

**MINUTES of MEETING of PLANNING, PROTECTIVE SERVICES AND LICENSING
COMMITTEE held in the COUNCIL CHAMBERS, KILMORY, LOCHGILPHEAD
on WEDNESDAY, 24 SEPTEMBER 2014**

Present: Councillor David Kinniburgh (Chair)

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

Attending: Charles Reppke, Head of Governance and Law
Ross McLaughlin, Development Manager
Peter Bain, Area Team Leader
Sybil Johnston, Senior Planning and Strategies Officer

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Mary Jean Devon.

The Chair advised that Councillor MacMillan would be leaving the meeting to attend the funeral of Angus Gilmour's father in law. On behalf of the Committee he recorded that their thoughts and condolences were with Angus and his family at this time.

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 20 August 2014 at 10.15 am was approved as a correct record.
- (b) The Minute of the Planning, Protective Services and Licensing Committee held on 20 August 2014 at 2.00 pm was approved as a correct record.
- (c) The Minute of the Planning, Protective Services and Licensing Committee held on 20 August 2014 at 2.20 pm was approved as a correct record.
- (d) The Minute of the Planning, Protective Services and Licensing Committee held on 20 August 2014 at 2.40 pm was approved as a correct record.
- (e) The Minute of the Planning, Protective Services and Licensing

Committee held on 20 August 2014 at 3.00 pm was approved as a correct record.

- (f) The Minute of the Planning, Protective Services and Licensing Committee held on 20 August 2014 at 3.20 pm was approved as a correct record.
- (g) The Minute of the Planning, Protective Services and Licensing Committee held on 20 August 2014 at 3.40 pm was approved as a correct record.
- (h) The Minute of the Planning, Protective Services and Licensing Committee held on 25 August 2014 was approved as a correct record.

Councillor Donald MacMillan left the meeting at this point.

**4. HOUSES FOR HEROES SCOTLAND AND THE CHRYSTAL TRUST:
ERECTION OF 3 DWELLINGHOUSES AND THE FORMATION OF
VEHICULAR ACCESS: LAND EAST OF SHIRA LODGE, MAIN ROAD,
CARDROSS (REF: 14/01724/PP)**

The Development Manager advised of 10 additional representations that had been received in support of the application and advised that these had been covered in Supplementary Report 1 which had been circulated by email the day before and tabled at the meeting. He advised that all points in Supplementary Report 1 would be covered in his presentation. Supplementary Report 1 also contained information about a representation made by the Chrystal Trust as part of the new Local Development Plan process regarding land at Bloomhill which included and was relevant to the application site.

The Development Manager spoke to the terms of the report advising that planning permission was sought for the erection of 3 dwellinghouses and the formation of a new access on a site adjoining Cardross Old Parish Church and Churchyard. The site is located both within the greenbelt and Cardross Conservation area. The proposed provision is contrary to Policy STRAT DC3 of the approved Argyll and Bute Structure Plan and to Policy LP HOU 1 of the adopted Local Plan which state inter alia that within greenbelt areas encouragement will only be given to very limited and specific categories of countryside based development. A total of 58 emails and letters of representation have been received comprising 38 objectors and 43 supporters. Cardross Community Council has objected and West of Scotland Archaeology Service has raised concern about the impact of the proposal on adjoining listed buildings and scheduled ancient monument. They, however, do not object subject to the provision of an appropriate archaeological condition requiring site investigation and the recovery of any artefacts. Despite the large number of representations received the holding of a pre determination hearing is not recommended as the proposal is contrary to greenbelt policy and there are other robust reasons for refusal. It was recommended that planning permission be refused for the reasons detailed in the report of handling.

Motion

To continue consideration of the application to allow for a site visit and pre-determination hearing.

Moved Councillor Freeman, seconded Councillor Currie.

Amendment

To refuse the application in accordance with the reasons for refusal as outlined in the report by the Head of Planning and Regulatory Services.

Moved Councillor Kinniburgh, seconded Councillor Taylor.

Decision

Following a show of hands vote the Motion was carried by 7 votes to 5 and the Committee resolved accordingly.

(Reference: Report by Head of Planning and Regulatory Services dated 10 September 2014, submitted)

5. HOUSES OF HEROES SCOTLAND AND THE CHRYSAL TRUST: PARTIAL DEMOLITION OF LISTED BOUNDARY WALL TO FACILITATE CONSTRUCTION OF VEHICULAR ACCESS: LAND EAST OF SHIRA LODGE, MAIN ROAD, CARDROSS (REF: 14/01725/LIB)

The Development Manager advised and the Committee noted that this item would be continued and considered in conjunction with the previous item at a pre-determination hearing; as agreed at item 4 of these Minutes.

(Reference: Report by Head of Planning and Regulatory Services dated 9 September 2014, submitted)

6. ARGYLL ESTATES: INVERARAY PROJECT MASTERPLAN - MAST 1/5 RE PROPOSED ARGYLL AND BUTE LOCAL DEVELOPMENT PLAN (FEB 2013): ARGYLL ESTATES, INVERARAY (REF: 13/02860/MPLAN)

The Masterplan Framework Plan and Phase I Design Brief for MAST 1/5 were endorsed by the PPSL Committee on 18 June 2014. The endorsed Framework Plan set out Argyll Estates' overarching vision for the MAST 1/5 and Mixed Use Allocation 3001 designations, but only provided sufficient detail at that time to justify release of land at Barn Park for a Phase 1 housing development. Argyll Estates have subsequently prepared a Phase II Masterplan/Design Brief which has been developed in tandem with proposals for a Class 1 Retail development. The identified Phase II site area is the area of land south of the Inveraray Primary School playing field and which adjoins the Avenue car park. Whilst being located outwith the masterplan area, Phase II submissions acknowledge that the Avenue car park requires to be reconfigured to accommodate a new access route to the masterplan area. The proposals build upon the Key Principles which were established in the Framework Plan and the

nature, scale, layout and built form envisaged for the Phase II development is consistent with the aspiration to provide a high quality, urban environment which respects its location within the historic environment. It was recommended that the Phase II Masterplan/Design Brief be endorsed as an addendum to the previously approved Framework Plan and in this respect be afforded material weighting in the future determination of planning applications within the masterplan boundary, with recognition that such endorsement represents a 'minor departure' to the provisions of the adopted Local Plan at the current stage of the plan making process.

Decision

Agreed to endorse the Phase II Masterplan/Design Brief as an addendum to the previously approved Framework Plan and in this respect be afforded material weighting in the future determination of planning applications within the masterplan boundary, with recognition that such endorsement represents a 'minor departure' to the provisions of the adopted Local Plan at the current stage of the plan making process.

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

7. MACLEOD CONSTRUCTION LTD: ERECTION OF CLASS 1 RETAIL STORE, UPGRADE OF ACCESS AND ASSOCIATED LANDSCAPING: LAND SOUTH WEST OF INVERARAY PRIMARY SCHOOL, THE AVENUE, INVERARAY (REF: 14/02020/PP)

The Area Team Leader spoke to the terms of the report advising that the proposal related to development located within the 'Countryside Around Settlement' lying adjacent to the Inveraray 'Settlement area' to which the provisions of STRAT DC 2 set out a presumption in principle against development. This designation is, however, superseded by the uncontested emergent provisions of the Argyll and proposed Local Development Plan which sets out the Council's intent to subsume the current Housing Allocation within a larger Mixed Use Allocation (MU 3001) within which support in principle was afforded for up to 150 dwelling units subject to a masterplan for designation MAST 1/5 having already been endorsed by the Council. An initial Framework for the masterplan area, along with a Phase I development brief was endorsed by PPSL on 18 June 2014. A Phase II masterplan document produced by Argyll Estates has also been endorsed by the PPSL Committee today. This proposal sets out a 'medium scale' retail development of 420sqm gross retail floor space which is intended to be operated by the Co-op as a replacement for their existing town centre store. Whilst the proposal is considered to be contrary to the provisions of policies STRAT DC 2 of the Argyll and Bute Structure Plan 2002 and LP RET 4 of the adopted Argyll and Bute Local Plan 2009 it is considered appropriate at this time to afford greater material weight to the uncontested provisions of the emergent Argyll and Bute proposed Local Development Plan (Feb 2013). It is therefore recommended that planning permission be granted as a 'minor departure' to the provisions of the adopted Local Plan subject to conditions and reasons set out in the report of handling.

Motion

To agree the recommendations as contained within the report by the Head of Planning and Regulatory Services.

Moved Councillor Kinniburgh, seconded Councillor Taylor.

The Chair ruled and the Committee agreed to adjourn for five minutes to allow Councillor Colville to prepare a competent amendment.

Amendment

To continue consideration of the application to allow further discussions to take place between the developer and the Planning Authority in respect of the appearance and design of the building to seek to more closely reflect the character of the conservation area.

Moved Councillor Colville, seconded Councillor Blair.

Decision

On a show of hands vote the Motion was carried by 9 votes to 3 and the Committee resolved as follows -

Agreed to grant planning permission as a 'minor departure' to the adopted Argyll and Bute Local Plan 2009 subject to the following conditions and reasons:-

1. The development shall be implemented in accordance with the details specified on the application form dated 19th August 2014 and the approved drawing reference numbers 1/6 – 6/6 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.

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 external wall finishes, roof coverings, skew/masonry details 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. Notwithstanding the effect of Condition 1, no development shall commence until 1:100 scale plans confirming the position and dimensions of window and door units to be installed in the development, and 1:20 scale plans providing details of the proposed

window and door units, their colour finishes and material have been submitted to and approved in writing by the Planning Authority. Thereafter the development shall be completed in accordance with the approved details or such alternatives as may be agreed in writing with the Planning Authority.

Reason: In order to integrate the development into its surroundings.

4. No development shall commence until details of all rainwater goods to be installed in the development have been submitted to and approved in writing by the Planning Authority. Thereafter the development shall be completed in accordance with the approved details or such alternatives as may be agreed in writing with the Planning Authority.

Reason: In order to integrate the development into its surroundings.

5. Notwithstanding the provisions of Condition 1, the finished ground floor level of the development shall be 5.725m relative to Ordnance Datum unless otherwise agreed in writing by the Planning Authority.

Reason: In order to ensure appropriate mitigation for flood risk and to ensure an acceptable relationship between the development and its surroundings.

6. No development shall commence until a scheme of boundary treatment, surface treatment, landscaping and public realm works has been submitted to and approved in writing by the Planning Authority, in consultation with Roads & Amenity Services. 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) Surface treatment of proposed means of access and hardstanding areas;
- v) Specification of any street furniture to be provided;
- vi) Proposed soft and hard landscaping works including the location, species and size of every tree/shrub to be planted;
- vii) A programme for the timing, method of implementation, completion and subsequent on-going maintenance.

The submission shall include proposals for the provision of public realm improvement works along the eastern edge of the Avenue car park within the application site boundary, and landscape/surface treatment to be applied to the re-aligned section of the Avenue car park.

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.

Reason: To assist with the integration of the proposal with its surroundings in the interest of amenity.

7. External storage within the planning unit shall only take place on land designated for such purpose and which has the prior written approval of the Planning Authority.

A request for the written approval of the Planning Authority shall include the extent and location of the proposed storage area(s), the types of materials to be stored, maximum stacking heights and details of any means of enclosure required.

Reason: In order to protect the amenity of the locale.

8. The proposed access shall join the trunk road at a junction which shall be constructed by the applicant to a standard as described in the Department of Transport Advice Note TD 41/95 (Vehicular Access to All-Purpose Trunk Roads) (as amended in Scotland) complying with layout 3. The junction shall be constructed in accordance with details that shall be submitted and approved by the Planning Authority, after consultation with Transport Scotland, as the Trunk Road Authority, before any part of the development is commenced.

Reason: To ensure that the standard of access layout complies with the current standards and that the safety of the traffic on the trunk road is not diminished.

9. Visibility splays shall be provided and maintained on each side of the access onto the A83(T) to the satisfaction of the local Planning Authority, after consultation with Transport Scotland, as the Trunk Roads Authority. These splays are triangles of ground bounded on 2 sides by the first 4.5 metres of the centreline of the access driveway (the set back dimension) and the nearside trunk road carriageway measured 70 metres (the y dimension) in both directions from the intersection of the access with the trunk road. In a vertical plane, nothing shall obscure visibility measured from a driver's eye height of between 1.05 metres and 2.0 metres positioned at the set back dimension to an object height of between 0.26 metres and 1.05 metres anywhere along the y dimension.

Reason: To ensure that vehicles entering or existing the access can undertake the manoeuvre safely and with minimum interference to the safety and freeflow of traffic on the trunk road.

10. Notwithstanding the provisions of Condition 1, the access serving the

site shall be a Road over which the public has a right of access in terms of the Roads (Scotland) Act 1984 which shall be constructed in consultation with the Council's Roads Engineers.

Reason: In the interests of road safety to ensure the provision of a road commensurate to the scale of development.

11. Notwithstanding the provisions of Condition 1, the proposed access from the retail store car park onto the prospectively adoptable standard road shall be formed in accordance with the Council's Roads Standard Detail Drawing SD 08/002 Rev a. and visibility splays of 2.4 metres to point X by 42.0 metres to point Y from the centre line of the proposed access. The access shall be surfaced with a bound material in accordance with the stated Standard Detail Drawing. Prior to work starting on site the access hereby approved shall be formed to at least base course standard and the visibility splays shall be cleared of all obstructions such that nothing shall disrupt visibility from a point 1.05 metres above the access at point X to a point 0.6 metres above the public road carriageway at point Y. The final wearing surface on the access shall be completed prior to the development first being brought into use and the visibility splays shall be maintained clear of all obstructions thereafter.

Reason: In the interests of road safety.

12. Notwithstanding the provisions of Condition 1, the proposed access from the retail store service area onto the prospectively adoptable standard road shall be formed in accordance with the Council's Roads Standard Detail Drawing SD 08/002 Rev a. and visibility splays of 2.4 metres to point X by 42.0 metres to point Y from the centre line of the proposed access. The access shall be surfaced with a bound material in accordance with the stated Standard Detail Drawing. Prior to work starting on site the access hereby approved shall be formed to at least base course standard and the visibility splays shall be cleared of all obstructions such that nothing shall disrupt visibility from a point 1.05 metres above the access at point X to a point 0.6 metres above the public road carriageway at point Y. The final wearing surface on the access shall be completed prior to the development first being brought into use and the visibility splays shall be maintained clear of all obstructions thereafter.

Reason: In the interests of road safety.

13. The parking and turning areas 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.

Reason: In the interest of road safety.

14. No development shall commence until, a Traffic Management Plan has been submitted for the written approval of the Planning Authority in consultation with the Roads Authority. The Plan shall detail

approved access routes, agreed operational practices (including avoidance of convoy movements, specifying conduct in use of passing places, identification of turning areas, reporting of verge damage) and shall provide for the provision of an appropriate Code of Practice to drivers of construction and delivery vehicles. The development shall be implemented in accordance with the duly approved Traffic Management Plan.

Reason: To address abnormal traffic associated with the development in the interests of road safety.

15. No development or ground breaking works shall commence until an Archaeological Mitigation Strategy has been submitted to and approved in writing by the Planning Authority in accordance with a brief which has been the subject of prior agreement with the West of Scotland Archaeology Service.

The Archaeological Mitigation Strategy shall be prepared by a suitably qualified person and shall provide that all significant archaeological remains are preserved in situ with provision for the recording and recovery of archaeological resources within the development site.

Thereafter the development shall be implemented in accordance with the duly approved Archaeological Mitigation Strategy unless otherwise approved in writing by the Planning Authority in consultation with the West of Scotland Archaeology Service.

Reason: In order to protect archaeological resources.

16. All construction works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Council, shall be carried out only between the hours of 08.00 and 18.00 on Mondays to Fridays and between the hours of 09.00 and 13.00 on Saturdays.

Reason: In order to protect the amenities of the area from noise disturbance.

17. Large goods vehicles shall not enter or leave the application site, nor shall deliveries be transferred between the store and vehicles, except between the hours of 07.00 hours and 18.00 hours Mondays to Saturdays and 10.00 and 16.00 on Sundays.

Reason: In order to protect the amenities of the area from noise disturbance.

18. No development shall commence until full details of any external lighting to be used within the site has been submitted to and approved in writing by the Planning Authority. Lighting proposals shall be designed having regard to the Scottish Executive Guidance Note Controlling Light Pollution and Reducing Light Energy Consumption. Such details shall include the location, type, angle of direction and wattage of each light which shall be so positioned and angled to

prevent any glare or light spillage outwith the site boundary.

No external lighting shall be installed except in accordance with the duly approved scheme.

Reason: In order to avoid light pollution in the interest of amenity.

19. 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 C697. 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.

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

8. NHS HIGHLAND: MASTERPLAN IN RELATION TO PROPOSED ARGYLL AND BUTE LOCAL DEVELOPMENT PLAN DESIGNATION MAST 1/8 LOCHGILPHEAD/ARGYLL AND BUTE HOSPITAL MIXED USE/BUSINESS/TOURISM/COMMUNITY FACILITIES: ARGYLL AND BUTE HOSPITAL, BLARBUIE ROAD, LOCHGILPHEAD (REF: 14/01256/MPLAN)

Within the emerging Argyll and Bute proposed Local Development Plan (February 2013) the Council has proposed that the full extent of land associated with the Argyll and Bute Hospital be designated as a Potential Development Area (PDA 3008) for a Mixed use development incorporating a minimum of 25% affordable housing provision. NHS Highland has advised of their immediate requirement to provide a replacement facility for the existing mental health and support services serving Argyll and Bute which are not fit for purpose at this location. A masterplan which seeks to establish that the initial 'Stage 1' release of land, including the rationalisation and re-development of the hospital functions and initial housing development, can be achieved at this location without preventing possible future re-development of the existing built up areas within the hospital estate has been submitted for consideration. The components of the proposed mixed use scheme are generally considered to be compatible with the proposed PDA 3008 and it is recommended that the Masterplan be endorsed as detailed in the report.

Decision

The Committee agreed to:

1. provide full endorsement to the elements of the masterplan as they relate to the release of land for the development of a new mental health unit, relocation of Blarbuie Woodland Trust accommodation, and land identified for housing development (lying adjacent to H3006);

2. endorse in principle the strategic framework set out in the masterplan for Zones 1 – 5 with a caveat that a 'Stage 2' masterplan submission be required for further consideration of the Council in advance of these areas being released for development; and
3. declined at this time to endorse the masterplan proposals for Zone 6 given the potential for new built development at this location to have an adverse impact upon the wider landscape setting of Lochgilphead. It would however remain open to the landowner to seek to satisfactorily address these concerns in any future 'Stage 2' masterplan submission.

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

9. NHS HIGHLAND: DEMOLITION OF BUILDINGS, TREE REMOVAL AND GROUND ENGINEERING, ERECTION OF CLINICAL BUILDING, ESTATES BUILDING, SERVICE YARD AND LANDSCAPING WORKS TO CREATE PATIENT GARDENS AND AMENITY SPACE WITH RELATED MASTERPLAN SUBMISSION REFERENCE 14/01256/MPLAN MAST 1/8 LOCHGILPHEAD/ARGYLL AND BUTE HOSPITAL MIXED USE/BUSINESS/TOURISM/COMMUNITY FACILITIES: ARGYLL AND BUTE HOSPITAL, BLARBUIE ROAD, LOCHGILPHEAD (REF: 14/01083/PP)

The Area Team Leader spoke to the terms of the report advising that the proposal related to development within a larger site identified as Area for Action 12/3 within the adopted Argyll and Bute Local Plan. This designation is, however, superseded by the uncontested, emergent provisions of the Argyll and Bute proposed Local Development Plan which set out the Council's intent to subsume the current Area for Action within a larger Mixed Use Potential Development Area (PDA 3008) within which support was afforded to a mixed use re-development of the Argyll and Bute Hospital Estate subject to a masterplan for designation MAST 1/8. NHS Highland put forward a 'Stage 1' masterplan for designation MAST 1/8 which has been endorsed by the PPSL Committee. This proposal sets out a 'large scale' community facility development comprising a new mental health care unit within the grounds of the existing Argyll and Bute Hospital and is intended to replace the existing buildings with a modern facility designed to meet current mental health care requirements for the locality. The reuse of the site for a mental health care facility is consistent with the 'Stage 1' masterplan and the proposed development is of appropriate design, scale and finish having regard to its location and the Council's Sustainable Design Guidance. The proposal requires the felling of a significant area of healthy, mature woodland which provides a significant contribution to the amenity and setting of the locale. The loss of such an area of sustainable, healthy woodland is contrary to the provisions of policy LP ENV 7. However, in this particular instance the anticipated social and economic benefits associated with the hospital re-development, and the ability of the Applicant to provide compensatory planting in the immediate locale are considered to offer sufficient justification to approve planning permission as a 'minor departure' to the

provisions of LP ENV 7 and subject to the conditions and reasons detailed in the report.

The Area Team Leader advised of a typographical error within Section S of the report and Section C of the Appendix where references made to LP ENV 17 should have read LP ENV 7.

Decision

Agreed to grant planning permission as a 'minor departure' to the provisions of policy LP ENV 7 and subject to the following conditions and reasons:-

1. The development shall be implemented in accordance with the details specified on the application form dated 30th April 2014, supporting information and the approved drawing reference numbers 1/14 – 14/14 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.

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

2. No development shall commence until details of the proposed finished ground floor level of the development relative to an identifiable fixed datum located outwith the application site have been submitted to and approved in writing by the Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: In order to secure an acceptable relationship between the development and its surroundings.

3. Notwithstanding the effect of Condition 1, no development shall commence until samples of materials to be used in the construction of external walls and roof coverings 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.

4. Notwithstanding the effect of Condition 1, no development shall commence until details of colour finish of the window and door units to be installed in the development have been submitted to and approved in writing by the Planning Authority. Thereafter the development shall be completed in accordance with the approved details or such alternatives as may be agreed in writing with the Planning Authority.

Reason: In order to integrate the development into its surroundings.

5. 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 C697. 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.

6. No tree felling, demolition works or development shall commence within the application site until a scheme for the retention and safeguarding of trees during construction has been submitted to and approved by the Planning Authority. The scheme shall comprise:
 - i) Details of all trees to be removed and the location and canopy spread of trees to be retained as part of the development;
 - ii) A programme of measures for the protection of trees during construction works which shall include fencing at least one metre beyond the canopy spread of each tree in accordance with BS 5837:2005 "Trees in Relation to Construction".

Tree protection measures shall be implemented for the full duration of construction works in accordance with the duly approved scheme. No trees shall be lopped, topped or felled other than in accordance with the details of the approved scheme unless otherwise approved in writing by the Planning Authority.

Reason: In order to retain trees as part of the development in the interests of amenity and nature conservation.

7. No tree felling, demolition works or development shall commence within the application site until a Detailed Landscape Plan has been submitted to and approved in writing by the Planning Authority and approved by the Planning Authority in consultation with Forestry Commission Scotland.

The Detailed Landscape Plan shall be compliant with the requirements set out within Appendix 1 of the Forestry Commission Scotland's consultation response dated 28th August 2014, and shall inform the design of a Compensatory Planting Plan which shall be included within the submission.

The Compensatory Planting shall be implemented and maintained in accordance with the approved scheme unless otherwise approved in writing by the Planning Authority.

Any trees which within a period of ten years from the completion of the approved Compensatory Planting 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.

Reason: In order to an appropriate scheme of compensatory planting elsewhere within the locality to mitigate for the loss of sustainable, mature woodland within the development site.

8. No demolition works or development shall commence within the application site until a scheme of boundary treatment, surface treatment and landscaping within the application site 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:
- viii) Existing and proposed ground levels in relation to an identified fixed datum;
 - ix) Existing landscaping features and vegetation to be retained;
 - x) Location design and materials of proposed walls, fences and gates;
 - xi) Proposed soft and hard landscaping works including the location, species and size of every tree/shrub to be planted;
 - xii) A programme for the timing, method of implementation, completion and subsequent on-going maintenance.

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.

Reason: To assist with the integration of the proposal with its surroundings in the interest of amenity.

9. No demolition works or development shall commence within the application site until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Planning Authority. The details of the scheme shall include measures for protecting the amenity of nearby residential properties during demolition and construction activities. The CMS shall have regard to BS5228 – Code of Practice for Noise and Vibration Control on Construction Sites, and shall include:
- i) The proposed working hours of demolition and construction works.
 - ii) Details of the plant and machinery to be used.
 - iii) A Noise Management Plan outlining the complaint response procedure to be adopted.
 - iv) Mitigating measures to prevent any dust nuisance.

- v) Mitigating measures to prevent excessive vibration to nearby residential properties.
- vi) Any other information the applicant may deem necessary to demonstrate that the closest sensitive receptors are unlikely to be affected by noise or disturbance.

Demolition and construction works shall thereafter be undertaken in accordance with the approved CMS, unless otherwise agreed in writing with the Planning Authority.

Reason: In order to protect the amenities of the area for noise and dust disturbance.

10. In the event that contamination that was not previously identified is found at any time when carrying out the approved development it must be reported immediately in writing to the Planning Authority. An investigation and risk assessment must be undertaken and where remediation is deemed necessary then a Remediation Scheme must be prepared which is subject to the approval in writing of the Planning Authority.

Following completion of measures identified in the approved Remediation Scheme a verification report must be prepared, which is subject to the approval in writing of the Planning Authority.

Reason: In the interests of public health, as the site may be contaminated as it includes an area of made-up ground of unknown infill material and in order to ensure that any contamination is removed appropriately.

11. The development and demolition works shall be implemented having full regard to the recommendations set out in sections 6.1 and 6.2 of the Protected Species Survey (dated February 2014).

Reason: In order to ensure demolition works / construction activity is undertaken in a manner which does not compromise European Protected Species.

12. The road geometry, parking and turning area shall all 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.

Reason: In the interest of road safety.

13. Notwithstanding the provisions of Condition 1, the proposed southern access to the shall be formed with visibility splays of 2.4 metres to point X by 42.0 metres to point Y from the centre line of the proposed access. Prior to work starting on site the visibility splays shall be cleared of all obstructions such that nothing shall disrupt visibility from a point 1.05 metres above the access at point X to a point 0.6 metres above the public road carriageway at point Y. The visibility splays

shall be maintained clear of all obstructions thereafter.

Reason: In the interests of road safety.

14. No demolition works or development shall commence within the application site until, a Traffic Management Plan has been submitted for the written approval of the Planning Authority in consultation with the Roads Authority. The Plan shall detail approved access routes, agreed operational practices (including avoidance of convoy movements, specifying conduct in use of passing places, identification of turning areas, reporting of verge damage) and shall provide for the provision of an appropriate Code of Practice to drivers of construction and delivery vehicles. The development shall be implemented in accordance with the duly approved Traffic Management Plan.

Reason: To address abnormal traffic associated with the development in the interests of road safety.

15. No demolition works shall commence until a schedule of items to be reclaimed from the site during or prior to demolition has been drawn up in consultation with, and approved in writing by the Planning Authority. These materials and items shall be satisfactorily set aside, stored and/or used in a manner which shall first be agreed with by the Planning Authority, prior to any demolition taking place.

Reason: In order to protect and save materials and items which can reasonably be retrieved and reused, in the interests of the historical and architectural qualities of the building to be demolished.

16. No development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by the West of Scotland Archaeology Service, and approved by the Planning Authority. There after the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service.

Reason: In order to protect archaeological resources.

(Reference: Report by Head of Planning and Regulatory Services dated 10 September 2014, submitted)

The Chair ruled and the Committee agreed to take item 11 of the agenda before item 10 of the agenda to allow the Senior Planning and Strategies Officer to speak to her item and then leave the meeting.

10. PROPOSED ARGYLL AND BUTE LOCAL DEVELOPMENT PLAN: SUPPLEMENTARY GUIDANCE CONSULTATION: GREEN NETWORK MAPS

A report advising the Committee of the further development of Supplementary Guidance to support the Local Development Plan was considered. This proposed Supplementary Guidance related to Green Network mapping which accompanied the Green Network Supplementary Guidance already agreed.

Decision

1. Noted the proposed Supplementary Guidance as contained in Appendix 1 to this report and agree to it being issued for public consultation for a period of 6 weeks;
2. Agreed that at the end of this consultation a report be submitted to the PPSL. The report will summarise the issues raised by any representations received on this Supplementary Guidance and will provide recommendations for consideration by the PPSL; and
3. Noted the process for adoption of the Supplementary Guidance.

(Reference: Report by Executive Director – Development and Infrastructure Services dated 26 August 2014, submitted)

11. PLANNING PERFORMANCE FRAMEWORK 2013/14

Consideration was given to the 2013/14 Planning Performance Framework (PPF) Annual report as required by the Scottish Government Planning Reform Agenda.

Decision

1. Endorsed the Planning Performance Framework (PPF) 2013/14 subject to the minor amendments as agreed by the Committee;
2. Agreed for the submission of the PPF to Scottish Government before 26th September 2014;
3. Noted the new financial penalties for poor PPF outcomes enacted by the Scottish Government and shall contribute to next year's PPF 2014/15; and
4. Noted that an update report shall be submitted detailing Scottish Government feedback at the appropriate time in December 2014 or January 2015.

(Reference: Report by Executive Director – Development and Infrastructure Services dated 10 September 2014, submitted)

12. UPDATE ON RECENT SCOTTISH GOVERNMENT PLANNING APPEAL DECISIONS

A report advising of a recent appeal decision by the Scottish Government Directorate for Planning and Environmental Appeals relative to enforcement case was considered.

Decision

Noted the contents of the report.

(Reference: Report by Head of Planning and Regulatory Services dated 15 September 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 2 items of business on the grounds that it was likely to involve the disclosure of exempt information as defined in Paragraph 13; and 13 respectively of Part 1 of Schedule 7A to the Local Government (Scotland) Act 1973.

13. AMENITY NOTICE - 12/00043/ENAMEN

Consideration was given to Amenity Notice case reference 12/00043/ENAMEN.

Decision

Agreed the recommendations detailed in the report.

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

14. AMENITY NOTICE - 12/00176/ENAMEN

Consideration was given to Amenity Notice case reference 12/00176/ENAMEN.

Decision

Agreed the recommendations detailed in the report.

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