

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: 23/01358/PP
Planning Hierarchy: Local Application
Applicant: Mr J. Herrod
Proposal: Erection of dwellinghouse and detached garage, upgrade of existing access and installation of septic tank with associated infiltration system
Site Address: Leananmor Muasdale Argyll And Bute

DECISION ROUTE

Committee Decision under Local Government Scotland Act 1973

(A) THE APPLICATION

(i) Development Requiring Express Planning Permission

- Erection of dwellinghouse and detached garage;
- Improvement of existing vehicular access onto A83(T);
- Installation of septic tank and soakaway.

(ii) Other specified operations

- Connection to public water supply.
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(B) RECOMMENDATION:

Recommend that planning permission be approved subject to the conditions and reasons attached.

(C) CONSULTATIONS:

Transport Scotland – 15.09.23, 20.09.23, 07.03.24 – No objection subject to conditions relating to the provision of improvements to the existing access onto the A83(T) to a standards suitable to serve the development proposed.

Area Roads Mid Argyll Kintyre And Islay - 07.08.2023 – No objection subject to conditions prescribing requirements for onsite parking and turning.

Scottish Water - 26.07.2023 – No objections subject to advice to applicant.

Scottish Environmental Protection Agency - 03.08.2023 – No objection subject to condition prescribing a minimum finished floor level to protect the development against risk of flooding.

(D) HISTORY:

04/01130/OUT - Erection of a dwellinghouse – Approved 21.09.2004

14/00424/PPP - Site for the erection of dwellinghouse and garage. (As amended by email correspondence received 26.06.14) – Withdrawn 23.07.2015

15/02370/PPP - Site for the erection of dwellinghouse – Approved 27.10.2015

16/02681/PPP - Site for the erection of dwellinghouse (amended access relative to planning permission in principle reference 15/02370/PPP). – Approved 24.11.2016

18/02627/PP - Erection of dwellinghouse with garage, installation of treatment plant, air source heat pump and formation of new access off the A83(T) – Withdrawn 28.02.2019

(E) PUBLICITY:

Advert Type: Regulation 20 Advert Local Application

Expiry Date: 25.08.2023

(F) REPRESENTATIONS:

(i) Representations received from:

Objection

1. Jessie Macdougall Isleview Muasdale Tarbert Argyll And Bute 25.07.2023
2. John Macdougall Isleview Muasdale Tarbert Argyll And Bute 25.07.2023
3. Mr Andrew Taylor Ceol Mara Muasdale Tarbert Argyll And Bute 07.08.2023
4. Archie Graham Parklea Muasdale Tarbert Argyll And Bute 01.08.2023
5. Mr Robin Graham The Old Post Office Muasdale Tarbert Argyll And Bute 08.08.2023
6. Margaret Graham Parklea Muasdale Tarbert Argyll And Bute 01.08.2023
7. Anne Maccallum Sunset Cottage Muasdale PA29 6XD 04.08.2023
8. Sharon Maccallum Sea Renity House Muasdale PA29 6XD 04.08.2023
9. Gary Breeden Sea Renity House Muasdale PA29 6XD 04.08.2023
10. Joseph Loganbill Taigh A' Pheantair Muasdale PA29 6XD 09.08.2023

Support

n/a

Representation

Jeanne Loganbill Taigh A' Pheantair Muasdale Tarbert Argyll And Bute 08.08.2023

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:

- Concern is raised in relation to road safety and the use of the proposed means of vehicular access. In particular it is noted that

visibility to the south is limited by a hedge which would appear to be outwith the ownership and control of the applicant.

- Concern is raised that the existing road layout/40mph speed limit of the A83(T) is unsuitable to accommodate the new access.

Comment: It is noted that Transport Scotland have not raised objection to the proposal on road safety grounds. See assessment below.

- Concern is expressed that the applicant has failed to maintain hedgerows within his land.

Comment: It is noted that Transport Scotland's acceptance of the proposed access arrangements is subject to the provision and maintenance of visibility splays, this will necessitate maintenance of the hedge. The applicants previous actions or lack of action in this respect are not a material consideration in the determination of this application.

- It is highlighted that the existing access is a track that is widely utilised by the public as a right of way to access the beach from the A83. Concern is expressed that the application appears to show that this access will be blocked off by the development.

Comment: The applicant has confirmed that the existing public access to the beach will be retained.

- If public access to the existing track were to be maintained then concern is expressed that this may bring pedestrians into conflict with traffic accessing/exiting the new development.

Comment: It is noted that the proposal will improve the existing means of access to the beach for all users. ABC Roads have not raised objection on the grounds of road/pedestrian safety. See assessment below.

- Concern is raised that the development of this shoreside plot will have a significant impact on the natural environment and wildlife habitat.

Comment: The application site relates to an area of rough grazing which is of limited biodiversity value. See assessment below.

- Concern is raised that additional development may impact adversely on the capacity of the water supply to the locality.

Comment: The proposal will be served by a connection to the public water supply; Scottish Water have not raised objection to the proposal.

- Concern is raised that permitting additional development on the beachfront would be 'an environmental blight on the local area and its natural beauty'.

Comment: The proposed development lies within the 'settlement area' for Muasdale where there is an established settlement pattern that includes development upon the shore side of the road. The acceptability of development at this location has previously been established through earlier, but now expired, grants of planning permission in principle. The development will not have a significant impact upon the character or visual amenity of the West Kintyre Local Landscape Area. See assessment below.

- The applicant's claim of ownership over the existing access track is queried.

Comment: The applicant has confirmed that the access track is within the ownership of a third party. Updated land ownership certification and notification has been undertaken.

(G) SUPPORTING INFORMATION

Has the application been the subject of:

- | | |
|---|-----|
| (i) Environmental Impact Assessment Report:
(if Yes insert EIAR topics below) | No |
| (ii) An Appropriate Assessment under the Conservation (Natural Habitats) Regulations 1994:
(if Yes attach as an appendix) | No |
| (iii) A Design or Design/Access statement:
(if Yes insert summary of key issues below) | Yes |

Design Statement identifies that the site has previously benefited from planning permission in principle for a site the erection of a dwelling (16/02681/PPP) which has expired.

Advises that position of building has been located to avoid coastal flood constraints and that access will utilise an existing opening onto the A83(T).

Proposal is for a modest family home with design, proportions and orientation to reflect the site and surrounds.

Proposal includes for ASHP and solar panels.

- (iv) Sustainability Checklists (with reference to the requirements of LDP2 Policy 04)**

TN06 Sustainability Checklist	Yes
TN07 Sustainable Buildings Checklist	Yes

- | | |
|---|----|
| (v) A report on the impact of the proposed development eg. Retail impact, transport impact, noise impact, flood risk, drainage impact etc:
(if Yes list supporting documents below) | No |
|---|----|

(H) PLANNING OBLIGATIONS

- | | |
|---|----|
| Is a Section 75 agreement required:
(if Yes insert details of the terms and heads of agreement and, grounds for refusal if not completed within 4 months below) | No |
|---|----|
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(I) **Has a Direction been issued by Scottish Ministers in terms of Regulation 30, 31 or 32:** (if Yes insert details of direction below)

No

(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 \(Adopted 13th February 2023\)](#)

(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 5 – Soils

NPF4 Policy 6 – Forestry, Woodland and Trees

NPF4 Policy 9 – Brownfield, Vacant and Derelict Land and Empty Buildings (*includes provisions relevant to Greenfield Sites*)

NPF4 Policy 10 – Coastal Development

NPF4 Policy 13 – Sustainable Transport

Liveable Places

NPF4 Policy 14 – Design, Quality and Place

NPF4 Policy 15 – Local Living and 20 Minute Neighbourhoods

NPF4 Policy 16 – Quality Homes

NPF4 Policy 22 – Flood Risk and Water Management

[Argyll and Bute Local Development Plan 2 \(Adopted 2024\)](#)

(delete as appropriate)

Spatial and Settlement Strategy

Policy 01 – 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

Connected Places

Policy 32 – Active Travel

Policy 33 – Public Transport

Policy 34 – Electric Vehicle Charging Points

Policy 37 – Development Utilising an Existing Private Access or Existing Private Road

Policy 40 – Vehicle Parking Provision

Sustainable Communities

Policy 55 – Flooding

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

Homes for People

Policy 66 – New Residential Development on Non-Allocated Housing Sites within Settlement Areas

High Quality Environment

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

Policy 73 – Development Impact on Habitats, Species and Biodiversity

Policy 79 – Protection of Soil and Peat Resources

(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 \(Oct. 2023\)](#)

(K)	Is the proposal a Schedule 2 Development not requiring an Environmental Impact Assessment: (if Yes confirm date of screening opinion and reference below)	No
(L)	Has the application been the subject of statutory pre-application consultation (PAC): (if Yes provide summary detail of PAC below)	No
(M)	Does the Council have an interest in the site: (if Yes provide detail below)	No
(N)	Requirement for a pre-determination hearing: (if Yes insert details below)	No

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

SEPA Flood Zones (River and Coastal)

SPR Paths

West Kintyre Local Landscape Area

Trunk Roads

(O)(ii) Soils

Agricultural Land Classification: Class 4.2

Peatland/Carbon Rich Soils Classification: N/A

Peat Depth Classification: N/A

Does the development relate to croft land? No

Would the development restrict access to croft or better quality agricultural land? No

Would the development result in fragmentation of croft / better quality agricultural land? No

(O)(iii) Woodland

Will the proposal result in loss of trees/woodland? (If yes, detail in summary assessment) No

Does the proposal include any replacement or compensatory planting? N/A

(O)(iv) Land Status / LDP Settlement Strategy

Status of Land within the Application Greenfield

ABC LDP2 Settlement Strategy Settlement Area

ABC LDP2 Allocations/PDAs/AFAs etc: N/A

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

The proposal seeks detailed planning permission for the erection of a 1½ storey dwellinghouse and a single storey detached garage within the minor settlement of Muasdale. The development is considered to be of appropriate scale, siting, design and finishes required to be assimilated successfully within the existing settlement pattern and without harm to the wider landscape setting of the West Kintyre Local Landscape Area.

The proposal has been subject to representation from 11 individuals raising concern on a variety of matters that include impacts upon road safety, public access, impact on landscape/visual amenity, impact on biodiversity.

The proposed development has not been subject to any objection from statutory or non-statutory consultees, including Transport Scotland, SEPA, Scottish Water and the Council's Roads Service.

The site which is subject of the current application has previously benefitted from planning permission in principle for the erection of a dwellinghouse; however, these permissions pre-date the current Development Plan and have been allowed to lapse unimplemented.

Notwithstanding the concerns raised by third parties, the proposal is considered to be consistent with the relevant provisions of the Development Plan (NPF4 and LDP2), and there are no other material considerations identified to indicate that planning permission should be withheld.

(Q) Is the proposal consistent with the Development Plan: Yes

(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 to indicate that it would be appropriate to withhold planning permission having regard to s25 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: (If yes provide detail below) No

Author of Report: Peter Bain **Date:** 06.06.2024

Reviewing Officer: Bryn Bowker **Date:** 06.06.2024

Fergus Murray
Head of Development & Economic Growth

CONDITIONS AND REASONS RELATIVE TO APPLICATION REF. NO. 23/01358/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 12.07.2023, 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
Location Plan	Herrod 23/100-01	Rev A.	13.07.2023
Site Plan	Herrod 23/100-02	Rev B.	07.02.2024
Floor Plans and Elevations of Dwellinghouse	Herrod 23/100-03	Rev A.	13.07.2023
Floor Plans and Elevations of Detached Garage	Herrod 23/100-04	Rev A.	13.07.2024

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

2. **PP – Timescale to be Agreed for Completion**

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.

3. **PP – Access, Parking and Turning As Shown**

The parking and turning area shall be laid out and surfaced in accordance with the details shown on the approved plans prior to the development first being occupied and shall thereafter be maintained clear of obstruction for the parking and manoeuvring of vehicles. Notwithstanding the details on the approved plans, the access arrangements shall be implemented to accord with the following requirements with the submission of further information for approval as specified:

1. Prior to the occupation of the development, the existing access on the A83 Trunk Road shall be upgraded, generally in accordance with Herrod drawing No. 23/100-02 Revision B dated 30.09.2023, to the satisfaction of the planning authority, after consultation with Transport Scotland.
2. The first 5 metres from the edge of the A83 trunk road shall be surfaced in a bituminous surface and measures shall be adopted to ensure that all drainage from the site does not discharge onto the trunk road.

3. Prior to the commencement of development, details of the fencing / barrier proposals along the trunk road boundary shall be submitted to, and approved by, the planning authority, after consultation with Transport Scotland and thereafter implemented prior to commencement of operation. The fencing / barrier proposals shall be located such that they can be erected and maintained from within the development without requiring access to the trunk road.

Reasons: In the interest of road safety; to ensure that the standard of access layout complies with the current standards and that the safety of traffic on the trunk road is not diminished; to ensure that drivers of vehicles leaving the site are enabled to see and be seen by vehicles on the trunk road carriageway and join the traffic stream safely; to ensure that material from the site is not deposited on the trunk road to the detriment of road safety; to ensure that the efficiency of the existing drainage network is not affected; to minimise the risk to pedestrians and animals gaining uncontrolled access to the trunk road with consequential risk of accidents.

4. No built development should take place below existing ground level of 3.76mAOD.

Reason: In order to prevent unacceptable flood risk to people and property. To ensure a precautionary approach to flood risk and to ensure the longevity and future resilience of the development of the site to climate change and sea level rise by promoting flood risk avoidance as set out in Policy 22 of NPF4.

5. **PP – Submission of Details of Materials**

Notwithstanding the effect of Condition 1, no development shall commence until written details of the type and colour of materials to be used in the construction of external walls, roofs, windows and doors 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 – Full Landscaping Scheme**

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;
- 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.

In the interests of biodiversity retention/enhancement, the proposed landscape scheme should include consideration of the retention of the existing hedgerow along the eastern and southern boundaries of the site in so far as this may be practicable to comply with the requirements of condition 3. Which requires the formation of visibility splays and agreement of boundary treatment along the edge of the A83(T) with Transport Scotland.

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.

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 to comply with the requirements of NPF4 Policy 3

7. PP – Surface Water Drainage – No further detail required

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. 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:

- Further advice on SuDS can be found in SEPA's Standing Advice for Small Scale Development – www.sepa.org.uk

ADDITIONAL NOTES TO APPLICANT

- The applicant should have regard to the guidance provided by Scottish Water & SEPA in their consultation responses.
- The applicant is required to contact Transport Scotland to identify and obtain any necessary permissions to work within the trunk road boundary. Further detail is provided in Transport Scotland's consultation response.

COMMITTEE REPORT	
APPENDIX A – RELATIVE TO APPLICATION NUMBER:	23/01358/PP
PLANNING LAND USE AND POLICY ASSESSMENT	

1. Introduction

1.1. The proposal seeks detailed planning permission for the erection of one dwellinghouse with a detached garage, the improvement of an existing access onto the A83(T) and the installation of a septic tank and soakaway.

2. Settlement Strategy

2.1. The proposal is located within the 'settlement area' for the Minor Settlement of Muasdale as defined by the Argyll and Bute Local Development Plan 2 wherein the provisions of ABC LDP 2 Policy 01 sets out general support in principle for development of a non-brownfield site where the proposal is considered to be acceptable in relation to the overall land supply for the proposed use, and it is compatible with surrounding uses, is of an appropriate scale and fit for the size of settlement, and respects the character and appearance of the surrounding townscape.

2.2. Planning permission in principle has previously been granted for the erection of a single dwellinghouse at this location in 2004, 2015 and 2016 although these have since been allowed to lapse unimplemented. These proposals are very similar in nature to that of the current application with the single exception that they have explored different means of connecting to the A83(T).

2.3. In order to address the determining issues, the key considerations in this application are:

- Compliance with the Development Plan and other relevant planning policy;
- Any other relevant material considerations.

3. Location, Nature and Design of Proposed Development

3.1. The application relates to a field of some 0.3ha located on the shore side (west) of the A83(T) within the defined 'settlement area' for Muasdale. The site is bounded to the east and south by an unkempt hedgerow which demarcates the field boundary. The boundaries to the north and west are open. The field to the north contains a static caravan; to the west is the natural foreshore and a sandy beach.

3.2. Muasdale is identified to be a linear settlement with existing buildings predominantly located to the landward (east) of the A83(T) public road. There is however an established presence of built development along the shoreside although this is more sporadic with gaps that allow views out from the A83(T) to the coast. The current application site lies within a gap set between two existing buildings with Tigh-na-Cladaidh located some 80 to the south and The Old Post Office 50m to the north. Existing development within Muasdale is relatively low density and consists primarily of a mix of single, 1½, 1¾ and 2 storey buildings of traditional design emphasis and orientated to face the A83(T)/coast. There is also an established caravn park within the settlement which utilises land between the A83(T) and the foreshore.

3.3. The current proposal is for a 1½ storey building with a general rectangular footprint and pitched roof dormers set in approx. 5m from the eastern site boundary and parallel to the A83(T). The proposed 3 bedroom dwellinghouse will be finished in a roughcast render, with horizontal timber boarding detailing, concrete roof tiles and uPVC window units. The submitted plans do not include details of colour finishes however these could readily be secured by planning condition.

The proposal also includes for the provisions of a detached garage building with finishes to match the dwellinghouse.

- 3.4. Water connection will be by connection to the public water main; foul drainage will be to a new septic tank and soakaway arrangement. Access will be by means of improvement of an existing field access from the A83(T) and the formation of a connecting driveway with onsite parking and turning for 3 vehicles within the application site boundary.
- 3.5. NPF 4 Policy 16 and ABC LDP 2 Policy 09 seek to encourage and promote the delivery of high quality, affordable and sustainable homes. NPF 4 Policy 14 and ABC LDP 2 Policies 08 and 09 all seek to ensure that development proposals are designed to improve and respect the existing qualities of an area. The application details that the development design will seek to utilise local aggregates in its construction, that top soil will be retained on site for landscaping. The building design provides a flexible living space and is adaptable for full accessibility with space for a chair lift to the upper floor and sockets to be located at accessible levels. Heating will be from an ASHP with solar PV panels. The garage will provide bicycle storage and an EV charging point is to be provided to comply with Building Standards Regulations. Waste will be managed onsite with space for recycling bins provided beside the access to facilitate collection. The proposed dwelling and detached garage are considered to be of appropriate siting, layout, scale, design and finishes having due regard to the existing linear settlement pattern and existing built development to which it will relate. The proposal is sufficiently removed from existing residential property that it will not give rise to any loss of privacy or residential amenity.

4. Natural Environment & Biodiversity

- 4.1. There are no nature conservation designations relating to the proposed development site or located within the wider locality that are likely to be impacted by the proposed development.
- 4.2. The proposal relates to a greenfield site located within the 'settlement area' of Muasdale. The site is currently utilised as rough grazing and is considered to have limited biodiversity value. The hedgerow surrounding the eastern and southern boundary is likely to provide opportunities for nesting birds and shelter for small mammals. Whilst the proposal will see some reduction in the height of the hedgerow there is scope within the development layout to seek that this is largely retained aside from clearance required to form and maintain visibility splays. Aside from a bitumen junction with the A83(T), hard surfaces within the development site will be permeable.
- 4.3. The Sustainability Checklist accompanying the application indicate that additional native tree planting will be provided within the development site however no detail is provided. This could however be secured by condition to confirm landscaping details which include further proposals to enhance biodiversity and accord with the requirements of NPF4 Policy 3(c) and ABC LDP 2 Policy 73.

5. Built / Historic Environment

- 5.1. There are no built heritage designations within the immediate locality of the proposed development.

6. Impact on Woodland/Access to Countryside.

- 6.1. The development will improve an existing field access that is currently utilised by the wider public to access the beach to the west. The details accompanying the application confirm that the development will not preclude public access to this location and it is noted that enhancement of the existing junction will improve accessibility to this location.

7. Landscape Character

- 7.1. The application is located within the West Kintyre Local Landscape Area as designated within the Argyll and Bute Local Development Plan 2 wherein the provisions of ABC LDP 2 Policy 71 set out that development which would have a significant adverse impact upon the character of the landscape will be resisted.
- 7.2. Within the context of the wider landscape setting, the proposed development will be viewed within the context of existing built development. The proposed development is considered to be of appropriate siting, scale, design and finishes that it will readily be assimilated within its surrounds without detriment to the character or appearance of the receiving landscape.
- 7.3. Having regard to the impact of development upon visual amenity, it is observed that due to the presence of a tall hedgerow along the eastern boundary of the site there is limited outlook for users of the A83(T) across the development site to coastal views. The introduction of a new building at this location will not appear incongruous within the context of the existing settlement pattern and has potential to open up views through the site to the coast through reduction in the height of the hedgerow.

8. Road Network, Parking and Associated Transport Matters.

- 8.1. The provisions of NPF 4 Policy 13, and LDP 2 Policies 36, 37, and 40 set out a requirement that new development is served by appropriate access arrangements and define the appropriate standards.
- 8.2. Access to the proposed development from the A83(T) shall be taken from an existing field access that serves the adjoining field to the south and which provides public access to the beach/foreshore to the west.
- 8.3. An amended site plan submitted by the applicant (ref. 23/100-02 Rev B) details that the access will be formed to meet Transport Scotland specifications (DMRB CD 123 and CD 109) with visibility splays of 2m by 120m in both directions. The existing field access shall be widened out to a minimum of 3.7m to the point where it connects with a private driveway to serve the development. Parking and turning for three vehicles shall be provided within the development site adjacent to the proposed garage.
- 8.4. Transport Scotland have not raised objection to the proposed access arrangements from the A83(T) subject to the access being constructed in accordance with the detail proposed, and subject to additional conditions that require the first 5m of the field access to be surfaced in a bituminous material, and for provision of any fencing/barriers along the trunk road boundary to be submitted and agreed by the planning authority in consultation with Transport Scotland. The Council's Roads Service has not raised objection to the proposal and commented that the proposed parking and turning arrangements are acceptable.

9. Infrastructure / Flood Risk

- 9.1. NPF 4 Policy 15 seeks to ensure that new development will contribute to local living. In this instance it is identified that the proposal is located a short distance from a local shop, and the Muasdale GP surgery. The proposal also falls within the catchment area for Glenbarr Primary School. The development is also located on the A83 bus route.
- 9.2. The small portion of the site adjacent to its western boundary is located within the 1:200 plus climate change coastal flood map provided by SEPA. It has however been confirmed that the proposed dwellinghouse is located outwith the area subject to flood risk and SEPA have not raised any objection to the proposal subject to a condition specifying the minimum finished floor level of the development to 3.76m AoD. The details accompanying the application specify a FFL of 4.3m AoD. The proposal is considered to be consistent with the relevant provisions of NPF 4 Policy 22, and LDP 2 Policy 55 in this respect.

- 9.3. Water shall be by connection to the public water main, Scottish Water have not raised any objection.
- 9.4. Foul drainage shall be to a new septic tank and soakaway; the development is located outwith areas currently served by public drainage infrastructure and this arrangement is accordingly consistent with the requirements of LDP 2 Policy 60.
- 9.5. The submitted details do not include for surface water drainage, it is however observed that a requirement to provide SuDS can be secured by planning condition to address the requirements of LDP2 Policy 62