

Ref:
AB1

ARGYLL AND BUTE COUNCIL
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OFFICIAL USE

Date Received

NOTICE OF REVIEW

Notice of Request for Review under Section 43(a)8
of the Town and Country Planning (Scotland) Act 1997 and the Town and
Country Planning (Schemes of Delegation and Local Review Procedure)
(Scotland) Regulations 2013

Important – Please read the notes on how to complete this form and use
Block Capitals. Further information is available on the Council's Website.
You should, if you wish, seek advice from a Professional Advisor on how to
complete this form.

(1) APPLICANT FOR REVIEW	
Name	Mr & Mrs A MacLaurin
Address	Achnacairn
	North Connel
	By Oban
Postcode	PA37 1QZ
Tel. No.	
Email	

(2) AGENT (if any)	
Name	Crawford MacPhee Arch.Services
Address	Ros-Muire
	Mossfield Drive
	OBAN
Postcode	PA34 4EN
Tel. No.	07920164952
Email	crawfordmacphee@hotmail.com

(3) Do you wish correspondence to be sent to you or your agent

(4) (a) Reference Number of Planning Application

(b) Date of Submission

(c) Date of Decision Notice (if applicable)

(5) Address of Appeal Property

(6) Description of Proposal

Proposed site for the erection of dwellinghouse at Plot 2 Achnacairn, North Connel, By Oban, Argyll

(7)

Please set out the detailed reasons for requesting the review:-

Pre-planning enquiry for the erection of three dwellinghouses at land south of Achnacairn, North Connel was submitted in 2022 ref 22/00772/PREAPP.

Following receipt of the Pre Application Advice report and subsequent telephone conversation and e mail correspondence with Planning officer Fiona Scott dated 05/09/22 applications were submitted for planning permission in principle for the erection of two dwelling houses app refs: 22/01949/PPP (Plot 1) and 22/01950/PPP (Plot 2).

During the application process HES objected to the application for plot 1 due to the siting of an existing cairn, following a meeting with HES on site it was agreed that the application for plot 1 be withdrawn and a new application be submitted showing proposed plot 1 in a revised location, this was subsequently done app ref:23/012444/PP and granted planning permission on 24 January 2024.

HES had no objections to the proposals for proposed plot 2 in their letter dated 1 November 2022, no objections to the proposals were received from other consultees or members of the public.

In April 2023 the Planning department raised concerns regarding plot 2 saying that it would result in tandem development and that we should consider withdrawing as it would likely be refused on this basis.

Planning in Principle for plot 2 was 'eventually' refused on 4 December 2023 as it was deemed to be representing an in appropriate form of backland development which would be contrary to the established settlement pattern within the surrounding area.....'

We do not agree that this is the case, whilst the 4 immediate existing properties do front the public road, both Achnacairn and Greenloaning are set back from the public road and new developments in the close vicinity represent backland development and the approved application for planning permission in principle for plot 1 sites directly in front of Greenloaning. The proposal is on a greenfield site within the settlement area on the Local Development Plan however it does not have the benefit of having been allocated for development when just further north along the road there is a large development being formed.

The Review panel should give approval for application ref22/01950/PPP for the above reasons and that approval for plot 1 was granted and that similar development already exists in the area.

(8) If the Local Review Body determines that it requires further information on “specified matters” please indicate which of the following procedure you would prefer to provide such information :-

- (a) Dealt with by written submission
- (b) Dealt with by Local Hearing
- (c) Dealt with by written submission and site inspection
- (d) Dealt with by local hearing and site inspection

NB It is a matter solely for the Local Review Body to determine if further information is required and, if so, how it should be obtained.

(9) Please list in the schedule all documentation submitted as part of the application for review ensuring that each document corresponds to the numbering in the sections below:-

Schedule of documents submitted with Notice of Review (**Note: 3 paper copies of each of the documents referred to in the schedule below must be attached**):

No.	Detail
1	Refusal of Planning Permission in Principle 22/01950/PPP
2	Refused Plans 22/01950/PPP
3	Approval of Planning Permission in Principle 23/02444/PPP
4	Approved Plans 23/02444/PPP
5	Pre Application Advice Report 16 May 2022 22/00772/PREAPP
6	Reasons for requesting review as set out in section 7 of this form
7	
8	
9	
10	

If insufficient space please continue on a separate page. Is this attached? (Please tick to confirm)

Submitted by
(Please Sign)

Dated

29 February 2024

Important Notes for Guidance

1. All matters which the applicant intends to raise in the review must be set out in or accompany this Notice of Review
2. All documents, materials and evidence which the applicant intends to rely on in the Review must accompany the Notice of Review UNLESS further information is required under Regulation 15 or by authority of the Hearing Session Rules.
3. Guidance on the procedures can be found on the Council's website – www.argyll-bute.gov.uk/
4. If in doubt how to proceed please contact 01546 604392/604269 or email localreviewprocess@argyll-bute.gov.uk
5. Once completed this form can be either emailed to localreviewprocess@argyll-bute.gov.uk or returned by post to *Committee Services (Local Review Board), Kilmory, Lochgilphead, Argyll, PA31 8RT*
6. You will receive an acknowledgement of this form, usually by electronic mail (if applicable), within 14 days of the receipt of your form and supporting documentation.

If you have any queries relating to the completion of this form please contact Committee Services on 01546 604392/604269 or email localreviewprocess@argyll-bute.gov.uk

For official use only

Date form issued

Issued by (please sign)

Municipal Buildings Albany Street Oban PA34 4AW

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED)
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(SCOTLAND) REGULATIONS 2013

REFUSAL OF PLANNING PERMISSION IN PRINCIPLE

REFERENCE NUMBER: 22/01950/PPP

Mr & Mrs A McLaurin
Crawford MacPhee Architectural Services
Ros-Muire
Mossfield Drive
OBAN
Argyll
PA34 4EN

I refer to your application dated 27th September 2022 for planning permission in principle under the above mentioned Act and Regulations in respect of the following development:

Site for the erection of dwellinghouse at Plot 2 Achnacairn North Connel Oban Argyll And Bute

Argyll and Bute Council in exercise of their powers under the above mentioned Act and Regulations hereby refuse planning permission in principle for the above development for the **reason(s) contained in the attached appendix.**

Dated: 4 December 2023

A black rectangular redaction box covers the signature area. Below the box, a purple ink signature is visible, extending to the right and slightly downwards.

Fergus Murray
Head of Development and Economic Growth



REASONS FOR REFUSAL RELATIVE TO APPLICATION REF. NO. 22/01950/PPP

1. The proposed development on this greenfield site conflicts with National Planning Policy NPF4 Policy 9.

NPF4 Policy 9 (b) states that proposals on greenfield sites will not be supported unless the site has been allocated for development or the proposal is explicitly supported in the LDP.

Whilst the development proposed by this planning application is on a greenfield site, in terms of the adopted settlement strategy, the site of the proposed development is within the defined Minor Settlement of North Connel where LDP Policies LDP STRAT 1 and LDP DM 1 give general encouragement to development, up to and including large scale, on appropriate sites. These main policy considerations are underpinned by the SG contained within SG LDP HOU 1 and SG LDP ENV 14 which offer further support to appropriate scales of residential development where such development would have no significant adverse impact upon the character of the landscape and where there is no unacceptable environmental, servicing or access impact.

However, whilst the general presumption in favour of development within this area of North Connel is established by current policy, this is qualified by the requirement to ensure that developments accord with the existing and established pattern of development and do not result in an unacceptable environmental, servicing or access impact. The Sustainable Siting and Design Principles of the LDP advise on the standards that will be applied to all developments with an overwhelming emphasis on respecting the character and setting of the area into which the individual development proposal is to be located, taking account of local spacing, layout, densities, privacy and amenity standards. This remains the main criteria against which the suitability or otherwise a development shall be evaluated.

Development within this area of North Connel is mixed in style and appearance but properties are generally situated within spacious plots fronting the C25 public road. The site the subject of this application is situated to the rear of a row of established residential properties which front the public road representing backland development contrary to the established settlement pattern.

It is considered that the development of the site with a dwellinghouse would represent an inappropriate form of backland development which would be contrary to the established settlement pattern within the surrounding area which is generally characterised by dwellinghouse presenting to the public road and therefore it is considered that the proposed development is contrary to NPF4 Policy 9 as underpinned by LDP Policies LDP STRAT 1, LDP DM 1, SG LDP ENV 14 and SG LDP HOU 1 and Policy 01 of pLDP2.

NOTES TO APPLICANT (1) RELATIVE TO APPLICATION NUMBER 22/01950/PPP

1. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under Section 43A of the Town and Country Planning (Scotland) Act 1997 (as amended) within three months from the date of this notice. A Notice of Review request must be submitted on an official form which can be obtained by contacting The Local Review Body, Committee Services, Argyll and Bute Council, Kilmory, Lochgilphead, PA31 8RT or by email to localreviewprocess@argyll-bute.gov.uk
2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state, and it cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the landowner's interest in the land, in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997 (as amended).



APPENDIX TO DECISION REFUSAL NOTICE

Appendix relative to application: 22/01950/PPP

- A. Has the application been the subject of any “non-material” amendment in terms of Section 32A of the Town and Country Planning (Scotland) Act 1997 (as amended) to the initial submitted plans during its processing.**

No

- B. Is the proposal a departure from the Development Plan:**

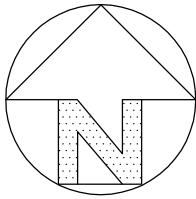
No

If yes, state level of departure:

No Departure

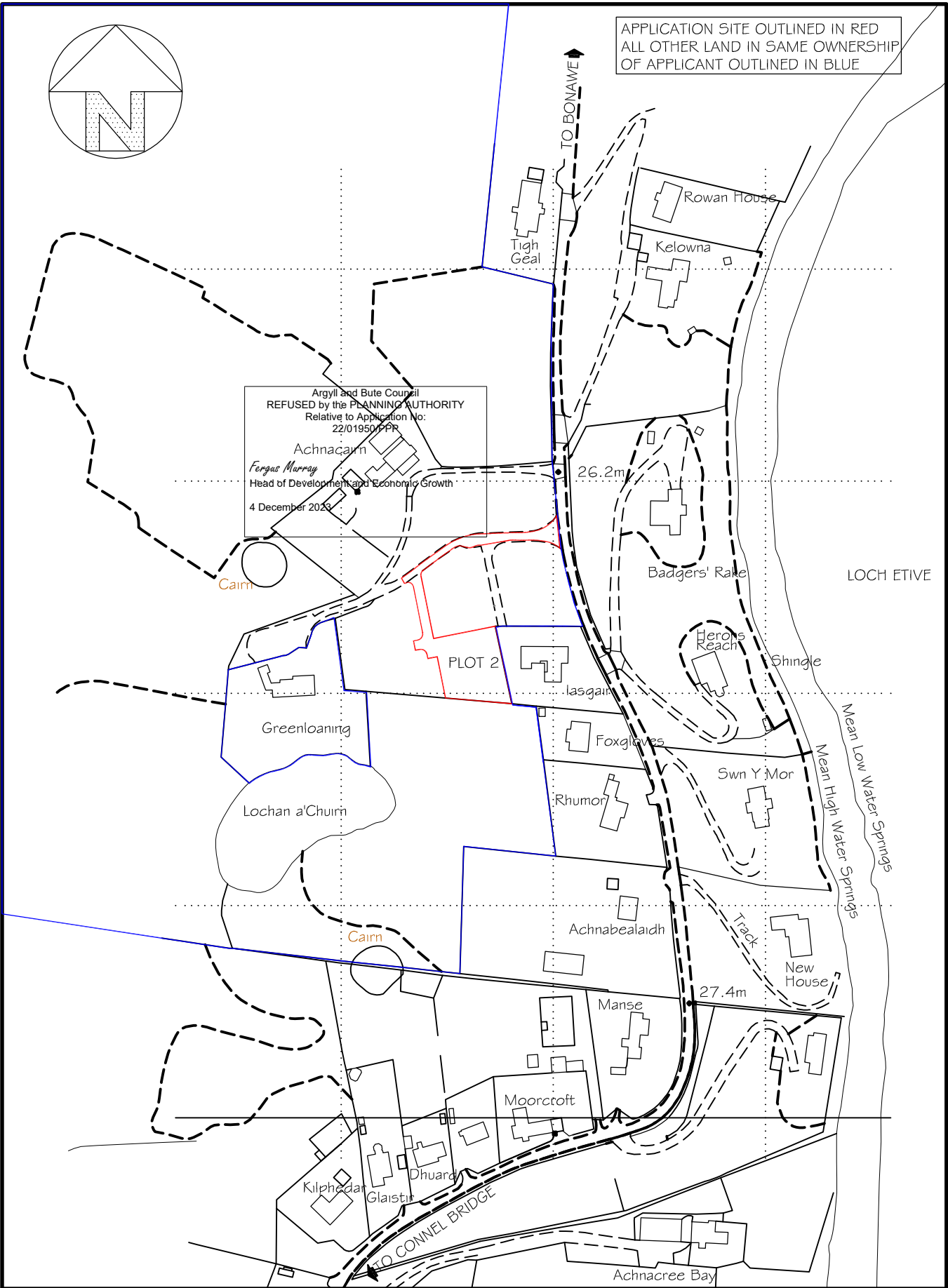
- C. Summary justification statement for refusal of planning permission in principle**

The proposal is considered to be contrary to Policy 9 of National Planning Framework 4, as underpinned by policies LDP STRAT 1, LDP DM 1, SG LDP ENV 14 and SG LDP HOU 1 of the Argyll and Bute Local Development Plan 2015, and there are no other material considerations of sufficient significance to indicate that it would be appropriate to grant planning permission in this instance as a departure to the Development Plan having regard to s25 of the Act.



APPLICATION SITE OUTLINED IN RED
ALL OTHER LAND IN SAME OWNERSHIP
OF APPLICANT OUTLINED IN BLUE

Argyll and Bute Council
REFUSED by the PLANNING AUTHORITY
Relative to Application No:
22/01950/FPR
Achnacairn
Fergus Murray
Head of Development and Economic Growth
4 December 2023



JOB NO: 2103/2 SCALE: 1:2500 DATE: Sep 22
CLIENT: Mr & Mrs A McLaurin
PROJECT TITLE: Proposed Site for Erection of
Dwelling-house at Plot 2 South of
Achnacairn, North Connell, By Oban, Argyll
DRAWING TITLE: Location Plan DRAWING NO: 01

CRAWFORD MACPHEE

Architectural Services

Ros-Muire, Mossfield Drive, Oban, Argyll PA34 4EN
telephone: 07920164952 email: crawfordmacphee@hotmail.com

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED)
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(SCOTLAND) REGULATIONS 2013**

PLANNING PERMISSION IN PRINCIPLE

REFERENCE NUMBER: 23/02444/PPP

**Mr And Mrs A MacLaurin
Crawford MacPhee Architectural Services
Ros-Muire
Mossfield Drive
Oban
Argyll And Bute
PA34 4EN**

I refer to your application dated 20th December 2023 for planning permission in principle in respect of the following development:

Site for the erection of dwellinghouse

AT:

Plot 1 Land South Of Achnacairn North Connel Oban Argyll And Bute

Argyll and Bute Council in exercise of their powers under the above mentioned Act and Regulations hereby grant planning permission for the above development in accordance with the particulars given in the application form and docketed plans subject however to the conditions and reasons detailed on the following page(s).

It should be understood that this permission does not carry with it any necessary consent or approval for the proposed development under other statutory enactments and is not a Building Warrant.

Dated: 25 January 2024

A black rectangular redaction box covering the signature of Fergus Murray.

Fergus Murray
Head of Development and Economic Growth

REFERENCE NUMBER: 23/02444/PPP

**Site for the erection of dwellinghouse
AT:**

Plot 1 Land South Of Achnacairn North Connel Oban Argyll And Bute

The planning application permission in principle as detailed above is subject to the following conditions:

Standard Time Limit Condition:

This consent constitutes a Planning Permission in Principle under Section 59 of the Town and Country Planning (Scotland) Act 1997 as amended and as such does not authorise the commencement of development until matters requiring the further consent of the Planning Authority, as specified in Condition 1 (within the list of Additional Conditions below), have been satisfied.

Application(s) for Approval of Matters Specified in Conditions must be made in accordance with the provisions of Regulation 12 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 within the time limits specified below.

Any application for Approval of Matters Specified in Conditions must be submitted to the Planning Authority no later than three years from the date of this permission in principle.

Any elements of the Planning Permission in Principle for which further approval of the Planning Authority has not been sought within the prescribed three year time period will no longer be capable of being implemented within the terms of this permission.

The development to which this planning permission in principle relates must commence no later than five years from the date of this permission, or within the expiration of two years from the final approval of all Approval of Matters Specified in Conditions, whichever is the later. If the development has not commenced within this period, then this planning permission in principle shall lapse.

Reason: To accord with Section 59 of the Town and Country Planning (Scotland) Act 1997 as amended.

Standard Soils Management Condition:

Where the development involves ground breaking works, soil management should be undertaken in compliance with the established best practice set out in the DEFRA publication "[Construction Code of Practice for the Sustainable Use of Soils on Construction Sites 2009](#)", unless an alternative methodology for sustainable management of soil is submitted to and approved in writing by the Planning Authority.

Reason: In order to ensure that sustainable management of soils and compliance with the requirements of NPF4 Policy 5A.

Additional Conditions:

1. PPP - Matters Requiring AMSC Submission

Plans and particulars of the matters specified in conditions 3, 4, 5, 6 and 8 below shall be submitted by way of application(s) for Approval of Matters Specified in Conditions in accordance with the timescales and other limitations in Section 59 of the Town and Country Planning (Scotland) Act 1997 as amended. Thereafter the development shall be completed wholly in accordance with the approved details.

Reason: To accord with Section 59 of the Town and Country Planning (Scotland) Act 1997 as amended.

Note to Applicant

Regard should be had to Scottish Waters consultation comments in relation to the proposed development which are available to view via the Public Access section of the Council's website.

2. PPP - Approved Details

The development shall be implemented in accordance with the details specified on the application form dated 19/12/23 and the approved drawings listed in the table below.

Plan Title.	Plan Ref. No.	Version	Date Received
Location Plan	01	A	20/12/23
Site Plan as Proposed	02	C	20/12/23

Reason: To accord with Regulation 28 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008.

Note to Applicant

Regard should be had to Scottish Waters consultation comments in relation to the proposed development which is available to view on the planning file via the Public Access section of the Council's website.

3. PPP - Timescale to be Agreed for Completion

Pursuant to Condition 1 - no development shall commence until details of the proposed timescale for completion of the approved development have been submitted to and approved by the Planning Authority. Thereafter, the development shall be implemented in accordance with the duly approved timescale for completion unless an alternative timescale for completion is otherwise agreed in writing with the Planning Authority.

Reason: In order to comply with the requirements of NPF4 Policy 16F.

4. PPP - Design and Finishes

Pursuant to Condition 1 - no development shall commence until plans and particulars of the site layout, design and external finishes of the development has been submitted to and approved by the Planning Authority. These details shall incorporate:

- i) A statement addressing the Action Checklist for developing design contained within the Argyll and Bute Sustainable Design Guide 2006;
- ii) A statement addressing how the proposed development has been designed to be consistent with the six qualities of successful places, as defined within Policy 14 of NPF4;
- iii) Local vernacular design taking consideration of the guidance set out in the approved Argyll and Bute Sustainable Design Guidance, 2006;
- iv) Maximum of one and a half storeys;
- v) Windows with a vertical emphasis;
- vi) Have a roof pitch between 37 and 42 degrees finished in natural slate or a good quality artificial slate;
- vii) Details of finished ground floor levels relative to an identifiable fixed datum located outwith the application site along with details of the existing and proposed site levels shown in the form of sectional drawings/contour plans/site level survey, or a combination of these;
- viii) Details of an area within the application site for the placement of refuse/recycling bins.
- ix) Details of the potential for the installation of a 7kw Electrical Vehicle Charging Point within the site.

Reason: To accord with Section 59 of the Town and Country Planning (Scotland) Act 1997 as amended, and in order to integrate the proposed dwellinghouse with its surroundings.

5. PPP - Parking and Turning Provision

Pursuant to Condition 1 - no development shall commence until plans and particulars of the parking/turning arrangements to serve the development have been submitted to and approved by the Planning Authority. Such details shall comprise:

- i) The provision of parking and turning in accordance with the requirements of Policy SG LDP TRAN 6 and the Car Parking Standards of the adopted 'Argyll and Bute Local Development Plan' 2015.

The approved parking and turning layout shall be implemented in full prior to the development first being occupied and shall thereafter be maintained clear of obstruction for the parking and manoeuvring of vehicles.

Reason: In the interests of road safety.

6. PPP - Details of New Private Foul Drainage System

Pursuant to Condition 1 - no development shall commence until details of the proposed means of private foul drainage to serve the development have been submitted to and approved 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.

Reason: To ensure that an adequate means of foul drainage is available to serve the development.

Note to Applicant:

Private drainage arrangements are also subject to separate regulation by Building Standards and SEPA.

7. PPP - Sustainable Drainage System

Notwithstanding the provisions of Condition 1, the development shall incorporate a surface water drainage system which is consistent with the principles of Sustainable urban Drainage Systems (SuDS) compliant with the guidance set out in CIRIA's SuDS Manual C753 and Sewers for Scotland 4th Edition. The requisite surface water drainage shall be operational prior to the development being brought into use and shall be 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 JBA Consulting Ltd consultation comments in relation to the proposed development which are available to view via the Public Access section of the Council's website.

8. PPP - Landscaping and Biodiversity Enhancement

Pursuant to Condition 1 - no development shall commence until a scheme of boundary treatment, surface treatment and landscaping has been submitted to and approved 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;
- 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 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;
- vi) A programme for the timing, method of implementation, completion and subsequent on-going maintenance.

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 interests of amenity.

9. PP - Archaeology

No development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by the West of Scotland Archaeology Service, and approved by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service.

Reason: In order to protect archaeological resources.

Note to Applicant

Regard should be had to the West of Scotland Archaeology Services consultation comments in relation to the proposed development details of which are available to view via the Public Access section of the Council's website.

NOTES TO APPLICANT (1) RELATIVE TO APPLICATION NUMBER 23/02444/PPP

STANDARD NOTES

1. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under Section 43A of the Town and Country Planning (Scotland) Act 1997 (as amended) within three months from the date of this notice. A Notice of Review request must be submitted on an official form which can be obtained by contacting The Local Review Body, Committee Services, Argyll and Bute Council, Kilmory, Lochgilphead, PA31 8RT or by email to localreviewprocess@argyll-bute.gov.uk
2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state, and it cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the landowner's interest in the land, in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997 (as amended).
3. In order to comply with Sections 27A(1) of the Town and Country Planning (Scotland) Act 1997, prior to works commencing on site it is the responsibility of the developer to complete and submit the following ['Notice of Initiation of Development'](#) form to the Planning Authority specifying the date on which the development will start. Failure to comply with this requirement constitutes a breach of planning control under Section 123(1) of the Act.
4. In order to comply with Section 27B(1) of the Town and Country Planning (Scotland) Act 1997 it is the responsibility of the developer to submit the attached ['Notice of Completion'](#) to the Planning Authority specifying the date upon which the development was completed.

INFORMATIVE NOTES

N/A

APPENDIX TO DECISION APPROVAL NOTICE

Appendix relative to application: 23/02444/PPP

A. Has the application required an obligation under Section 75 of the Town and Country Planning (Scotland) Act 1997 (as amended):

Planning Obligation Not Required

B. Has the application been the subject of any “non-material” amendment in terms of Section 32A of the Town and Country Planning (Scotland) Act 1997 (as amended) to the initial submitted plans during its processing.

No

C. Is the proposal a departure from the Development Plan:

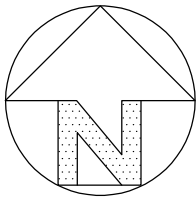
No

If yes, state level of departure:

No Departure

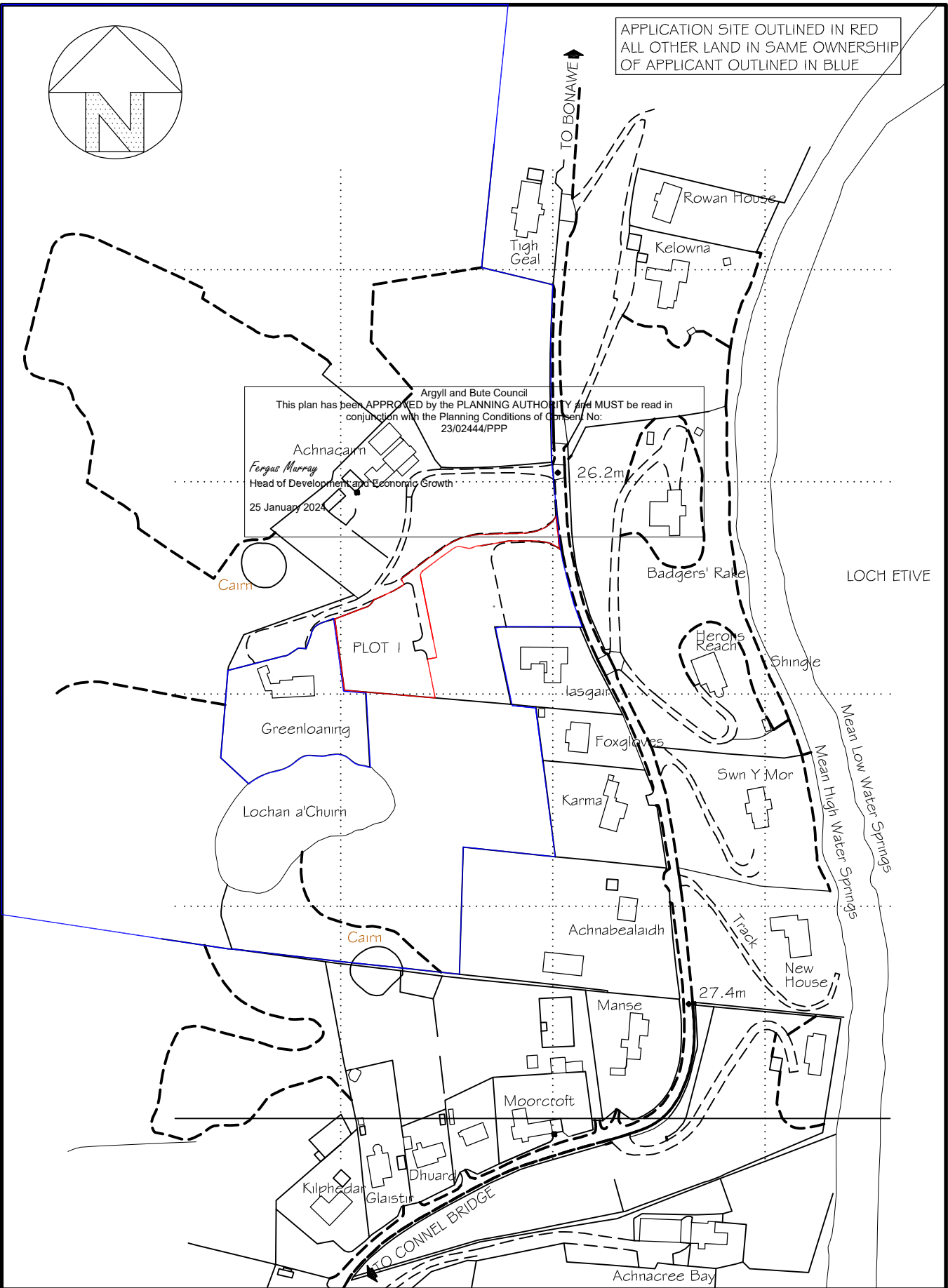
D. Summary justification statement for approval of planning permission in principle

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 to indicate that it would be appropriate to withhold planning permission having regard to s25 of the Act.



APPLICATION SITE OUTLINED IN RED
ALL OTHER LAND IN SAME OWNERSHIP
OF APPLICANT OUTLINED IN BLUE

Argyll and Bute Council
This plan has been APPROVED by the PLANNING AUTHORITY and MUST be read in
conjunction with the Planning Conditions of Consent No:
23/02444/PPP
Achnacairn
Fergus Murray
Head of Development and Economic Growth
25 January 2024

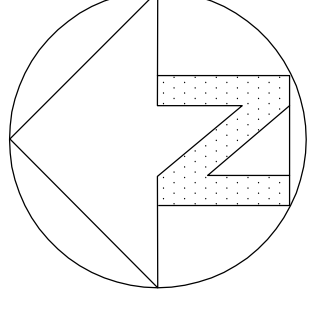


JOB NO: 2103/1 SCALE: 1:2500 DATE: Sep 22
CLIENT: Mr & Mrs A McLaurin
PROJECT TITLE: Proposed Site for Erection of
Dwelling-house at Plot 1 South of
Achnacairn, North Connell, By Oban, Argyll
DRAWING TITLE: Location Plan DRAWING NO: 01A

CRAWFORD MACPHEE

Architectural Services

Ros-Muire, Mossfield Drive, Oban, Argyll PA34 4EN
telephone: 07920164952 email: crawfordmacphee@hotmail.com



APPLICATION SITE EDGED RED IS WITHIN THE CURRENT LDF 'SETTLEMENT ZONE' FOR NORTH CONNELL

APPLICATION SITE OUTLINED IN RED ALL OTHER LAND IN SAME OWNERSHIP AS APPLICANT OUTLINED IN BLUE

TOPOGRAPHICAL SURVEY CARRIED OUT BY DIGITAL LAND SURVEYS

CLIENT

MR & MRS A MCLAURIN

JOB TITLE
PROPOSED SITE FOR THE ERECTION OF DWELLING-HOUSE AT PLOT 1 SOUTH OF ACHNACAIRN, NORTH CONNELL BY OBAN, ARGYLL PA37 1QZ

DRAWING TITLE

SITE PLAN AS PROPOSED

PLANNING

DRAWING REVISION NOTES:

SCALE 1:500 on A2
DATE SEP 22
DRAWN F.R. MacPhee

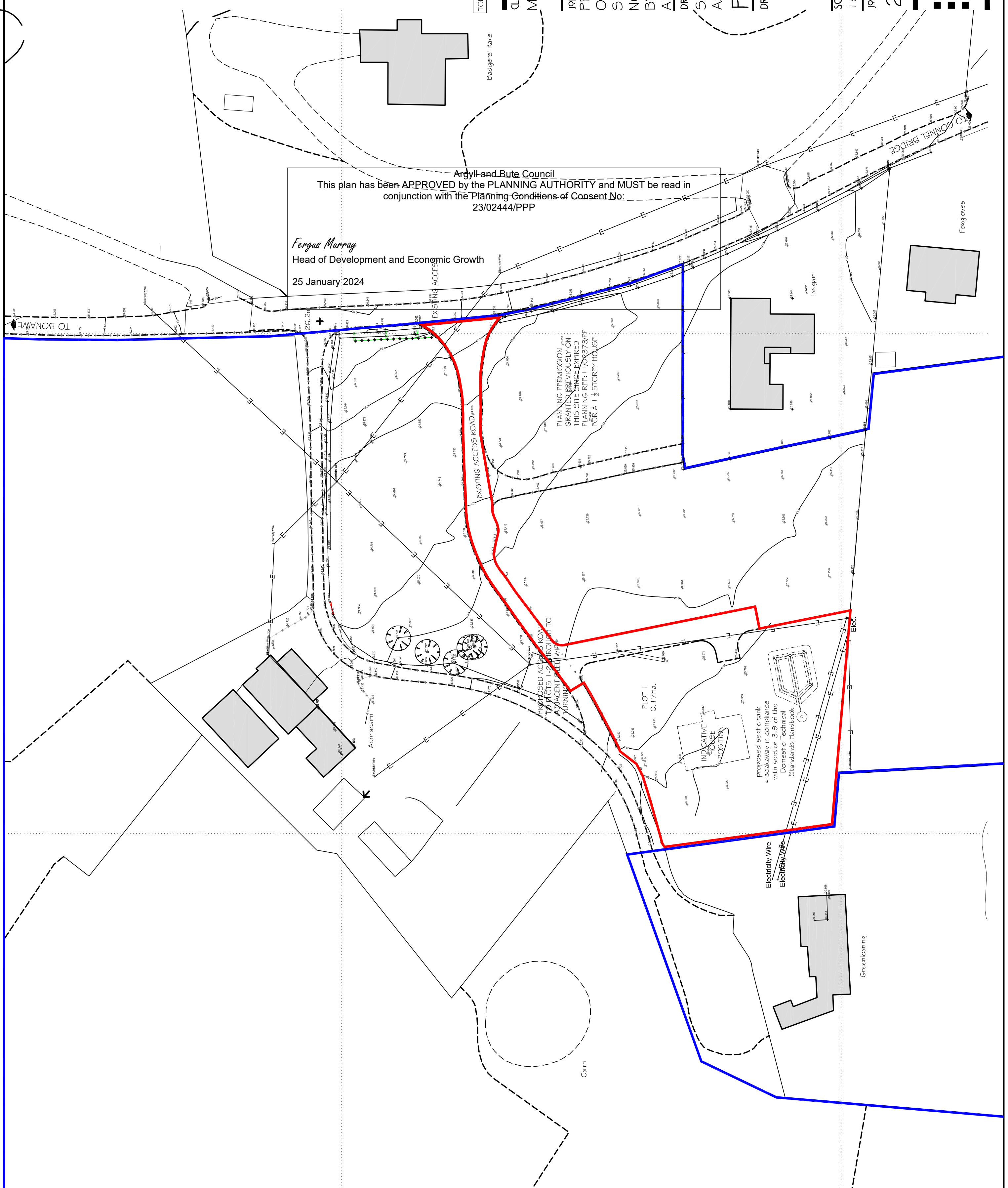
JOB NO. 2103-1 02
DRAWING NO. C
REVISION.



CRAWFORD MACPHEE
Architectural Services
Rose-Marie, Mossfield Drive, Oban, Argyll PA34 4EN
Telephone: 07526114452, email: crawfordmacphee@gmail.com

Argyll and Bute Council
This plan has been APPROVED by the PLANNING AUTHORITY and MUST be read in conjunction with the Planning Conditions of Consent No. 23/02444/PPP

Fergus Murray
Head of Development and Economic Growth
25 January 2024






Argyll and Bute Council – Development Management

Pre Application Advice Report

16 May 2022

Reference:	22/00772/PREAPP
Proposed Development:	Site for Erection of Three Dwellinghouses
Site Address:	Land South of Achnacairn, North Connel

	The information represents the informal view of the planning officer and is given without prejudice to the outcome of any planning application submitted in respect of the above development.
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Permissions Required

- Planning permission

Type of Application

- Local Application

EIA Scoping/Screening Required

- No, EIA screening is not required

Pre Application Consultation Required

- No

For further information on this please use the following link:

<https://www.argyll-bute.gov.uk/national-and-major-developments>

Argyll and Bute Local Development Plan (LDP) 2015 Policies

- LDP STRAT 1 – Sustainable Development

The Settlement and Spatial Strategy

- LDP DM1 – Development within the Development Management Zones

Protection, Conserving and Enhancing our Outstanding Environment Together

- LDP 3 – Supporting the Protection, Conservation and Enhancement of our Environment

Strengthening Our Communities Together

- LDP 8 – Supporting the Strength of our Communities
- LDP 9 – Development Setting, Layout and Design

Maximising Our Resources and Reducing Consumption Together

- LDP 10 – Maximising our Resources and Reducing our Consumption

Improving Our Connectivity and Infrastructure Together

- LDP 11 – Improving our Connectivity and Infrastructure

Argyll and Bute Local Development Plan (LDP) – Supplementary Guidance (SG) Policies

Natural Environment

- SG LDP ENV 1 – Development Impact of Habitats, Species and Our Biodiversity (i.e. biological diversity)

Landscape and Design

- SG LDP ENV 14 –Landscape

Historic Environment and Archaeology

- SG LDP ENV 20 – Development Impact on Sites of Archaeological Importance

General Housing Development

- SG LDP HOU 1 – General Housing Development including Affordable Housing

Sustainable Siting and Design

- SG LDP Sustainable - Sustainable Siting and Design Principles

Resources and Consumption

- SG LDP SERV 1 – Private Sewerage Treatment Plants and Wastewater (i.e. drainage) systems
- SG LDP SERV 2 – Incorporation of Natural Features / Sustainable Systems (SUDS)

Addressing Climate Change

- SG LDP CC 1 – Climate Change and Sustainable Buildings
- SG LDP Sust Check – Sustainability Checklist

Transport (including core paths)

- SG LDP TRAN 4 – New and Existing, Public Roads and Private Access Regimes
- SG LDP TRAN 6 –Vehicle Parking Provision

Other Relevant Material Considerations

- Argyll and Bute Sustainable Design Guidance, 2006
- Argyll and Bute proposed Local Development Plan 2 (November 2019)

The unchallenged policies and proposals within pLDP2 may be afforded significant material weighting in the determination of planning applications at this time as the settled and unopposed view of the Council. Elements of the pLDP2 which have been identified as being subject to unresolved objections still require to be subject of Examination by a Scottish Government appointed Reporter and cannot be afforded significant material weighting at this time. The provisions of pLDP2 that may be afforded significant weighting in the determination of this application are listed below:

Policy 35 – Design of New and Existing, Public Roads and Private Access Regimes

Policy 36 – New Private Accesses

Policy 39 – Construction Standards for Private Access

Policy 43 – Safeguarding of Aerodromes

- Scottish Planning Policy (SPP), 2014
- Historic Environment Policy Scotland, (HEPS), 2019
- Consultation Responses
- Third Party Representations

Planning History

18/02484/PP

Erection of dwellinghouse and detached garage, installation of sewage treatment plant and formation of vehicular access – Granted: 30/08/19

11/02373/PP

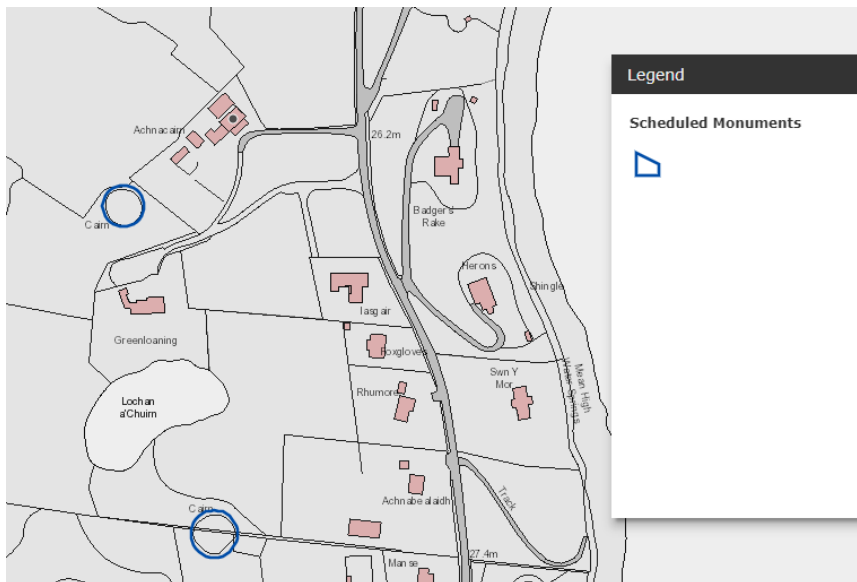
Erection of 2 dwellinghouses with detached garages, installation of 2 septic tanks and the formation of a new vehicular access – Granted: 18/012/12

Known Constraints

- The site is in closed proximity to two Scheduled Ancient Monuments (SAM), details of which are provided below. It is likely that Historic Environment Scotland will be consulted on any formal planning application for development of the site to ascertain whether the development would be likely to have an adverse impact on the setting of these SAMs.

[Achnacree Moss, cairn 65m SW of Achnacairn \(SM3707\) \(historicenvironment.scot\)](http://historicenvironment.scot)

[Achnacree Moss, cairn 37m SE of Lochan a'Chuim \(SM3705\) \(historicenvironment.scot\)](http://historicenvironment.scot)



- The site is within a SEPA Waste Water Drainage Consultation Area (WWDCA) where a detailed report on the proposed foul drainage proposals will require to be submitted with any formal planning application and a consultation undertaken with SEPA.
- The site is within the safeguarding zone for Oban Airport who would be consulted on any formal planning application to assess whether the proposed development would have any impact on protected airspace.
- The site is within an area identified as being archaeologically sensitive and accordingly the West of Scotland Archaeology Service are likely to comment on any formal planning application and may require a scheme of archaeological works to be undertaken on site prior to any works commencing on the proposed development.

Settlement Strategy & Proposed Development

In terms of the adopted 'Argyll and Bute Local Development Plan' (LDP) 2015 the site subject of the enquiry is located within the Minor Settlement of North Connel where Policy LDP DM 1 gives encouragement to small scale development on appropriate sites subject to compliance with other relevant policies and SG.

Policy LDP 3 assesses applications for their impact on the natural, human and built environment. Whilst the site is not subject of any specific nature or landscape designations that require further consideration under the terms of this policy, it is in close proximity to two SAMs as detailed above.

Policy LDP 9 and SG 2 seek developers to produce and execute a high standard of appropriate design and ensure that development is sited and positioned so as to pay regard to the context within which it is located taking into account the relationship with neighbouring properties to ensure no adverse privacy or amenity issues.

Policy LDP 11 supports all development proposals that seek to maintain and improve internal and external connectivity by ensuring that suitable infrastructure is delivered to serve new developments. SG LDP TRAN 4 and SG LDP TRAN 6 expand on this policy seeking to ensure developments are served by a safe means of vehicular access and have an appropriate parking provision within the site.

Whilst the general presumption in favour of residential development within this area of North Connel is established by current policy, this is qualified by the requirement to ensure that developments accord with the existing and established pattern of development and do not result in an unacceptable environmental, servicing or access impact. SG 2 advises on the standards that will be applied to all developments. As well as indicating the minimum standards to be applied for private open space and plot ratios, there is an overwhelming emphasis on respecting the character and setting of the area into which the individual development proposal is to be located, taking account of local spacing, layout, densities, privacy and amenity standards. This remains the main criteria against which the suitability or otherwise of a development shall be evaluated.

Whilst the Planning Authority is satisfied that the site represents an appropriate opportunity for infill development within the defined minor settlement, it is considered that three dwellinghouses would represent overdevelopment of the site and such a proposal would be resisted by the Planning Authority should a formal planning application come forward.

The Planning Authority would however be supportive of a formal planning application for one suitably sited and designed dwellinghouses on the site which it is considered would relate better to the surrounding development. Consideration may be given to two dwellinghouses depending on a suitable layout being achieved.

Any application would require to fully and satisfactorily address the requirements of the policies, guidance and constraints set out above.

Road Network, Parking and Associated Transport Matters

The Council's Roads Authority will be consulted on any formal planning application for the proposed development with regards to access and parking requirements. Should you wish to contact them in advance of the submission of a formal application please contact James Jackson (james.jackson@argyll-bute.gov.uk).

Infrastructure

Water supply would be via connection to the public water main within the control of Scottish Water who would be consulted on any formal planning application. Due to the lack of public foul drainage infrastructure within the vicinity of the site foul drainage will be by a private treatment system. As detailed above due to the site being within a WWDCA a detailed report on the proposed drainage system should accompany any formal planning application.

Consultees for any future application*

The following consultees are likely to be consulted in the event of a formal application being consulted. You may wish to contact consultees for additional pre application advice prior to the submission of your application. Please note that on occasion it may be necessary to involve consultees who are listed below as a formal application progresses.

- Argyll and Bute Council Roads Authority
- Argyll and Bute Council – Oban Airport
- West of Scotland Archaeology Service
- Historic Environment Scotland
- Scottish Water

*Please note that this list is not exhaustive.

Supporting information required for any future application

- Design and Access Statement
- Landscape Plan

Case Officer Name and Contact Details

Fiona Scott
Planning Officer

01631 567968

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Additional Information

Please note that this preliminary assessment is based on current information. In the event of a formal planning application being submitted, the Council must take into account views of consultees and representations from the public as appropriate. Any subsequent assessment must reflect this and may therefore differ from the initial assessment. Finally, the above is the view of Development Management and may not necessarily be that of the Planning Authority.

Should you decide to make an application for planning permission, please be aware that the Council actively promotes online submission of applications through the Government's ePlanning Portal at www.eplanning.scotland.gov.uk . You can also get more advice and guidance on our own website at www.argyll-bute.gov.uk.

Apply Online: <https://www.eplanning.scot/ePlanningClient/>

National Validation Guidance: <https://www.argyll-bute.gov.uk/sites/default/files/hops-validation-and-determination-guidance-updated-12-10-17.pdf>

Processing Agreements: <https://www.argyll-bute.gov.uk/processing-agreements>

Full details of the policies and guidance referred to in this report are available to view via the following link: [Local Development Plan \(argyll-bute.gov.uk\)](#)