

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

**PLANNING, PROTECTIVE SERVICES AND LICENSING COMMITTEE – 18/09/24**

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**UPDATE ON RECENT SCOTTISH GOVERNMENT PLANNING APPEAL DECISION**

**21/01583/PP – ERECTION OF CAFÉ WITH ASSOCIATED LANDSCAPING INCLUDING A VIEWPOINT, SEATING, INTERPRETIVE SIGN AND PLAY PARK**

**LAND WEST OF INVERLUSRAGAN, CONNEL**

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**A. INTRODUCTION**

This report summarises a recent decision by Scottish Ministers following the above application being appealed.

**B. RECOMMENDATION**

It is recommended that Members note the content of this report.

**C. BACKGROUND – 21/01583/PP**

This report refers to planning application reference 21/01583/PP for the erection of cafe with associated landscaping including a viewpoint, seating, interpretive sign and play park on an area of land to the west of Inverlusragan, Connel.

The application was first presented to the Planning, Protective Services and Licensing (PPSL) Committee on 20 September 2023 and was subsequently discussed at a Pre-Determination Public Hearing held on 30 January 2024. Members resolved at the Pre-Determination Hearing to continue the item to allow for investigation of a competent motion with the intent to reconvene proceedings at the PPSL meeting on 21 February 2024.

At the reconvened meeting of the PPSL on 21 February 2024 Members refused planning permission for a single reason relating to the site being within an Open Space Protection Area (OSPA) where the proposed development would be contrary to the provisions of 'National Planning Framework 4' Policy 9, Policies LDP 8 and SG LDP REC/COM2 of the former adopted 'Local Development Plan 2014' and Policy 81 of the now adopted 'Local Development Plan 2'.

An appeal was subsequently submitted to the Planning and Environmental Appeals Division (DPEA).

**SCOTTISH MINISTERS' DECISION**

Scottish Ministers advised that the OSPA designation was an important consideration in the case and that any proposed development of the site would require a robust justification. Scottish Ministers did not consider that there were overriding reasons established by the Development Plan or material considerations which would support the development of the site for the proposed development.

Scottish Ministers therefore concluded that the proposed development does not accord overall with the relevant provisions of the Development plan and that there are no material considerations which would justify granting planning permission and the appeal was dismissed.

Full details of the appeal documents and decision can be viewed on the DPEA website under the reference PPA-130-2090:

[Scottish Government - DPEA - Case Details \(scotland.gov.uk\)](https://www.scotland.gov.uk/Topics/Planning/DPEA/PPA-130-2090)

#### **D. IMPLICATIONS**

Policy: None

Financial: None

Personnel: None

Equal Opportunities: None

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