

Following submission of additional information, no objection was raised to the proposal – 29/09/2023

Laggan Community Council

With more consideration, thought and engagement the development could have been better planned with a less negative outcome. Consider that the project at the current proposed site is hugely detrimental to a significant proportion of residents in the Community Council Area, with very few obtaining any form of benefit. Object to the proposal in the strongest possible terms.

Raise specific concerns in relation to safety, including regarding access to the slurry lagoon, fumes, and subsistence/structural failure associated with historic mine works, noting a large part of the village had to be evacuated in the past, noting the Coal Board's Report is not available. Question the location of the proposed development, suggest it should be located closer to the farm stading, and query the proposed siting in terms of aesthetics. Consider the proposal could affect property values and the desirability to live/relocate to the village.

West of Scotland Archaeology Services

Note that the application lies within an area of archaeological sensitivity and potential based on the presence of recorded sites of prehistoric, medieval and later date in the surrounding landscape. However, no objection is raised subject to a condition to secure an archaeological watching brief.

(D) HISTORY:

No relevant site-specific planning history

(E) PUBLICITY:

Regulation 20 Advert (expiry date: 07.07.2023)

Neighbour notification (expiry date: 12.06.2023)

(F) REPRESENTATIONS:

(i) Representations received from:

A total of 29 representations were received for the application – 28 of which were in

access to the slurry. As such, it is considered that withholding planning permission on safety grounds would not be justified.

- x Concerns regarding the smell associated with the proposed slurry (even when covered), and the prevailing wind, which would pose health

Standing Advice is drawn to the attention to the applicant as standard practice. This will be appended to any approval by way of an informative to the applicant.

- x Concerns are raised regarding the health and safety of the village residents (including their physical, social and psychological effect) and potential

Protecting our environment/climate

- a) The material used for the liner are compliant with SEPA
- b)

missing, filling and emptying points with concrete protection should be provided.

Provided the works are carried out in the submitted drawings and attached Annex, states the development should meet regulatory requirements. Requests that SEPA are contacted post completion of works to allow final inspection.

The Coal Authority (Coal Mining Report dated 16.06.23):

SG LDP BAD 1 – Bad Neighbour Development

Resources and Consumption

SG LDP SERV 2 – Incorporation of Natural Features / SuDS

SG LDP SERV 3 – Drainage Impact Assessment

SG LDP SERV 5 – Waste Related Development and Waste Management

Transport (Including Core Paths)

SG LDP TRAN 4 – New & Existing, Public Roads & Private Access Regimes

SG LDP TRAN 7 – Safeguarding of Airports

(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.

- x Third Party Representations
- x Consultation Responses
- x Planning History

[Argyll and Bute proposed Local Development Plan 2 \(November 2019\)](#) – The Examination by Scottish Government Reporters to the Argyll TQQ EMC q70 0



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

(P)(iii) Woodland

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

(R) Reasons why Planning Permission or Planning Permission in Principle Should be Granted:

The proposal, subject to conditions, 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:

Yes No (If yes provide detail below)

Author of Report: Tiwaah Antwi

Date: 06.11.2023

Reviewing Officer: Bryn Bowker

Date: 10.11.2023

Fergus Murray
Head of Development & Economic Growth

CONDITIONS AND REASONS RELATIVE TO APPLICATION REF. NO. 23/01018/PP

Standard Time Limit Condition (as defined by Regulation)

Standard Condition on Soil Management During Construction

- i) Any proposed re-contouring of the site by means of existing and proposed ground levels;
- ii) Proposed hard and soft landscape works;
- iii) 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.

The development shall not be operated until such time as the surface treatment and any re-contouring works have been completed in accordance with the duly approved scheme.

All of the hard and soft landscaping works shall be carried out in accordance with the approved scheme during the first planting season following the commencement of the development, unless otherwise stated in the approved scheme.

COMMITTEE REPORT	
APPENDIX A	RELATIVE TO APPLICATION NUMBER: 23/01018/PP
PLANNING LAND USE AND POLICY ASSESSMENT	

750mm freeboard, and photographs of the watercourse. In response to the additional information, the Council's Flood Advisor has raised no objection to the proposal. Additionally, while pLDP2 encourages incorporating existing ponds, watercourses or wetlands as positive environmental features in development schemes, in this case, due to the nature of the development it is considered to not conflict with the relevant provisions of Policy 61 of pLDP2.

On the basis of the above, the proposal has given thorough consideration to risks that the development may pose and has put forward satisfactory measures to reduce risks in terms of neighbouring living conditions and flood risk. It is therefore considered that the proposal would not have a materially harmful effect on neighbouring living conditions (including safety), and in terms of flood risk. Consequently, the proposal would meet the relevant requirements of NPF4 Policy 22 and 23; ABC LDP Policies LDP 10, SG LDP SERV 2 and SG LDP SERV 3; and Policies 55 and 61 of pLDP2 as it relates to the proposed development.

4. *Historic Environment*

