

**MINUTES of MEETING of BUTE AND COWAL AREA COMMITTEE held in the QUEEN'S HALL,
DUNOON
on TUESDAY, 2 DECEMBER 2008**

Present: Councillor B Marshall (Chair)

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| Councillor A MacAlister | Councillor L Scoullar |
| Councillor R Macintyre | Councillor R Simon |
| Councillor A McNaughton | Councillor I Strong |
| Councillor J McQueen | Councillor J R Walsh |

Attending: Shirley MacLeod, Area Corporate Services Manager
David Eaglesham, Area Team Leader Development Control

Chief Inspector Mosley, Strathclyde Police

Anne Craig, Cowal Way
Col. Jim McLuckie, Cowal Way

1. APOLOGIES

None

The Chairman ruled, and the Committee agreed, in terms of Standing Order 3.2.2 that a report by the Area Corporate Services Manager in regard to the Area Committee Cycle for 2009 to be dealt with at item 5 (d) of the agenda, be taken as a matter of urgency.

2. DECLARATIONS OF INTEREST

Councillor A McNaughton declared a non financial interest in items 7c and d by reason of personal knowledge of the applicant.

3. MINUTES

(a) MINUTE OF AREA COMMITTEE OF 4TH NOVEMBER 2008

The Minute of the Area Committee of 4th November 2008 was approved as a correct record.

4. COWAL WAY - PRESENTATION BY ANNE CRAIG & JIM MCLUCKIE

Members heard an informative presentation on the Cowal Way from Anne Craig and Jim McLuckie and the Area Corporate Services Manager advised that the Core Path consultation was being discussed in Glendaruel Hall.

Decision

The Committee agreed:-

- i. Jim McLuckie would provide the Area Corporate Services Manager with a report on the funding and support required for the Cowal Way.
- ii. A report would come to a Special Area Committee on the 16th December 2008 on setting up a Partnership with the Cowal Way and on a possible recommendation to the Executive Committee on adding the Cowal Way into the budget process.

5. CORPORATE SERVICES

(a) VERBAL REPORT ON DUNOON - GOUROCK FERRY SERVICE

The Committee heard an update from the Area Corporate Services Manager and Councillor Walsh on the Gourock/Dunoon Ferry Service.

Decision

The Committee noted the detail provided on this matter.

(b) DUNOON NOTICE BOARDS

Members heard from the Area Corporate Services Manager on the request made by the Dunoon and Cowal Marketing Group to utilise the Council owned Notice Boards in Dunoon town centre.

Decision

The Committee agreed to instruct the Estates Service to draw up a suitable lease arrangement with the group.

(Reference: Report by the Area Corporate Services Manager dated 13th November 2008 – submitted)

(c) BUTE & COWAL AREA PLAN

Members heard from the Area Corporate Services Manager on the Draft Area Plan outlining the proposed area delivery priorities and campaign issues for the Bute and Cowal Area Committee for 2009 -2012.

Members wished their appreciation for the hard work from the Area Corporate Services Manager and staff in producing the Area Plan to be recorded in the minutes.

Decision

The Committee:-

- i. Approved the draft Bute and Cowal Area Plan.
- ii. Agreed that the draft Area Plan will be subject to a period of consultation prior to approval by Council in February 2009 as part of the Council's budget setting process.

(Reference: Report by the Area Corporate Services Manager - tabled)

(d) AREA COMMITTEE MEETING CYCLE

Members heard from the Area Corporate Services Manager on the proposed cycle of meetings for the Bute and Cowal Area Committee from January 2009 until December 2009.

Decision

The Committee agreed the outlined cycle of Area Committee meetings as detailed.

(Reference: Report by the Area Corporate Services Manager dated 1st December 2008 – tabled)

6. PUBLIC AND COUNCILLOR QUESTION TIME

Anne Gabriel, Association of Community Councils, asked the Committee about the Community Council's Constitution being suspended and the consultation process and received advice from the Area Corporate Services Manager and Councillor Walsh.

Chief Inspector Mosley gave an update to the Committee, and Members asked questions on the wooden barriers, crime in Dunoon, speeding and underage drinking. Chief Inspector Mosley advised Members that one of the traffic cars now had Automatic Number Plate Recognition equipment and that advised the Drink Driving campaign will be starting imminently, paying particular attention to the morning after dangers.

7. DEVELOPMENT SERVICES

(a) OUTLINE PLANNING APPLICATION 08/01077/OUT, MR ROBERT MCSEVENY, LAND TO THE REAR OF PORTVASGO, CROMLECH ROAD, SANDBANK

Motion

While I agree that there are no examples of backland development in the immediate vicinity, such development is found elsewhere in Sandbank, so the proposal is not inconsistent with the wider settlement pattern. There is ample width to the west of Portvasgo to provide an improved shared access to the proposed plot without compromising the residential amenity of Portvasgo. I therefore consider that the proposal complies with paragraphs 11.1 to 11.3 of Appendix A of the Post Inquiry Modified Argyll & Bute Local Plan and therefore with Policy LP HOU 1 of the Plan, The adjacent storage use has not given rise to any complaints and is not a "bad neighbour" use as defined in Schedule 7 of the Town & Country Planning (General Development Procedure) (Scotland) Order 1992. Furthermore the Town & Country Planning (General Permitted Development) (Scotland) Order 1992 only allows, without planning permission, the change of use of such premises to Class 4 Business use

which by definition is a use which can be carried out in any residential area without detriment to the amenity of that area. Policy LP BAD 2 is therefore irrelevant.

The indicative siting of the dwelling within a 0.17ha plot shows some 15m separation from the site boundary so the development need not prejudice the development of adjoining land. This aspect can be considered in more detail at reserved matters stage.

I therefore move that the application is of a minor nature and that it be approved as being in accordance with Council policy subject to the standard outline conditions and conditions recommended by the Area Roads Manager.

Proposed: Councillor A McNaughton
Seconded: Councillor R Simon

Decision

The Committee unanimously agreed that the planning application be approved subject to the standard conditions and reasons by the Head of Planning Services.

(Reference: Report by the Head of Planning Services dated 24th November 2008 and 26th September 2008 – submitted)

- (b) **PLANNING APPLICATION 08/01421/DET, D M RENTALS, GARDEN GROUND OF 58 MCARTHUR STREET, DUNOON**

Decision

The planning application be approved subject to conditions contained in the report by the Head of Planning Services.

(Reference: Reports by the Head of Planning Services dated 24th November 2008 and 27th October 2008 – submitted)

- (c) **PLANNING APPLICATION 08/00607/DET, J MCNAUGHTON, SITE 1 LAND 250 METRES SOUTH OF SALTHOUSE, COLINTRAIVE**

Councillor A McNaughton, having declared a non financial interest in this item, left the meeting and took no part in the discussion of this matter.

Decision

The application be continued to the January Area Committee to allow Members an informal site familiarisation visit.

(Reference: Report by the Head of Planning Services dated 28th November 2008 – tabled)

(d) **PLANNING APPLICATION 08/00611/DET, J MCNAUGHTON, SITE 2 LAND 250 METRES SOUTH OF SALTHOUSE, COLINTRAIVE**

Councillor A McNaughton, having declared a non financial interest in this item, left the meeting and took no part in the discussion of this matter.

Decision

The application be continued to the January Area Committee to allow Members an informal site familiarisation visit.

(Reference: Report by the Head of Planning Services dated 28th November 2008 – tabled)

(e) **PLANNING APPLICATION 08/00751/DET, RWC DEVELOPMENTS, R RWAKISHASHSA & D CUNNINGHAM, LAND NORTH WEST OF HAUGHTON HOUSE, DUNOON**

Decision

The planning application be approved subject to conditions contained in the report by the Head of Planning Services.

(Reference: Reports by the Head of Planning Services dated 28th November 2008 – tabled)

(f) **DELEGATED DEVELOPMENT CONTROL AND BUILDING CONTROL DECISIONS**

The Committee noted Delegated Development Control and Building Control Decisions made since the last meeting.

8. EXEMPT ITEMS

The Committee resolved in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973 to exclude the public for the following item of business on the grounds that it was likely to involve the disclosure of exempt information as defined in Paragraph 13 of Part 1 of Schedule 7A to the Local Government (Scotland) Act 1973.

(a) **ENFORCEMENT REPORTS**

Decision

Enforcement Reports: -

08/00079/ENFOTH – no further action
08/00099/ENFOTH – agreed