site plan is considered acceptable regarding flood risk.

**With regards to the management of rain and surface water at the site, this will be controlled through a condition imposed on the grant of permission to secure a suitable sustainable drainage system for the site. The proposal raises no flood issues and aligns with NPF4 Policy 22 and LDP2 Policies 55, 58 and 60.**

### **5.12 NPF4 Policy 29 – Rural Development**

NPF4 Policy 29 seeks to encourage rural economic activity, innovation and diversification whilst ensuring that the distinctive character of the rural area and the service function of small towns, natural assets and cultural heritage are safeguarded and enhanced.

NPF4 Policy 29a and 29c provides direct support for development proposals in remote rural areas that contribute to the viability, sustainability and diversity of rural communities, including farms and diversification of existing businesses.

The site lies within Rockhill Farm which also includes an operational tourism business. The proposed development seeks to further diversify the farm to further grow the tourism business that will contribute to the vitality, sustainability and diversity of the surrounding local community.

**In this regard, the proposed development is considered to adhere to NPF4 Policy 29 as underpinned by Local Development Plan Policy LDP 8, through the provision of appropriate development that assists in supporting balanced and sustainable rural populations.**

### **5.13 NPF4 – Policy 30 – Tourism**

NPF4 Policy 30 seeks to encourage, promote and facilitate sustainable tourism development which benefits local people, is consistent with our net zero and nature commitments, and inspires people to visit Scotland.

Policy 30(a) supports tourism development in locations identified in the LDP with a requirement in Part (b) of this policy for developments to take into account a number of criteria. The application has been accompanied by a supporting Design and Access Statement which addresses each of the points in Policy 30(b) as follows.

**i. The contribution made to the local economy**

“Specifically, the proposals will make a positive contribution to the local economy, creating a new type of offering for the locale, which will attract a new group of visitors to Argyll and Bute, adding to overall visitor numbers. Employment will be supported by the expenditure of guests outside the development and it is also anticipated that most guests will be from outwith Argyll and Bute and therefore their spending will be additional to the area.”

**ii. Compatibility with the surrounding area in terms of the nature and scale of the activity and impacts of increased visitors**

*“This submission and our client’s supporting information demonstrates that the proposed self catering tourist accommodation is compatible with the surrounding area, in terms of its scale and taking into account the modest level of activity that will be associated with the proposals”\**

**iii. Impacts on communities, for example by hindering the provision of homes and services for local people**

*\*In terms of impacts on communities, our client is also keen to support and promote local businesses; seeking to work with local producers and suppliers to support the proposed development. A high-quality development of this type will also raise the profile of Argyll and Bute, boosting the reputation of the area as a first-class tourism destination and making a positive economic contribution to the area. The proposals do not hinder the provision of new homes and they do not give rise to any matters which would impact on local communities.*

*Our client is also keen to support and promote local businesses; seeking to work with local producers and suppliers to support the proposed development. A high-quality development of this type will also raise the profile of Argyll and Bute, boosting the reputation of the area as a first-class tourism destination and making a positive economic contribution to the area.\**

**iv. Opportunities for sustainable travel and appropriate management of parking and traffic generation and scope for sustaining public transport services particularly in rural areas**

*“In terms of active travel, Rockhill Farm estate benefits from having a series of active travel routes through the estate, which provide access to the countryside. These routes are not impacted by the proposals and our client is keen to encourage access to the countryside and the proposed development will provide an income stream which will allow for further investment to be made, with potential benefits for access. To further promote access to the countryside and active travel, our client intends to provide access to cycles for guests, further encouraging active travel.”*

The development is not considered to be a significant travel generating use or a proposal where it is considered important to monitor travel patterns resulting from the development. The site has an abundance of ground in which to provide adequate levels as requested by the Area Roads Engineer. As detailed in section 4.8 above the proposed development would result in a much less intense use of the site in terms of vehicular traffic



**v. Accessibility for disabled people**

*“The proposal provide access to the natural environment and the proposals are accessible for disabled people.”*

**vi. Measures taken to minimise carbon emissions**

*“Measures have been taken to minimise carbon emissions.”*

**vii. Opportunities to provide access to the natural environment.**

*“Our client has submitted evidence in respect of existing access routes which demonstrates how these routes will be retained and integrated as part of the application proposals.”*

Policy 23 sets out a presumption in favour of new or improved tourist facilities and accommodation where:

- The development is in a form scale and location which is consistent with its surroundings; and
- The proposals respect and integrate well with the landscape/townscape character and amenity of the surrounding area; and
- 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
- 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.

*In land use terms the proposed small scale tourism development is compatible with the surrounding land use which is a farm which is the subject of tourism diversification. As detailed above the proposed development will be positioned suitably within the existing topography whilst having respect for the Scheduled Ancient Monuments which are located within the vicinity of the site. The proposed replacement farmhouse and barn building will be very similar in design and character as the former barn and farmhouse which is proposed to be demolished. The new self catering units will be contemporary in character which will reflects the agricultural vernacular of the application site. The scale of the proposed development is small scale in nature and it is considered to be relatively low key development that will respect and complement its surroundings. The site is well separated from neighbouring residential properties and tourist offerings and there will be no impacts on the existing levels of amenity.*

*There is a bus stop located at the Cladich road junction on the A819 approximately 1.9 miles away from the junction at the B840 were Rockhill Farm takes its access from.. There is also a train station at Dalmally which is located approximately 6.5 miles away from the Cladich road end. There is therefore public transport facilities within the vicinity of the proposal site which could reduce the need for transport sustainably*

*Overall it is considered that the proposed development will respect the existing character by taking opportunities to reinforce and embrace this throughout the sympathetic*

*redevelopment of an existing dilapidated farm which presents an opportunity for diversification.*

It is therefore considered that the site would present a suitable location for a small-scale tourism development that would meet the needs of the applicant and contribute to the local economy whilst respecting the existing rural community and surrounding natural and built environment. In this regard, the development would be in accordance with the provisions of NPF4 Policy 30 as underpinned by Local Development Plan Policies LDP 5 and LDP 9, supplementary guidance SG LDP TOUR 1, and Policy 23 of the proposed Local Development Plan 2.

## **6. Public Representations**

6.1 At the time of writing this report, representations had been received by the Planning Authority from 50 respondents in relation to this planning application, 44 respondents raise objection and 6 raise support. A petition has also been submitted in response to this application objecting to the proposed development.

## **7. Conclusion**

7.1 The development proposed by this application is considered to be development that will facilitate the use of a derelict farm which is inhibited by a number of empty dilapidated buildings largely on a brownfield site by virtue of the fact that it is a proposal seeking to redevelop an existing dilapidated farmhouse and barn which form part of a cluster of buildings within the Rockhill Farm Estate. The additional 3 self catering units will be sited in relatively close proximity to the farmhouse and barn on the land to the west.

The site is located within the designated CA within an LLA and has been supported by supporting information (including a Design and Access Statement) which has led officers to conclude that no further information is required in terms of landscape or visual impacts.

It is the considered opinion of the Planning Authority that the proposal will not result in any significant adverse effects on the integrity of the surrounding LLA area or the qualities for which it has been identified.

No objections have been received from consultees with regards to the proposed infrastructure to serve the proposed development.

The proposed development is considered to be consistent with the provisions of both the adopted National and Local Policy with the issues raised by third parties not amounting to material planning considerations that have not been addressed through the processing of the planning application.

Accordingly the application is recommended for approval subject to conditions.