

**Proposed Argyll and Bute Local Development Plan Examination:
Council's submission and Reporter's Conclusions and Recommendations on
ISS113: PDA 3/29 Rhu Marina .**

Development Plan Reference:	3/29 Rhu Marina	Reporter David Russell
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The Council's submission to the Reporters starts on page 194 of the report.

It is in four parts,

- 1. Summary of representations,*
- 2. Modifications sought by those making representations,*
- 3. Summary of Planners responses with reasons*
- 4. Conclusions*

It is followed by the Reporter's Conclusions and Recommendation

Body or person(s) submitting a representation raising the issue (including reference number):

Rhu Marina Developments (01894)
David & Anne Carswell (01063)
Brian Cook (00701)
Jean Cook (01966)
James Duncan (01978)
Linda Duncan (01979)
Michael McAuley (00936)
Pat Pollok-Morris (00276)
Rhu & Shandon Community Council (01260)
Maurice Corry (01492)
Alastair Moore (02046)
Hilda Massey (02030)
Jack Rudram (02117)
James Johnstone (02009)

Provision of the development plan to which the issue relates:	Local Development Plan Schedules and Proposals Maps
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1. Planning authority's summary of the representation(s):

PDA 3/29 - Rhu Marina Developments (01894) –

Rhu Marina Developments have submitted their proposed master plan for the area which shows the Potential Development Area enlarged to include an area of infill. The infill area is required in order to allow the development of the site for the benefit of the community as a whole and provide the space and facilities intended for the site. They are also requesting that the residential density be reduced from high to medium, as high density residential units are not appropriate or required on the site.

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PDA 3/29 - David & Anne Carswell (01063) –

Concerned about the impact and height of the proposed buildings, and associated volume of traffic and the infrastructure is already overburdened.

PDA 3/29 - Brian Cook (00701) - The proposed development is incompatible with Rhu's Conservation Area status. Existing policy states that coastal development should only be allowed where it is essential. Housing does not require a coastal location. Any development of the marina should be for marine associated activities. No building should be more than one storey high and land reclamation is unnecessary.

PDA 3/29 Map 6 - I support this as written. Land reclamation between the Marina and the off-base reception site (hangars) is not necessary and is no longer recommended

PDA 3/29-Jean Cook (01966) - I support the area in map 6 for the Potential Development area 3/29 and fully support the decision not to undertake any land reclamation. The proposed schedule calls for a high density of development with a minimum of 25% affordability. I object to this because there has been no consultation on the change to high density, housing does not require a coastal location, such developments are inappropriate to a village, and would have a negative impact on views of the conservation area.

PDA 3/29-James Duncan (01978) - The proposed schedule calls for a high density of development with a minimum of 25% affordability. I object to this because there has been no consultation on the change to high density, housing does not require a coastal location, such developments are inappropriate to a village, and would have a negative impact on views of the conservation area. Buildings on this site should be low rise and spaced so as to provide walkways, viewpoints and public open space. Medium and large scale developments are inappropriate in villages. Whilst density and scale are different high density can be construed as larger scale, out of keeping with the village setting.

PDA 3/29-Linda Duncan (01979) - The proposed schedule calls for a high density of development with a minimum of 25% affordability. I object to this because there has been no consultation on the change to high density, housing does not require a coastal location, such developments are inappropriate to a village, and would have a negative impact on views of the conservation area.

PDA 3/29-Michael McAuley (00936) - This area is described in the Environmental Statement as adjacent to a Conservation Area. This is incorrect as this area currently forms part of a Conservation Area. Had the correct statement been included in the ES, the Assessment would require to be clearer.

The density has been changed to high and no justification given for its change. Housing is contrary to both the existing Local Development Plan and Supplementary Guidance and should be removed. The 2009 Local Plan Coastal Development policy must apply this is contravened as residential use does not require a coastal location. Supplementary Guidance LDP CST 1 which accompanies the proposed LDP makes it clear that applications for coastal development on land will only be supported where a coastal location is essential to the development.

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PDA 3/29 - Pat Pollok-Morris (00276) –

This site should be developed for directly marine based activities but not for housing there is no need for such development on a coastal site in a conservation area, and there is a presumption against large or medium scale housing in villages and minor settlements. High density housing seems particularly inappropriate.

PDA 3/29 - Rhu & Shandon Community Council (01260); Maurice Corry (01492) –

The proposed schedule calls for a high density of development with a minimum of 25% affordability. This is inappropriate. The site is a key element in views of Rhu Bay and the setting of the conservation area. High density housing will impact that setting, of particular concern is the introduction of housing between the A814 and the sea. Buildings on this site should be low rise and spaced so as to provide walkways, viewpoints and public open space. Whilst density and scale are different high density can be construed as larger scale, out of keeping with the village setting. Housing does not require a coastal location, and on this site is seen as providing no economic or social benefit to the community.

PDA 3/29 - Rhu & Shandon Community Council (01260) –

R&S CC support the area delineated in Map 6 for the Potential Development Area PDA 3/29. R&S CC are pleased that the PDA has not been expanded and fully support the decision not to introduce a wider area and land reclamation as indicated by HL12 of the Main Issues Report.

PDA 3/29 - Alastair Moore (02046) –

I strongly object to any house building within this small section of ground at Rhu Marina in the bay of Rhu. It is not a suitable location for lots of reasons and would be out of character and not wanted in Rhu Conservation Village.

PDA 3/29 - Hilda Massey (02030) –

I am concerned about the height of the proposed buildings that are to be built, also the volume of traffic on the access road to the marina, and that further development will occur in the future.

PDA 3/29 - Jack Rudram (02117) –

The proposed schedule refers to a high density of development, presumably housing, and minimum 25% affordability. This is considered inappropriate on this site, particularly with respect to housing.

PDA 3/29 - Jack Rudram (02117) –

I support the area delineated in Map 6 for the Potential Development Area PDA 3/29. I am pleased that the PDA has not been expanded and fully support the decision not to introduce a wider area and land reclamation as indicated by HL12 of the Main Issues Report.

PDA 3/29-James Johnstone (02009) - A high density development in this area will result in a significant loss of amenity and local wildlife. Local infrastructure is not suitable for such development, particularly the road through Rhu to Garelochhead which is already dangerous for pedestrians and cyclists to use.

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2. Modifications sought by those submitting representations:

PDA 3/29 - Rhu Marina Developments (01894) –

Change high density to medium in schedule 8.2, and increase the area of the PDA to that shown in the submitted master plan.

PDA 3/29 - Brian Cook (00701) - Housing on the site should not be permitted and any buildings should be low rise.

PDA 3/29 - James Duncan (01978) - The reference in Schedule 8.2 to "High" density housing should be deleted. I would like there be no housing on this site and would reclassify it's use as "Mixed use – leisure/tourism and marina related only"

PDA 3/29 - Linda Duncan (01979) - Housing should be deleted from this proposal. The marina should be developed as a marina for marina associated activities.

PDA 3/29 - Michael McAuley (00936) - Removal of reference to housing, or if it is retained it should be low density housing.

PDA 3/29 - Pat Pollok-Morris (00276) - Removal of the housing use from the PDA

PDA 3/29 - Rhu & Shandon Community Council (01260) - A majority in the community would prefer there to be no housing on this site. This would reclassify it's use as "Mixed use – leisure/tourism/business/retail" with the density then being as per the adopted Local Plan 2009 specified as "N/A".

If it is minded to retain housing within the use categories for PDA 3/29, against the advice of the R&S CC, then the density should be re-categorised as "Low", and certainly no higher than "Medium".

PDA 3/29-Alastair Moore (02046) - Any building at the location of Rhu Marina should only be a Facilities/Reception area with a maximum height of one level high.

PDA 3/29 - Hilda Massey (02030) - The buildings erected should be minimum height and not cause a blot on the landscape. The number of apartments reduced, and roads improved.

PDA 3/29 - Jack Rudram (02117) - I would prefer there to be no housing on this site and it's use reclassified as "Mixed use – leisure/tourism/business/retail" with the density then being as per the adopted Local Plan 2009 specified as "N/A".

If housing is retained, then the density should be re-categorised as "Low", and certainly no higher than "Medium".

PDA 3/29-James Johnstone (02009)-Complete removal from the plan.

PDA 3/29 - David & Anne Carswell (01063); PDA 3/29 - Jean Cook (01966); PDA 3/29 -Rhu & Shandon Community Council (01260); PDA 3/29 - Maurice Corry (01492); PDA 3/29

- Jack Rudram (02117) - None specified Rhu & Shandon Community Council (01260); PDA 3/29 - Maurice Corry (01492); PDA 3/29 - Jack Rudram (02117) - None specified

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3. Summary of responses (including reasons) by planning authority:

PDA 3/29 - Rhu Marina Developments (01894) - The site (PD165) has been subject to a number of planning applications in recent years including one for the enlargement of the area by infilling and land reclamation works to allow the erection of a new building to provide public bar, restaurant, hotel, office accommodation and ancillary facilities (see production PD166 – application ref 04/-1218/DET) and another more recently for the change of use of land to allow the siting of a temporary modular office building, two storage containers, security fence and pontoons for docking (see production ref PD167 application ref 12/01696/PP) which was accompanied by an indicative master plan showing how the site may be developed overall (see production PD168). The content of these applications are reflected in the representations from Rhu Marina Developments. The planning application for infill and reclamation works was consented but this consent has now lapsed. This consent was reflected in the proposals for an enlarged site which was included in the Main Issues Report. However in response to the representations on the Main Issues Report the Council decided not to include the enlarged PDA in the PLDP. The application for the temporary modular office building and the accompanying masterplan proposals were subject to public advertisement and consultation at around the same time as consultation on the PLDP. This application was subsequently given temporary consent as a minor departure from the Adopted Local Plan following a hearing by the Council Planning Protective Services and Licencing Committee on 27th August 2013. The same committee also considered the proposed masterplan and concluded “ that the current proposals contained within the proposed Masterplan are out of keeping with the general character of the Rhu Conservation Area. The PPSLC agrees that there is insufficient detail to assess the proposed redevelopment in principle with particular concerns relating to the scale and massing of the proposed buildings and the scale of the proposed infill. As a result, it is agreed that the application for the Masterplan be refused.” (See Production PD169 - minutes of PPSLC 27th August 2013) The objection element of responses to the PLDP are considered to reflect concerns over the master plan proposed by the developers, and not just those of the LDP. It is noted that a number of those who have objected have also written to support the PLDP proposals map for the PDA and its description as outlined in the adopted local plan

PDA 3/29 - David & Anne Carswell (01063); PDA 3/29 - Brian Cook (00701); PDA 3/29 - Jean Cook (01966); PDA 3/29 - James Duncan (01978); PDA 3/29 - Linda Duncan (01979); PDA 3/29 - Michael McAuley (00936); PDA 3/29 - Pat Pollok-Morris (00276); PDA 3/29 - Rhu & Shandon Community Council (01260); PDA 3/29 - Maurice Corry (01492); PDA 3/29 - Alastair Moore (02046); PDA 3/29 - Hilda Massey (02030); PDA 3/29 - Jack Rudram (02117); PDA 3/29 - James Johnstone (02009) - Object to Scale of Proposed Development, particularly high density residential development as this will have an adverse effect on the character of the conservation area, and does not require a coastal location. Concerned about the increased traffic as a result of the development.

This potential development area was included in the Adopted Local Plan, (see core document ref CD001) the uses proposed for it as well as its area has not been changed in

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the proposed local development plan. The only change has been the amendment of the description of the density considered acceptable on the site. In the adopted local plan the density was described as N/A (not applicable). This description being applied to potential development areas where the primary use was not intended to be residential. The proposed local development plan (LDP) now indicates that the residential component of any development on this PDA is expected to be high density. It is not intended to indicate that the overall development of the site should be high density, merely that the residential component should seek to achieve a density in the order of 30 units per hectare on a pro rata basis. This type of density would allow town houses, and low rise flatted development suitable for smaller households to be provided. The areas designation as a mixed use Potential Development Area, requires a Masterplan to be submitted with any proposals which demonstrates how the range of uses identified in the LDP schedule for the site can be accommodated. Housing is only one element of the range of uses expected as part of a modern marina development the overall development of which requires a coastal location.

Rhu conservation area has been drawn to extend to low water mark. It covers the most of the settlement, with the exception of the predominantly MoD housing to the north. There are a wide range building styles, types and ages, set in a fairly organic pattern of development. The unifying feature of which is the significant contribution which trees and woodland make to the setting of development. On the shore side of the road the marina contains a mixture of utilitarian buildings, hardstanding areas and open space used for storage purposes together with some limited landscaped areas at the entrance. This combined with its' location on the shore side of the road mean that it is not homogenous with the rest of the conservation area. The redevelopment opportunities promoted by the sites identification as a potential development area, and its requirement for a detailed masterplan provide the means by which this part of the conservation area may be enhanced, by providing the opportunity to promote a landscaping and tree planting scheme, a rationalisation of existing buildings, and a co-ordinated approach to design and finishes of new buildings.

The area road engineer has raised no concerns in principle with regard to this proposed Potential Development Area.

4. Conclusions

In view of all the above the Council recommends that no modification to the proposed LDP be undertaken as a result of these objections made to the proposed LDP.

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Reporter' Conclusions (page 199)

1. The issue here relates to the inclusion in the proposed local development plan of the designation of a potential development area at Rhu Marina. It is not a new designation, but has been 'rolled forward' from the existing adopted local plan. It is not a firm allocation which would lead immediately to consent for development being granted, as the designation as a "potential development area" recognises that there are constraints which require to be overcome first.
2. The proposed plan highlights the potential for a "mixed use" development which reflects the same mix of uses referred to in the current local plan for the same site. These are housing, leisure, tourism, business and retail. I do not consider that it would be inappropriate for an element of each of these uses to be incorporated in a development at Rhu marina, although the expected focus would be on those uses which would combine to contribute to the overall improvement of the facilities of the marina itself. The appropriate scale, mix and balance of these uses would fall to be considered once the constraints have been overcome and a masterplan has been prepared and/or a specific proposal has been submitted. It is not the role of this examination to consider the particular merits of previous proposals.
3. The one change proposed from the current local plan is the reference to a 'high' housing density. I accept the assurance of the council that this is not intended to indicate that a high density housing development is sought across the whole, or the majority, of the potential development area. Rather, it is envisaged that any individual element of housing which is proposed within the overall mixed use development will itself be at a high density, even if it is a small element. I consider that to be appropriate in this context, and it also reflects the general move to higher density of housing developments across Argyll and Bute, which is now proposed in this local development plan.
4. Nonetheless, retention of that reference is likely to lead to an element of unintended ambiguity and confusion, as it could be interpreted as implying support for a mixed use development within which housing would be the predominant element. For that reason I consider that it would be more appropriate for the schedule to indicate that the reference to density in relation to this potential development area is "not applicable". This will leave the council free to judge the appropriateness of any housing element which may be proposed in any future planning application. I note that it also mirrors the reference to density contained in the adopted local plan.
5. I turn now to the request to extend the delineated area to incorporate an additional area of existing foreshore within the 'potential development area'. I do not regard that to be an appropriate modification to recommend as, although this was proposed as part of a previous planning application, I have no evidence that the current boundaries present an insurmountable constraint to achieving an acceptable development on the site.

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6. I accept that this is an option which may be pursued by a potential developer when seeking to resolve all of the constraints affecting the site. However, this would still require to be addressed through the mechanism of a masterplan and a subsequent planning application, prior to being determined by the council as planning authority. In considering the appropriateness of the 'potential development area' which is set out in the local development plan, it is not the role of this examination to decide on the acceptability of particular schemes.
7. A number of additional representations regarding this issue were forwarded following the start of this examination, including from the community council and the local MSP, and which also drew attention to the large number of objections submitted to the council in relation to an earlier planning application. They stated that many had raised objections to any use of the site for housing. However these do not affect my conclusions above which do not preclude the possibility that an element of housing may be found acceptable as part of an overall mixed use scheme.

Reporter's Recommendations (page 200)

Modify the schedule on page 67 to amend the 'density' in relation to the potential development area at Rhu Marina from "High" to "N/A".