

UPDATE ON RECENT SCOTTISH GOVERNMENT PLANNING APPEAL DECISION

22/00678/PPP – Site West of Ruanda, Shore Road, Peaton, Argyll and Bute

(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 – 22/00678/PPP

This report refers to planning application reference 22/00678/PP for the erection of a dwelling house in principle and formation of a new access at a site West of Ruanda, Shore Road, Peaton on the Rosneath peninsula within Helensburgh and Lomond area.

Planning permission was refused at Planning, Protective Services and Licensing Committee on the 23rd of November 2023 due a number of reasons including the house not being in keeping with the settlement pattern, part of the development (the access) being outside the settlement area, the impact on the undeveloped coast and finally the impact on biodiversity and woodland. The proposal would have resulted in an unacceptable development contrary to NPF4 Policies 3, 6, 19 and 14 and also LDP2 Policies 01, 02, 04, 05, 08, 10, 28, 73 and 77.

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

SCOTTISH MINISTERS' DECISION

Scottish Ministers dismissed the appeal and concluded that the planning permission should be refused.

In summary the key points are as follows:

- Settlement Pattern – the assessment found that the predominant settlement pattern on the western shore is of large, detached homes on the landward side of the road, with minimal shorefront development. Then they go on to conclude that the existing settlement pattern and character of Peaton itself would not be respected, and that the character of the settlement would be detrimentally altered by the appeal proposal. Development on the shore side of Shore Road appears to be the exception, and not the dominant development pattern in this area.

- Development Outside Settlement Area – it is concluded that the access as currently proposed would not meet the required visibility splays and sightlines on the B833 Shore Road and it would introduce a built element into the countryside.
- Coastal Development – the assessment agrees that the site is on a stretch of undeveloped coast, although within the settlement area. It states that there would be an adverse impact on views from sea to land, as the setting of Peaton would be detrimentally altered with the introduction of a new dwelling on the shore, which would be out of keeping with the established character of the settlement.
- Biodiversity – the assessment states that even though a preliminary appraisal has been submitted to support the proposal, it does not indicate measures to demonstrate biodiversity enhancement, nor does it demonstrate that there would be no impact on habitats.
- Woodland – the assessment concludes, that following the site inspection, it difficult to envisage how any development could take place without the removal of trees to facilitate the required access, visibility splays, parking and garden areas.

Therefore, every reason for refusal was upheld and it was considered contrary to the provisions of NPF4 and LDP2.

Full details of the appeal documents and decision can be viewed on the PEAD website under the reference PPA-130-2088:

[Scottish Government - DPEA - Case Details \(scotland.gov.uk\)](https://www.scotland.gov.uk/Topics/Planning/Development-Permits/PPA-130-2088)

(D) IMPLICATIONS

Policy: None

Financial: None

Personnel: None

Equal Opportunities: None

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