

**MINUTES of MEETING of PLANNING, PROTECTIVE SERVICES AND LICENSING
COMMITTEE held in the COUNCIL CHAMBERS, KILMORY, LOCHGILPHEAD
on WEDNESDAY, 20 AUGUST 2014**

Present: Councillor David Kinniburgh (Chair)

Councillor Gordon Blair	Councillor Roderick McCuish
Councillor Rory Colville	Councillor Alex McNaughton
Councillor Robin Currie	Councillor James McQueen
Councillor George Freeman	Councillor Sandy Taylor
Councillor Robert G MacIntyre	Councillor Richard Trail
Councillor Donald MacMillan	

Attending: Charles Reppke, Head of Governance and Law
Angus Gilmour, Head of Planning and Regulatory Services
Richard Kerr, Major Applications Team Leader
Matt Mulderigg, Development Policy Officer

1. APOLOGIES FOR ABSENCE

Apologies for absence were intimated from Councillors Mary-Jean Devon and Alistair MacDougall.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. MINUTES

- (a) The Minute of the Planning, Protective Services and Licensing Committee held on 17 June 2014 was approved as a correct record.
- (b) The Minute of the Planning, Protective Services and Licensing Committee held on 18 June 2014 at 10.30 am was approved as a correct record.
- (c) The Minute of the Planning, Protective Services and Licensing Committee held on 18 June 2014 at 2.00 pm was approved as a correct record.
- (d) The Minute of the Planning, Protective Services and Licensing Committee held on 30 June 2014 at 10.30 am was approved as a correct record.
- (e) The Minute of the Planning, Protective Services and Licensing Committee held on 30 June 2014 at 10.50 am was approved as a correct record. This Minute was tabled at the meeting and replaced the Minute detailed at pages 85 and 86 of the Agenda Pack issued.
- (f) The Minute of the Planning, Protective Services and Licensing Committee held on 30 June 2014 at 11.10 am was approved as a correct record.

4. BURCOTE WIND: SECTION 36 CONSULTATION FOR PROPOSED CREGGAN WIND FARM: BARR GLEN, NORTH EAST OF GLENBARR (REF: 14/00132/S36)

Consideration was given to a report regarding a proposed response to the Scottish Government's Energy Consents and Deployment Unit Section 36 consultation regarding the proposed Creggan Wind Farm at land North East of Glenbarr, Kintyre Peninsula.

Decision

Agreed that the Council as Planning Authority should object to the proposed wind farm development for the reasons detailed below and that the Scottish Government be notified accordingly:-

1. The application site is located on the northern side of Barr Glen which constitutes one of the 'hidden glens' of the Kintyre peninsula. The proposed wind turbines would be prominent in short-range views from the A83, from the minor road through the glen and from the vicinity of the settlement of Glenbarr. They would frequently skyline in available views and by virtue of their scale and number would be prominent visually, detracting from the composition of elements which contribute to the scenic quality of the surrounding area. The areas of expected visibility coincide with more frequented areas where sensitive receptors tend to be concentrated, including the coast, settlement, historic environment and recreation assets, and extend their influence to hilltops, the Kintyre Way, and road and ferry routes, all which have value as a recreational and tourism resource. At 125m in height, the turbines proposed would dominate the glen, impinging inappropriately on the setting of and views from the small scale settled 'Rocky Mosaic' landscape character type, with significant adverse consequences for the visual qualities of the Kintyre coast APQ, which has been designated as a scenic resource of regional value. As well as casting an immediate effect over the small scale landscape of the glen and the settled coast of Kintyre, the influence of the wind turbines would also extend to the island of Gigha and more distant coastlines and seascapes. The proposal is not in accordance with the recommendations of the '*Argyll and Bute Landscape Wind Energy Capacity Study*' (2012) which specifically advises that turbine development should be kept off the sensitive ridges of Barr Glen. It would not share the locational advantages of consented wind turbine developments in Kintyre which have been carefully sited in order to exploit the topographical advantages of upland spine locations inland, where they shed comparatively little influence upon those more settled and sensitive coastal landscapes of the peninsula, which contribute to the attraction of this part of Argyll as a tourism destination. Although it is difficult to quantify the magnitude of these effects upon the tourism resource, development which compromises the visual and scenic qualities of the landscape and which impinges upon historic environment assets is likely to compromise the value of the wider area for tourism, given that Argyll is heavily reliant upon its natural, scenic and historic qualities in continuing to attract visitors. The foregoing environmental considerations are of such magnitude that they cannot

be reasonably offset by the projected benefits which a development of this scale would make to the achievement of climate change related commitments. The proposal is inconsistent with the provisions of Scottish Planning Policy and Scottish Government's Specific Advice Sheet on Onshore Wind Farms; Policies STRAT SI 1: Sustainable Development; STRAT DC 5: Development in Sensitive Countryside; STRAT DC 6 Development in Very Sensitive Countryside; STRAT DC 8: Landscape & Development Control; and Policy STRAT RE 1: Wind Farm/Wind Turbine Development of the 'Argyll & Bute Structure Plan' (2009) and Policies LP ENV 10: Development Impact on Areas of Panoramic Quality and LP REN 1: Commercial Wind Farm and Wind Turbine Development of the 'Argyll & Bute Local Plan' (2009), and does not accord with the guidance published by the Council in the 'Argyll and Bute Landscape Wind Energy Capacity Study' (2012) and Scottish Natural Heritage's 'Guidance on Siting and Design of Windfarms in the Landscape' (2009).

2. Barr Glen is already subject to the influence of wind turbine development as a consequence of the presence of Beinn an Tuirc I and II wind farms which are visible on elevated land beyond the head of the glen and there is also an as yet unimplemented permission on the south-eastern slopes for 3 No. 100m turbines at Auchadaduie. The proposal would introduce the presence of turbines along the northern side of the glen, where by virtue of their number, location, scale and movement they would constitute inappropriately conspicuous development contrary to the interests of the maintenance of landscape character and the protection of visual amenity, which would not conform with the approach advocated in the Council's approved 'Landscape Wind Energy Capacity Study', which seeks to build upon the locational advantages of the upland spine interior of the peninsula in accommodating further large scale turbine development, in order to avoid inappropriate influence being exerted upon more sensitive coastal landscapes, transport routes and communities. The development would be separate from the existing focus of wind energy development on the spine of Kintyre, where it would cast an unwelcome additional influence over the glen, which is sensitive to this scale of development, and where it would be more exposed to receptors, thereby exerting a disproportionate influence in terms of the experience of simultaneous and sequential views in conjunction with existing wind turbines. It would therefore give rise to unwelcome cumulative impacts upon the glen by virtue of its association with Beinn and Tuirc windfarm and would contribute to the visual encirclement of the glen by wind turbines having regard to the permission already granted for large scale wind turbines at Auchadaduie. The foregoing environmental considerations are of such magnitude that they cannot be reasonably offset by the projected benefits which a development of this scale would make to the achievement of climate change related commitments. The proposal is inconsistent with the provisions of Scottish Planning Policy and Scottish Government's Specific Advice Sheet on Onshore Wind Farms; Policies STRAT SI 1: Sustainable Development; STRAT DC 5: Development in Sensitive Countryside; STRAT DC 6 Development in Very Sensitive Countryside; STRAT DC 8: Landscape &

Development Control; Policy STRAT RE 1: Wind Farm/Wind Turbine Development of the 'Argyll & Bute Structure Plan' (2009) and Policies LP ENV 10: Development Impact on Areas of Panoramic Quality and LP REN 1: Commercial Wind Farm and Wind Turbine Development of the 'Argyll & Bute Local Plan' (2009) and with the guidance published by the Council in the 'Argyll and Bute Landscape Wind Energy Capacity Study' (2012) and Scottish Natural Heritage's 'Guidance on Siting and Design of Windfarms in the Landscape' (2009).

3. The proposal will have a significant adverse impact on existing archaeological sites including several Scheduled Ancient Monuments (SAMs) and very likely impact on unrecorded remains, and indeed the applicants' ES acknowledges the harmful impact on the archaeological features and assets of the Glen. The glen is rich in archaeological deposits over several different periods which should be preserved in situ. The turbines will impact on the general experience of the historic environment of the glen and will impose themselves inappropriately upon the landscape settings of historic environment assets. Scottish Planning Policy (SPP) states that '*Where there is potential for a proposed development to have an adverse effect on a scheduled monument or on the integrity of its setting, permission should only be granted where there are exceptional circumstances*'. This is echoed in policy LP ENV 16 (Development Impact on Scheduled Ancient Monuments) of the adopted Local Plan. It is not considered that exceptional circumstances have been demonstrated in this instance.

The applicant has advanced proposals to off-set the adverse impact acknowledged in their own ES, by the site management and consolidation of five churches in South Kintyre. Only one of these churches is within the Zone of Theoretical Visibility (ZTV) for the proposed wind farm, with the others located further afield at Machrihanish, Campbeltown and Southend. It is considered that this approach would have an insufficient compensatory effect on the immediate cultural and geographical environment in the application area given that only one of these sites would be influenced by the presence of the development and would not overcome the shortcomings of the proposal in respect of historic environment interests within and surrounding Barr Glen. With this in mind the proposal is not consistent with Scottish Planning Policy, Scottish Historic Environment Policy, Policy STRAT DC 9 of the 'Argyll & Bute Structure Plan' (2009) or Policies LP ENV 1, LP ENV 16 and LP ENV 17 of the 'Argyll & Bute Local Plan' (2009).

(Reference: Report by Head of Planning and Regulatory Services dated 17 July 2014, submitted)

5. KAMES FISH FARMING LTD: FORMATION OF FINFISH FARM COMPRISING THE SITING OF 12 NO. 100 METRE CIRCUMFERENCE CAGES, ASSOCIATED FEED BARGE AND ANCILLARY EQUIPMENT: SHUNA SOUND, WEST OF SOUTH END HOUSE, ISLE OF SHUNA (REF: 14/00676/MFF)

The Major Applications Team Leader spoke to the terms of the report and a supplementary report advising that permission was sought for the installation of a marine finfish development of 12 No. 100m circumference cages and a feed/service barge to be utilised for the production of either farmed salmon or trout. The application was originally for 14 cages, but the proposal was reduced to 12 cages during the course of processing in order to avoid encroachment into a small bay adjacent to the site so as to overcome shortcomings relative to the impact of the submitted layout upon its landscape/seascape setting and to improve conformity with aquaculture guidance published by SNH. The application site is located within Shuna Sound, inshore along the south west coast of the Isle of Shuna and at the opposite end of the Isle of Luing and off a sensitive countryside zone as defined in the adopted Local Plan. Neither SNH, SEPA, Marine Scotland nor adjacent Community Councils have raised objection to the proposal. An objection has been received from the District Salmon Fishery Board along with 28 objections, 17 expressions of support and 2 neutral representations from third parties. On balance given the low number of representees giving local addresses and in the absence of objection from either Community Council local to the site nor the owner of Shuna Island, it is not considered that the holding of a hearing would add value to the process in this particular case. The proposal contributes to the Scottish Government's stated aspiration to increase production capacity in the finfish sector and provides an element of economic benefit in a remote rural area. The proposal satisfies the provisions of the development plan and there are no other material considerations, including matters raised by consultees and third parties which would outweigh the presumption in favour of development established by the Plan. The application was recommended for approval subject to conditions and reasons detailed in the report of handling.

Decision

Agreed to grant planning permission subject to the following conditions and reasons:-

1. The development hereby permitted is in respect of 12 No. cages as per the amended application, rather than 14 No. cages for which permission was originally sought. Subject to the foregoing, and having regard to the deletion of cages Nos. 1 and 8, the development shall not be carried out other than wholly in accordance with the following plans and details unless previously approved in writing by the Planning Authority:
 - Application Form dated 24.02.14;
 - Plan 1 of 13 – location plan, layout and cross-section (amended);
 - Plan 2 of 13 – site plan (amended);

- Plan 3 of 13 – Admiralty chart (amended);
- Plan 4 of 13 – mooring containment area (amended)
- Plan 5 of 13 – long-section (amended);
- Plan 6 of 13 – co-ordinates for surface equipment;
- Plan 7 of 13 – co-ordinates for mooring grid and lines;
- Plan 8 of 13 – pen drawing 1
- Plan 9 of 13 – pen drawing 2
- Plan 10 of 13 – pen drawing 3
- Plan 11 of 13 – feed barge drawing 1
- Plan 11 of 13 – feed barge drawing 2
- Plan 11 of 13 – feed barge drawing 3
- Mitigation measures identified in the Environmental Statement dated February 2014

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

2. Notwithstanding the effect of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 and Class 21F of the Town and Country Planning (General Permitted Development) (Fish Farming) (Scotland) Amendment Order 2012, the stocking of the farm hereby approved may take place interchangeably with either rainbow trout (*Oncorhynchus mykiss*) or with Atlantic Salmon (*Salmo salar*).

Reason: For the purpose of clarity to define the species permitted to be farmed at the site.

3. In the event that the development or any associated equipment approved by this permission ceases to be in operational use for a period exceeding three years, the equipment shall be wholly removed from the site thereafter unless otherwise agreed in writing by the Planning Authority.

Reason: In the interest of visual amenity and to ensure that redundant development does not sterilise capacity for future development within the same water body.

4. In the event of equipment falling into disrepair or becoming damaged, adrift, stranded, abandoned or sunk in such a manner as to cause an obstruction or danger to navigation, the developer shall carry out or make suitable arrangements for the carrying out of all measures necessary for lighting, buoying, raising, repairing, moving or destroying, as appropriate, the whole or any part of the equipment.

Reason: In the interest of visual amenity.

5. All lighting above the water surface and not required for safe navigation purposes should be directed downwards by shielding and be extinguished when not required for the purpose for which it is installed on the site.

Reason: In the interest of visual amenity.

6. The finished surfaces of all equipment above the water surface including the feed barge and surface floats and buoys associated with the development hereby permitted (excluding those required to comply with navigational requirements) shall be non-reflective and finished in a dark recessive colour in accordance with colour schemes to be agreed in advance in writing by the Planning Authority (by way of BS numbers or manufacturer's specifications) unless otherwise agreed in advance in writing by the Planning Authority.

Reason: In the interest of visual amenity.

7. The site shall be operated in accordance with the applicant's submitted Predator Control Plan (23.05.14) or such revision thereof as may be agreed subsequently in writing by the Planning Authority. No deployment of Acoustic Deterrent Devices shall be permitted at the site. Seal blinds of a type to be submitted to and approved in writing by the Planning Authority shall be fitted to the base of each cage upon first installation and shall be retained thereafter.

Reason: To avoid the displacement and disturbance of seals and cetaceans in contained waters, and to deter predation and avoid containment being breached in the interests of wild salmonids.

(Reference: Report by Head of Planning and Regulatory Services dated 27 July 2014 and supplementary report no 1 dated 14 August 2014, submitted)

6. ISLE OF LUING COMMUNITY TRUST: VARIATION OF CONDITION 9 OF PLANNING PERMISSION 10/1059/PP - CHANGE FROM WEST HIGHLAND SLATE TO SSQ MATACOUTA SLATE: THE ATLANTIC ISLANDS CENTRE, CULLIPOOL, ISLE OF LUING (REF: 14/01018/PP)

The Major Applications Team Leader spoke to the terms of the report advising that planning permission (10/01059/PP) was granted in February 2011 for the erection of a building incorporating a museum, licensed café, exhibition/function room and offices within the village of Cullipool on Luing. Two non-material amendments have since been granted, which show the building reduced in size and its siting adjusted along with other minor changes. Condition 9 of the original permission required that the roof of the building be finished in a slate which should be of West Highland origin. This application seeks to vary that condition and use a specific Spanish slate which has been chosen as being of similar proportion, thickness and quality to that of traditional Scottish slate. One of the main reasons the Applicant has stated for requesting this variation of the condition was due to his difficulty in sourcing adequate quantities of reclaimed West Highland Slate. The main issue in respect of the proposal is whether the proposed slate is a suitable alternative to one of West Highland origin and its impact on character and appearance of the Conservation area. The proposal has elicited 33 representations, 18 objections and 15 expressions of support, the vast majority of which are from the residents on the island. In this case whilst the proposed slate may match the size, thickness and quality of the traditional Scottish slate,

it is considered it is too regular in appearance giving the overall effect of a roof with a different character to that of traditional Scottish slate. In this case it is considered acceptable to vary the wording of the existing planning condition to remove the requirement for a slate of West Highland origin, provided samples from alternative sources are submitted for further approval such as Welsh or Cumbrian slate, rather than the Spanish slate proposed as these would in size, texture and appearance more closely relate to West Highland slate.

Decision

Agreed to grant planning permission and vary the wording of Condition 9 of Planning Permission 10/01059/PP as detailed below:-

9. No roofing works shall commence on the building until a sample(s) of the proposed roofing slate to be used has been submitted to and approved in writing by the Planning Authority. Thereafter the development shall be completed in accordance with the duly approved sample(s) which shall be applied to the roof in diminishing courses.

Reason: To ensure the use of a roofing material of local provenance to reinforce local distinctiveness in the interests of visual amenity and to safeguard the character and appearance of the conservation area.

(Reference: Report by Head of Planning and Regulatory Services dated 7 August 2014, submitted)

7. MRS JOAN ADAMSON: VARIATION OF CONDITION 9 OF PLANNING PERMISSION 12/02792/PP (ERECTION OF A BUILDING TO BE USED IN PART AS A COOKERY SCHOOL, INCLUDING FACILITATING WORKS AND INSTALLATION OF 2,000 LITRE CALOR GAS TANK, PARTLY RETROSPECTIVE) - CHANGE OF OPERATING HOURS AT CORRIE COOK SCHOOL: CORRIE HOUSE, CRAOBH HAVEN, LOCHGILPHEAD (REF: 14/01391/PP)

The Major Applications Team Leader spoke to the terms of the report advising that the cook school was approved under planning application reference 12/02792/PP. A condition of this permission limited the hours of operation to 9 am to 5 pm. This application is seeking to amend this condition to operate between the hours of 9 am to 11 pm. There has been a single third party representation objecting on the grounds of inaccurate plans, land ownership, appropriate land use and inappropriate extension of hours. The Council's Environmental Health Officers have objected to the proposal on the grounds that the late night working is unacceptable to neighbouring properties. The application was recommended for refusal for the reason detailed in the report of handling.

Decision

Agreed to refuse planning permission for the following reason:-

The proposal to amend the approved hours of operations from 9am – 5pm to 9am – 11pm would result in the existing cook school qualifying as a 'bad neighbour' development as defined under the terms of Schedule 7 of the Town and Country Planning (General Development Procedure) (Scotland) Order 1992. With this in mind the application has been assessed against Local Plan policy LP BAD 1. Under the terms of this policy the application needs to consider potential disturbance to neighbouring properties. The Council's Environmental Health Officers have provided comments objecting to the development. In this regard the extended opening hours would have an adverse impact on the residential amenity of the neighbouring properties arising from noise from visiting vehicular traffic, opening and closing of doors, voices and disturbance from ventilation extractor fans all at a time when individuals should expect to be able to relax and enjoy their property including the garden areas. It should also be noted that the proposal needs to be considered against policy LP BUS 1 criterion 'c' in which developments should not erode the character of the residential area or adversely impact on local residents through an increase in traffic levels, noise, fumes or hours of operation. In this instance it is the consideration of Officers that the proposed extension of operating hours would have a significant and unacceptable adverse impact on local residents and the character of the area through late night noise and general disturbance. Therefore the proposal is not considered consistent with the provisions of local plan policies LP BUS 1 and LP BAD.

(Reference: Report by Head of Planning and Regulatory Services dated 7 August 2014, submitted)

8. MR STEVEN CAMERON: DEMOLITION OF EXISTING BUILDING AND ERECTION OF MARITIME VISITORS FACILITY AND ASSOCIATED WORKS INCLUDING PROVISION OF NEW PUBLIC REALM WORKS: WHITE BUILDING, NORTH PIER, OBAN (REF: 14/01602/PP)

The Head of Planning and Regulatory Services spoke to the terms of the report and a supplementary report advising that this was a Council interest application applied for under the name of the Agent representing the Council for this proposal. Planning permission was sought for demolition of the White Building and erection of the Oban Maritime Visitor Facility. The proposed subject of this application forms part of a suite of applications forming the wider Oban Bay Regeneration project. There have been no objections from statutory consultees but the application has elicited 16 pre printed objections and 3 individual objections. The supplementary report gave full consideration to further representations submitted by the owners of Ee-usk on the North Pier, Oban and confirmed no objection from the Council's Roads Officer and the withdrawal of SEPA's objection in respect of flooding. The proposed development is considered to be acceptable representing a significant visual enhancement of the townscape within this part of the town centre. The proposal is considered to accord with Policies STRAT DC 1, STRAT DC 8, STRAT DC 9 and STRAT SI 1 of the approved Argyll and Bute Structure Plan and Policies LP COM 1, LP ENV 1, LP ENV 10, LP ENV 13a, LP ENV 13b, LP ENV 19, LP TOUR 1, LP TRAN 1, LP TRAN 4 and LP TRAN 6 of the adopted Argyll and Bute Local Plan and was

recommended for approval subject to conditions and reasons detailed in the report of handling.

Decision

Agreed to grant planning permission subject to the following conditions and reasons:-

1. The development shall be implemented in accordance with the details specified on the application form dated 26/06/14 and the approved drawing reference numbers:

Plan 1 of 28
Plan 2 of 28
Plan 3 of 28
Plan 4 of 28
Plan 5 of 28
Plan 6 of 28
Plan 7 of 28
Plan 8 of 28
Plan 9 of 28
Plan 10 of 28
Plan 11 of 28
Plan 12 of 28
Plan 13 of 28
Plan 14 of 28
Plan 15 of 28
Plan 16 of 28
Plan 17 of 28
Plan 18 of 28
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Plan 26 of 28
Plan 27 of 28
Plan 28 of 28

unless the prior written approval of the planning authority is obtained for other materials/finishes/for an amendment to the approved details under Section 64 of the Town and Country Planning (Scotland) Act 1997 (as amended).

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

2. Notwithstanding the effect of Condition 1, no development shall commence until samples of materials to be used in the construction of the proposed Maritime Visitor Facility 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.

3. Details of materials to be used within the Trunk Road boundary shall be submitted for the approval of the Planning Authority, after consultation with the Roads Authority.

Reason: On request of the Trunk Roads Authority: to ensure that the standard of construction is commensurate with that required within the road boundary.

4. Details of alterations to lighting within the Trunk Road boundary shall be submitted for the prior approval of the Planning Authority, after consultation with the Roads Authority before works commence on site.

Reason: On request of the Trunk Roads Authority: to ensure the level of lighting and the standard of construction is commensurate with that required within the road boundary.

5. Details of alterations to the Trunk Road drainage system, to include relocation of gullies and alterations to kerb lines, shall be submitted for prior approval of the Planning Authority, after consultation with the Roads Authority before works commence on site.

Reason: On request of the Trunk Roads Authority: to ensure that the efficiency of the existing drainage network is not affected and that the standard of construction is commensurate with that required within the road boundary.

6. Details of street furniture, decorative bollards, lighting columns and any additional signage within the Trunk Road boundary shall be submitted for the prior approval of the Planning Authority, after consultation with the Roads Authority before works commence on site.

Reason: On request of the Trunk Roads Authority: to minimise interference with the safety and free flow of pedestrian traffic and ensure that the standard of construction is commensurate with that required within the road boundary.

7. Notwithstanding the effect of Condition 1, no development shall commence until samples of materials to be used in the construction of the relocated bin store facility 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.

(Reference: Report by Head of Planning and Regulatory Services dated 12 August 2014, submitted)

9. MR STEVEN CAMERON: DEMOLITION OF LISTED BUILDING AND ERECTION OF MARITIME VISITORS FACILITY: WHITE BUILDING, NORTH PIER, OBAN (REF: 14/01603/LIB)

The Head of Planning and Regulatory Services spoke to the terms of the report advising that this was a Council interest application for Listed Building consent applied for under the name of the Agent representing the Council for this proposal. Permission was sought for demolition of the White Building to allow for erection of the Oban Maritime Visitor Facility. The White Building is physically attached to the Columba Hotel and falls within its listing description as a Category B listed building. Listed building consent is not required for the proposed visitor facility as it does not form an extension to the Columba Hotel. The detailed proposals are subject to a separate application reference 14/01602/PP dealt with at item 8 of this Minute. A detailed condition survey has been submitted in support of the application which identifies that the building is of an aged, basic construction and is generally in a poor state of repair and would require significant financial investment to bring it up to a standard suitable for modern purposes. It is considered that the condition survey identifies that the building is beyond economic repair and, in this instance, it is considered that sufficient justification has been submitted to warrant the demolition of the building to enable the wider regeneration of this area with the re-development scheme currently with this service for consideration.

Decision

Agreed that, subject to clearance from Historic Scotland, listed building consent is granted subject to the following condition and reason:-

1. That the development to which this permission relates must be begun within three years from the date of this permission.

Reason: To comply with Section 16 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as amended.

(Reference: Report by Head of Planning and Regulatory Services dated 7 August 2014, submitted)

10. UPDATE ON RECENT SCOTTISH GOVERNMENT PLANNING APPEAL DECISIONS

A report advising of three recent appeal decisions by the Scottish Government Directorate for Planning and Environmental Appeals relative to planning application references 13/00004/PP, 11/01915/PP and 13/02662/PP was considered.

Decision

Noted the contents of the report.

(Reference: Report by Head of Planning and Regulatory Services dated 6 August 2014, submitted)

11. ROTHESAY WINDOWS - PROJECT HIGHLIGHT REPORT AND UPDATE

A report providing an update on the Rothesay Windows project was considered.

Decision

1. Noted the contents of the highlight report and agreed to continue to support this project; and
2. Approved the Communication and Education Strategy attached as Appendix A to the report.

(Reference: Report by Head of Planning and Regulatory Services and Communication and Education Strategy, submitted)

12. PROPOSED LOCAL DEVELOPMENT PLAN ADOPTION: RE-SCHEDULING OF TIME FRAME

Consideration was given to a report advising of a revised time frame for adoption of the proposed Argyll and Bute Local Development Plan and identifying any risks related to this delay.

Decision

1. Noted that following the Department for Planning and Environment Appeals (DPEA) setting of its target return time, there is now an amended timescale for adoption of the Argyll and Bute Local Development Plan (LDP) of April/May 2015; and
2. Noted that the adopted Argyll and Bute Local Plan will be more than five years old after August 2014 and that there is a small risk that the Council could not safely determine an application until the LDP Examination has been completed.

(Reference: Report by Executive Director – Development and Infrastructure Services dated 31 July 2014, submitted)

Councillors Rory Colville and Donald MacMillan left the meeting at 12.50 pm during consideration of the foregoing item.

13. PROMOTION OF THE PROPOSED LOCAL DEVELOPMENT PLAN DRAFT ACTION PROGRAMME

A report highlighting the Committee to the purpose of producing the Argyll

and Bute Draft Action Programme and to advocate its early promotion as a useful tool in implementing the aims and objectives of the proposed Local Development Plan (LDP) was considered.

Decision

1. Noted the statutory requirement to produce an Action Programme accompanying the Local Development Plan which explains the actions required to deliver the LDP, who is to carry them out and when;
2. Noted the Draft Action Programme cannot be adopted until three months after the adoption of the LDP and that it must be updated and reviewed at least every two years; and
3. Confirmed the potential for the Draft Action Programme to assist delivery and project management of the LDP and other overarching aims of the Council and the merits of beginning to engage with delivery partners and the development industry on its content.

(Reference: Report by Executive Director – Development and Infrastructure Services dated 31 July 2014, submitted)

14. NATIONAL PLANNING FRAMEWORK 3 AND SCOTTISH PLANNING POLICY 2014

A report advising the Committee of the issuing of the new National Planning Framework 3 and Scottish Planning Policy 2014 which require to be taken into consideration in planning matters was considered.

Decision

1. Noted the contents of the report and appendices, in particular those aspects of relevance to Argyll and Bute, which have been included in the Scottish Planning Policy and National Planning Framework 3 as a result of the Council's response and lobbying by the Development Policy Unit via the Northern Development Plans Forum; and
2. Noted that changes required to be made to the emerging Local Development Plan in respect of Wind Farm Policy following recommendations made within SPP 2014.

(Reference: Report by Executive Director – Development and Infrastructure Services dated 31 July 2014, submitted)

15. PLANNING AND REGULATORY SERVICES - SERVICE QUARTERLY PERFORMANCE REPORT FQ1 2014-2015 (APRIL TO JUNE)

A report advising Members of Planning and Regulatory Services team performance for the period FQ1 2014-15 (April to June) as required by the Council's Planning and Performance Management Framework was considered.

Decision

1. Noted the good performance overall of the Planning and Regulatory Services Performance Scorecard and the important fact that the majority of success measures have been achieved; and
2. Noted the exception reporting on targets not met with particular regard to the proposed corrective actions.

(Reference: Report by Head of Planning and Regulatory Services, dated 7 August 2014, submitted)

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.

16. ENFORCEMENT REPORT - 14/00164/ENBOC2

Consideration was given to Enforcement Case reference 14/00164/ENBOC2.

Decision

Agreed the recommendations detailed in the report.

(Reference: Report by Head of Planning and Regulatory Services dated 11 August 2014, submitted)

Councillor George Freeman left the meeting during consideration of the foregoing item.