

Argyll and Bute Council
Comhairle Earra-Ghàidheal Agus Bhòid

Executive Director: Douglas Hendry



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19 January 2021

NOTICE OF MEETING

A meeting of the **PLANNING, PROTECTIVE SERVICES AND LICENSING COMMITTEE** will be held **BY SKYPE** on **TUESDAY, 26 JANUARY 2021** at **10:30 AM**, which you are requested to attend.

Douglas Hendry
Executive Director

BUSINESS

- 1. APOLOGIES FOR ABSENCE**
- 2. DECLARATIONS OF INTEREST**
- 3. MR PELHAM OLIVE: ERECTION OF 12 DWELLINGHOUSES, ALTERATIONS TO VEHICULAR ACCESS AND INSTALLATION OF PRIVATE DRAINAGE SYSTEM: LAND EAST OF LOCHSIDE, PORTINCAPLE (REF: 19/00094/PP)**

Report by Head of Development and Economic Growth (Pages 3 – 86)

Planning, Protective Services and Licensing Committee

Councillor Gordon Blair	Councillor Rory Colville (Vice-Chair)
Councillor Mary-Jean Devon	Councillor Lorna Douglas
Councillor Audrey Forrest	Councillor George Freeman
Councillor Kieron Green	Councillor Graham Hardie
Councillor David Kinniburgh (Chair)	Councillor Donald MacMillan BEM
Councillor Roderick McCuish	Councillor Jean Moffat
Councillor Alastair Redman	Councillor Sandy Taylor
Councillor Richard Trail	

Contact: Fiona McCallum

Tel. No. 01546 604392

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Argyll and Bute Council

Development and Economic Growth

Delegated or Committee Planning Application Report and Report of handling as required by Schedule 2 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 relative to applications for Planning Permission or Planning Permission in Principle

Reference No: 19/00094/PP

Planning Hierarchy: Local Application

Applicant: Mr Pelham Olive

Proposal: Erection of 12 dwellinghouses, alterations to vehicular access and installation of private drainage system

Site Address: Land East Of Lochside, Portincaple

SUPPLEMENTARY REPORT NO. 2

1.0 INTRODUCTION

The purpose of this report is to advise Members of a number of late representations and also of a number of objections which have been withdrawn. In addition, the agent has submitted comments in relation to the proposed Hearing.

2.0 OBJECTIONS WHICH HAVE BEEN WITHDRAWN

The following individuals who had previously objected to this application have now asked for them to be withdrawn:

Kenneth Steven
John Pender
Lorraine Armstrong
Silvie Kozma
Steven McGuire
David Wilson
Alexander Wilson
Rowan Welch
David Matthews

3.0 SUMMARY OF POINTS OF OBJECTION /REPRESENTATION

Since the publication of the Report on Handling there have been a number of further objections and representations noted below. The points of representation are summarised

below. Full details of all representations can be viewed on the Council's website www.argyll-bute.gov.uk

Jackie Baillie MSP

While the current application is for a reduced development, it is a matter of continuing concern that the developers intentions are for something on a larger scale and that this is merely the first stage in a more significant development.

Comment: This is a standalone application and does not form part of a Masterplan or phased development. Any application submitted in the future would be considered on its merits against the policies of the Local Development Plan and other material considerations.

This application would be more than double the size acceptable for a small settlement.

Comment: See assessment.

There is insufficient road capacity to cope with 12 additional dwellings and associated cars and delivery vehicles.

Comment: See assessment. The Area Roads Officer has no objections to the proposal subject to conditions.

I would be grateful if the Planning Committee would support their views and oppose this planning application.

Comment: Noted

Finally can I address the inference made by the developers at an early stage of the application process, that this housing was for MOD personnel. Having consulted the MOD, it is not the case that they have entered any arrangement with the developer or commissioned these housing units.

Comment: The agent has confirmed that the applicant has consulted with the MOD who have advised on their need for housing and have identified the types of housing required. A section 75 agreement is proposed in order to secure this identified housing need for MOD purposes.

I have made separate representation to the Council about the inadequacy of holding a virtual meeting for an application with so many objectors and would ask that the decision is postponed until there is an opportunity for a public session with appropriate social distancing measures taken.

Comment: This is a matter for Members to consider.

Further objections:

R. Fletcher, Bridgend, Portincaple (three emails dated 17/8/20, one with an attached letter of objection dated 15/8/20);

Alan Reid, 136 Fairhaven, Kirn, Dunoon PA23 8NS (dated 14/8/20);

David Bradshaw, The Gantocks, Shore Road, Kilcreggan G84 0HW (dated 14/8/20);

Duncan Macpherson, Ferry House, Feuins Road, Portincaple G84 0ET

Disagree that the proposal should be regarded as a minor departure;

Comment: See assessment.

Questions that there is any need for further military housing;

Comment: The agent has confirmed that the applicant has consulted with the MOD who have advised on their need for housing and have identified the types of housing required.

A payment of £72,000 in lieu of affordable housing is morally unacceptable and lays the Council and Council Officers open to the accusation of bribery. The Council Officers' recommendation for 12 houses which then gains the Council £72,000 is unacceptable and appears corrupt to anyone who sees through the reasoning;

Comment: See assessment. The payment of a commuted sum is considered appropriate and is in accordance with the Council's Local Development Plan policy on the delivery of affordable housing.

The Hearing should not be held until the current limits on meetings are no longer in force so that it will be possible for everyone who wishes to attend to be able to do so.

Comment: This is a matter for Members to consider.

The decision to recommend the grant of approval for the above application was extremely disappointing, biased in favour of the applicant, incomplete and inconsistent. It appears from the dates included, that it did not meet the completion date of the 30th July for the submission of papers to the Committee Services, which maybe explains some of the above. I trust this was not down to undue external pressures being applied to meet a specific date!

Comment: The recommendation on the application has been reached through robust consideration of the policies of the LDP and other material considerations.

It is questioned when the proposed footpaths were added to the proposal.

Comment: The proposed footpaths are shown on the Portincaple Landscape Strategy Masterplan which was submitted in May 2020.

Mention is made of an appendix 2, where can this be viewed.

Comment: Appendix 2 contains list of objectors, representees and supporters. The title of this appendix was omitted in error. A revised contributor list is attached to this report to address this and to provide an up to date list as some names have been withdrawn and some have been added since the list was published for committee.

Observations raised about compliance with SPP 2014 and NPF 3 are summarily dismissed, without any reasoned argument in support of this statement, anywhere else in the document.

Comment: NPF3 and SPP 2014 are considerations in the determination of this planning application. The LDP reflects the strategic aims of NPF3 and accords with the SPP 2014.

I note that a supplementary report has been produced, which will be available to the PPSL committee. With that in mind could I ask that you also prepare another with the following included, so that the committee are made aware of further comments which have been submitted, but have been omitted in the RoH:

A comment that the Woodland Trust lodged an objection on 16th March.

Comment: The Woodland Trust are included in the list of objectors.

No consideration in the Assessment of the Housing Needs and Demands Assessment (HNDA). No consideration in the Assessment of the Strategic Housing Investment Plan (SHIP).

Comment: Both the HNDA and the SHIP have been considered in the assessment of this application. These identify that there is a need for affordable and MOD housing in the Helensburgh and Lomond Area which have been provided for as part of this planning application.

No consideration in the Assessment of the Argyll and Bute Sustainable Design Guidance Part 2 Document for Extending Existing Settlements. (specifically P19).

Comment: The issue of this scale of development has been carefully considered with reference to the Council's Sustainable Design Guidance and in consultation with the Council's Design and Conservation Officer.

The information provided under BS5837:2012 is incomplete, even for this Feasibility/Planning stage.

Comment: The Council's Biodiversity Officer has been consulted and is satisfied with the proposals. Tree protection conditions are proposed as part of the Construction Environmental Management Plan which is required by condition 16.

I note also that the RoH printed off the agenda for the PPSL meeting was 43 pages long, but that the same document now available on the planning portal is 45 pages long. Please advise why, and what if anything has been added/changed, if possible before the meeting on Wednesday 19th Aug.?

Comment: This is the same report, however, the committee version appears to be more compressed.

I note in both the report of handling and on the public access portal, that all issues concerning the above have been issued to the same person, i.e. the local biodiversity officer. I understand from an internet search that she has worked for Argyll and Bute Council for 20 years. Has this been on a full- or part-time basis?

Whilst this does indeed give her unrivalled experience of the local area, it does also encompass a huge range of topics to cover. Is it possible that she can advise with an in depth "professional" knowledge of all that she is being asked to comment on?

Comment: It is confirmed that the Council's Local Biodiversity Officer has appropriate qualification in land use, fresh water and marine and coastal habitats and species with 20+ years' experience as a Local Biodiversity Officer.

4.0 AGENT'S COMMENT IN RELATION TO A PROPOSED HEARING

The agent for the application has submitted the following comments in response to the letter from Jackie Baillie MSP:

"I am writing to address the issue of Pre-Determination hearings for Planning Applications.

This has been necessitated by the late representations made by Jackie Baillie MSP which both refer directly to this issue.

Your Report of Handling has recommended the application for approval subject to a Pre-Determination hearing. Tomorrow the Committee will sit to make decisions on your recommendations.

It will also sit to consider what the Pre-Determination Planning Hearing arrangements should be during the Covid-19 response period, which may therefore be relevant to this case.

My understanding is that PPSL Committee meetings and also for that matter LRB's have already been undertaken perfectly well using virtual technology, and in many other areas of business or Governance right across the country, virtual technology has been employed to great effect, often removing unnecessary repetition, delay and damage to the economy.

As the Architect and Agent for this development I am therefore in full support of virtual hearings in order to keep the Planning system moving as freely as possible and have no doubt that all the relevant facts from whatever standpoint can still be delivered and considered using virtual technology without detriment to the process.

I have full confidence that the Committee will be able to make an informed decision for the most sensible way forward on this matter based on facts, the law and democracy, despite the challenging times that Covid-19 has presented to us all."

5.0 RECOMMENDATION

The points made have been considered during the processing of this planning application and do not alter the recommendation details on the main Report on Handling, namely, that, that planning permission be granted subject to:

- (i) a pre determination hearing;
- (ii) A section 75 agreement to ensure a commuted sum for affordable housing and housing addressing the needs relating to the expansion of HMNB Clyde; and
- (iii) conditions

Author of Report: Sandra Davies

Date: 18/08/2020

Reviewing Officer: Peter Bain

Date: 18/08/2020

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Delegated or Committee Planning Application Report and Report of handling as required by Schedule 2 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 relative to applications for Planning Permission or Planning Permission in Principle

Reference No: 19/00094/PP

Planning Hierarchy: Local Application

Applicant: Mr Pelham Olive

Proposal: Erection of 12 dwellinghouses, alterations to vehicular access and installation of private drainage system

Site Address: Land East Of Lochside, Portincaple

SUPPLEMENTARY REPORT NO. 1

1.0 INTRODUCTION

The purpose of this report is to advise Members of a summary of the contents of an objection submitted by Ross Greer MSP dated 27th April 2020. It is normal procedure for officers to highlight and summarise objections that have been submitted by MPs, MSPs and Councillors and a summary of Ross Greer MSP's objection has been omitted from the report in error although his name is still listed in the appendix containing the names of all representees.

2.0 SUMMARY OF POINTS OF OBJECTION

The points of objection are summarised as follows:

- The application make no provision for affordable housing;
- The application would have an adverse impact on nature and woodland;
- The scale of the development is inappropriate for this location;
- Concerns about the impact on the local community;
- Concern over the visual impact within the Area of Panoramic Quality;
- While some of the developer's aims are very laudable, particularly the very high standards of energy efficiency and ground breaking use of loch-sourced heat, the development is simply not in the right location.

Comment: These issues are fully addressed in the main Report on Handling.

- It is recommended that Argyll and Bute Council:
Work with the local community to access support and funding to remove invasive species and support and protect biodiverse woodland and access to the shoreline;
Work with the applicant and architect to ensure the best practice in energy efficiency, renewable energy generation and building materials are used in future affordable housing development in Argyll and Bute in other locations;
Work with the local community to establish and improve active travel infrastructure in and around Portincaple.

Comment: These points are noted but are not directly related to the determination of this planning application.

Note: Full details of this representation can be viewed on the Council's website www.argyll-bute.gov.uk

3.0 RECOMMENDATION

The points made by Ross Greer MSP have been considered during the procession of this planning application and do not alter the recommendation details on the main Report on Handling, namely, that, that planning permission be granted subject to:

- (i) a pre determination hearing;
- (ii) A section 75 agreement to ensure a commuted sum for affordable housing and housing addressing the needs relating to the expansion of HMNB Clyde; and
- (iii) conditions

Author of Report: Sandra Davies

Date: 13/08/2020

Reviewing Officer: Fergus Murray

Date: 13/08/2020

Delegated or Committee Planning Application Report and Report of handling as required by Schedule 2 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 relative to applications for Planning Permission or Planning Permission in Principle

Reference No: 20/00094/PP

Planning Hierarchy: Local Application

Applicant: Mr Pelham Olive

Proposal: Erection of 12 dwellinghouses, alterations to vehicular access and installation of private drainage system

Site Address: Land East Of Lochside, Portincaple

DECISION ROUTE

(i) Local Government Scotland Act 1973

(A) THE APPLICATION

(i) Development Requiring Express Planning Permission

Erection of 12 dwelling houses;
Formation of new road including watercourse crossing;
Installation of private sewerage treatment plant;
Installation of loch based district heating system.
Formation of footpaths

(ii) Other specified operations

Connection to public water supply;
Enhanced landscaping and tree planting

(B) RECOMMENDATION:

It is recommended that planning permission be granted subject to:

- (i) a pre determination hearing;
 - (ii) A section 75 agreement to ensure a commuted sum for affordable housing and housing addressing the needs relating to the expansion of HMNB Clyde; and
 - (iii) conditions
-

(C) HISTORY: None

(D) CONSULTATIONS:

SEPA (dated 4/3/20, 22/5/20, 4/6/20 and 28/7/20): SEPA initially objection to this application however the letter of 28/7/20 advised that the objection has been removed following the submission of the additional information. In this letter it confirms that the objection has been removed on the understanding that the foul drainage arrangements being proposed are considered to be a betterment to the aforementioned discharge to the inland watercourse.

Scottish Water (dated 11/2/20): No objections. There is currently capacity in the Belmore Water Treatment Works. According to our records there is no public Scottish Water Waste Water infrastructure within the vicinity.

Built Heritage Conservation Officer (dated 25/2/20): There are a variety of house styles in Portincapple so I believe that this proposal, which respects the settlement pattern and wider landscape but offers a contemporary response, is appropriate for this site from a design point of view.

Area Roads Officer (dated 20/3/20): No objection subject to conditions.

Marine Scotland (dated 7/2/20): The Marine Scotland Licensing Operations Team do not have any comments to make on this application. Please be advised that some of these works appear to be below Mean High Water Springs (outfall pipe) and therefore a marine licence will be required.

Ministry of Defence Safeguarding Team (dated 30/3/20): No objections to this proposal, however, it is recommended that the window's innermost pane (i.e. house side) be at least 6.8mm thick and incorporate a PVB interlayer in accordance with blast hazard mitigation measures. Thicker panes of laminated glass are also acceptable provided they contain a PVB thickness of at least 0.76mm.

Flood Risk Assessor (dated 28/2/20): No objections subject to conditions.

Biodiversity Officer (dated 6/3/20, 10/6/20 and 17/7/20) Support the proposals and plans.

Further information was requested on Bluebell which was subsequently submitted.
Invasive Non Native Species (INNS) – further control and watching brief for Rhododendron ponticum, Japanese knotweed and Himalayan balsam.

Woodland – Recommend a condition on replacement planting; Birds: A pre start check for nesting bird should be carried out by a suitably qualified person prior to any construction works commencing; Otter – Note the contents of the report and advise that mitigation is implemented; Red squirrel – pre-start check for RS activity.

Access Officer: No response to date.

HSE (dated 10/2/20): HSE does not advise on safety grounds against the granting of planning permission in this case.

West of Scotland Archaeology Service (dated 27/2/20): This application lies in a reasonably rich landscape populated with recorded archaeological sites of prehistoric and later periods. Since there is potential for more discoveries in this landscape, any new major piece of new ground disturbance stands a reasonable chance of encountering buried remains and hence some form of archaeological mitigation is required for the proposal. In order to effect this a condition relating to the archaeological issue should be placed on any consent granted by your Council.

Garelochhead Community Council (dated 23/7/20) – Object to the proposal. The objection is on the basis that the proposal fails to comply with many of the policies of the adopted LDP and doubts over the feasibility of the proposed heating system.

Environmental Health (dated 30/7/20): No objections in principle. Conditions recommended during the construction phase.

(E) PUBLICITY:

ADVERT TYPE:
Regulation 20 Advert Local Application
EXPIRY DATE: 12.03.2020

(F) REPRESENTATIONS:

A list of the names of all representees received is contained within Appendix 2 of this report. At the time of writing this report the numbers of representations were broken down as follows:

Objection: 1115

Representation: 6

Support: 2

The points of objection / representation are summarised below:

(i) **Summary of issues raised** Page 14

Policy Issues

The proposal is contrary to Scottish Government policies.

Comment: It is not considered that the proposal is contrary to Scottish Government Policy.

The proposal is contrary to the National Planning Framework 3 (NPF3)

Comment: It is not considered that the proposal is contrary to NPF3.

The proposal contravenes many of the policies and objectives of the Local Development Plan.

Comment: See assessment.

The proposal is contrary to the Firth of Clyde Seascape Assessment;

Comment: See assessment

Design and Layout

The density, scale, settlement and design pattern of the proposal appears urbanised and out of keeping with Portincaple's organic growth to date.

Comment: See assessment section B on location and design.

The extended terrace on the hillside and flat glazed frontages are out of character with the existing settlement.

Comment: See assessment section B on location and design.

The applicant's design statement and their planning report refer to 5 bed terraced houses being leased to the MOD to address its housing shortage to be developed as communal lodging units with shared facilities. These would effectively be hostels for the base and would be likely not only to be disruptive to the community structure but increase car ownership and road use considerably with travel at unsocial hours due to shift work.

Comment: Whilst these are HMOs in terms of Environmental Health legislation, the Town and Country Planning (Use Classes) (Scotland) Order 1997 defines a house (Class 9) as being the sole or main residence of a single person, or any number of persons living together as a family, or not more than 5 residents living together as a single household. These units are therefore being assessed as houses, however additional car parking has been allocated to each of the three units. The Area Roads officer has no objections to the proposal. It should be noted that while still considered to be a house under planning legislation an HMO licence will be required from Environmental Health.

The inclusion of this amount of housing in the density proposed will be to the detriment of the neighbours' residential amenity.

Comment: See assessment

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Landscaping, manicuring and creating a section of land public realm space removes the existing residential amenity of access to wild and ancient woodland.

Comment: Prior to the removal of R. ponticum access to this site would have been challenging due to the density of Rhododendron growth. The proposals would allow greater access and the landscaping proposals aim to manage and regenerate areas of native woodland surrounding the development.

The development would inject sudden and disproportionately excessive growth (>20%) into a settlement that has never experienced such growth before. The nature of the proposed growth introduces a new and contradictory development to the settlement by introducing: a style of housing (terraced) that does not currently exist; a form of housing (houses for multiple occupancy or HMOs) that does not currently exist; formal landscaped public realm space that does not currently exist; a formalised, stylised and manicured development (much more akin to a suburban development) that does not currently exist;

Comment: See assessment.

Portincaple is a minor settlement of 58 detached houses which are all individually sited within a defined plot of land. There are no terraced dwellings in the village.

Comment: See assessment.

The proposal would result in an increase in residents in the order of 79 people and a further 44 cars.

Comment: It is considered that this level of development can be accommodated without causing unacceptable effects on amenity.

The artist's impressions shows a strange form of grassland that does not exist in the west of Scotland.

Comment: A detailed landscape plan has been submitted in respect of this application which gives planting specifications. These are considered to be acceptable and appropriate for the site.

The development would not sit well beside the Arts and Crafts Listed building.

Comment: See assessment.

Landscape / Seascape

The proposal would have an adverse impact of the Area of Panoramic Quality (APQ) within which Portincaple is located.

Comment: See assessment.

Concerns about the reflection increasing the visual impact of the built environment on this shoreline environment.

Comment: See assessment.

Section 2 of the Council's supplementary guidance offers advice specifically in relation to APQs and states that "within these areas the impact on landscape is a major consideration when new development is proposed" and suggest that any

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APQ will have a Landscape Capacity Study (LCS) produced to address this issue. Where is this study?

Comment: The SNH Landscape Assessment of Argyll and Firth of Clyde and the Landscape / Seascape Assessment of the Firth of Clyde have both been considered prior to making a recommendation on this application.

The proposal would be contrary to the Firth of Clyde Marine Spatial Plan and in particular the section that deals with Loch Long.

Comment: See assessment.

Biodiversity

The applicant has not completed a biodiversity checklist;

Comment: A Biodiversity checklist was requested and was subsequently submitted.

The preliminary ecological appraisal and phase 1 habitat survey undertaken for the screening application is still the only survey undertaken. This was undertaken at the wrong time of year and there were no follow up visits.

Comment: Follow up surveys are required prior to the commencement of development.

Otter scat was positively identified but is dismissed as being old and therefore irrelevant.

Comment: Follow up surveys are required prior to the commencement of development.

No local knowledge was taken into account. Locals are aware of pine martins, otters, black grouse, red deer, water voles and red squirrels.

Comment: All letters of representation have been taken into account prior to reaching recommendation on this application. The Biodiversity Officer has been made aware of the representations which relate to biodiversity and protected species.

In order to provide definitive information relating to the presence or likely absence, several visits to the site and wider study area would typically be required. Following the clearance of the site this study was null and void and at this juncture, without follow-up, is now worthless and irrelevant.

Comment: Follow up surveys are required prior to the commencement of development. The Council's Biodiversity is content with information and proposed mitigation.

The proposal would result in the loss of semi-natural ancient woodland.

Comment: See assessment.

The developer has already felled a number of trees and more would need to be felled to make way for the development.

Comment: See assessment.

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The soil is heavily peat based and is estimated to hold a valuable 41.5% carbon capture.

Comment: The applicant's commissioned Site Investigation report has indicated that the soil is not heavily peat based.

The floating pads in the loch may contain refrigerant as the technology is a reverse air conditioning system. If there was to be a rupture it could have devastating consequences on marine life.

Comment: This is a closed loop system. A condition is proposed requiring full details of the design is proposed. This element of the proposal will also be considered by Marine Scotland as a Marine Licence will be required.

The loch source heat pump may have an adverse impact on Priority Marine Features within Loch Long.

Comment: A condition is proposed to address this issue. In addition a Marine Licence will be required for this element of the proposal.

Despite the denials of the Textrix Survey, Portincaple is home to the Scottish Bluebell and rare lichens, otters, European long eared bats, red squirrels, barn and tawny owls, greater crested newts, pine martins, badgers, curlews, oystercatchers, red deer and is the only known location of an ancient sea squirt *Styela Gelatinosa* recorded at the junction of Loch Goil and Loch Long.

Comment: The Council's Biodiversity Officer is satisfied with the supporting information submitted by Tetrix Ecology.

Loch Long is an inappropriate location for the proposed heating system due to the sensitivity of the sea bed and the presence of a very rare sea squirt.

Comment: The applicant's ecologist has advised that the Loch Goil Sea Squirt is not afforded any specific protection under The Wildlife and Countryside Act 1981 (as amended) however as recommended by the ecologist a condition is recommended requiring a Construction Environmental Management Plan (CEMP) which will address pollution prevention controls during construction.

The area is designated as one of six Shellfish Water Protected Areas (SWPA) in Scotland (Clyde Marine Plan (2017) which suggests that a serious rethink is required for much of the proposal.

Comment: The water source heat pump will require a Marine Licence and Marine Scotland will therefore consider this issue.

Amenity

The site is an area enjoyed by the community in walks through the landscape and adjacent beach and foreshore.

The site is referred to locally as "The Fairy Glen" and has been loved and played in by generations of children.

Comment: This point is noted, however, the proposed development will make the site and loch more accessible

The site has been referenced by the Victoria on a number of occasions in her Highland Diaries.

Comment: This point is noted.

There is no street lighting in Portincaple. Portincaple enjoys this lack of light pollution.

Comment: Due to the location of this development no street lighting is proposed.

The area should be designated as an open space protection area.

Comment: This would be a matter for a future Local Development Plan. Currently the site is designated as settlement within the adopted LDP.

The proposed tree planting takes no account of the loss of light to existing properties once the trees reach maturity.

Comment: It is not considered that the proposed trees will be closed enough to existing dwellings to cause a significant loss of light issue.

The car park for the proposed houses back on to existing properties.

Comment: It is not considered that the visitor parking will adversely affect the amenity of these properties.

The development as proposed will see Portincaple lose its identity as a minor settlement if the applicant is allowed to turn it into a tourist destination.

Comment: It is not considered that 12 houses would constitute a tourist destination.

Trees

The developer has already cut down 61 trees despite the assertion that no trees were cut down.

Comment: This claim is unsubstantiated.

The proposal would result in the loss of semi-natural ancient woodland.

Comment: See assessment

Roads / Transport

SPP 17 Planning for Transport states that when an assessment of a development proposal is being considered, then permission should not be granted for significant travel generating proposals.

Comment: The Area Roads Officer has offered no objections to the proposal.

This proposal with 44 parking spaces will increase the traffic flow in Portincaple by a further c79 people and c44 cars against the current population of 120 residents and 58 cars. This figure could be significantly increased if the 3x 5 cabin houses consist of shift working MOD staff with 24/7 journeys to and from the base.

Comment: The Area Roads Officer has offered no objections to the proposal. Additional parking is proposed to serve the 5 cabin houses.

A Traffic Assessment should be submitted by the developer to clarify the significant effects the proposal will have on the environment.

Comment: The Area Roads Officer has not requested additional information and is satisfied with the proposal subject to the imposition of conditions.

If the development was to go ahead it would be accessed via a single track road only, over two small bridges which would be contrary to policy LDP 11.

Comment: The Area Roads Officer has offered no objections to the proposal and subject to the proposed conditions the proposal would not be contrary to Policy LDP 11.

Portincaple has no public transport and the development would rely on private transport journeys to operate.

Comment: This point is noted, however, should a bus service become feasible in the future the road layout of the new development would allow a bus to turn.

The proposal is 2.5 miles from the key settlement of Garelochhead and has no safe walking route between the two.

Comment: This is accepted. However this would not constitute a reason for the refusal of this application.

There are no pavements or safe walking routes. Feuins Road is used for walking and children cycling. The proposed development will make Feuins Road less safe for these purposes.

Comment: The Area Roads Officer has offered no objections to the proposal.

The entrance to Portincaple is almost a hair-pin where two vehicles cannot pass due to space and line of sight. The junction is unsafe for the amount of excess traffic the proposed development will bring.

Comment: The Area Roads Officer has offered no objections to the proposal.

Is the current road alignment at the junction of Feuins Road to the A814 considered safe and suitable to handle the increased construction and residential traffic.

Comment: The Area Roads Officer has offered no objections to the proposal.

The first bend on Feuins Road is sharp and blind. This is another point on the road where accidents occur. The most recent accident was on the 13th February when the Post Office van went off the road and into trees.

Comment: The Area Roads Officer has offered no objections to the proposal.

The two existing bridges may not be suitable to accommodate the increase in traffic. They have been displaying cracks inside the arches and on outer walls and these have appeared over the last 15 years.

Comment: A planning condition is proposed which requires the bridges and culverts to be inspected prior to the commencement of development. This will allow any damage caused during the construction phase to be identified.

Feuins Road is of a single track nature and there is no room to widen or add passing places.

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Comment: The Area Roads Board offered no objections to the proposal.

The proposed new section of road would only suitably benefit the proposed development. The existing private access is adequate for the 10 houses it serves.

Comment: The proposed new section of public road would be available for all to use.

How are the Council going to ensure that the roads are made good during and after construction.

Comment: A condition is proposed requiring a pre-commencement survey of the road and post development restoration

No evidence has been submitted that walking routes and cycle paths will be made available and there is no indication that public transport will be provided.

Comment: Footpaths are shown on the Landscape Strategy Plan. The proposed development would facilitate bus turning should this become feasible in the future.

The proposed access is an unnecessary addition to that which currently exists any will negatively impact on the privacy of many residents.

Comment: The proposed realigned access is necessary in order to provide a road which can be constructed to adoptable standard. It is not considered that this would adversely affect privacy.

Concern that the access to Woodside will be adversely affected by the new road.

Comment: It is not considered that this property would be adversely affected by the new road.

The application should be refused on the grounds that there are no transport links apart from the service of a dial a bus which has difficulty manoeuvring through the village when cars are parked on the road due to inclement weather.

Comment: The new development would facilitate bus turning should a bus service become viable in the future.

Affordable Housing

It is unacceptable for the applicant to subvert the requirement for “affordable” housing by building for a pre-agreed leasehold for the armed forces. The requirement to build “affordable” houses in communities is designed to address the problem of high house prices for local families and the drift of less well-off families to the towns, not to serve the aspirations of HMNB.

Comment: As a result of further discussions through the processing of this planning application, the applicant has agreed to provide a commuted sum for affordable housing.

Multiple occupancy housing would be out of keeping with Portincaple.

Comment: The proposed houses would not constitute multiple occupancy housing in terms of planning legislation. The 3, 5 bed houses would however require an HMO licence. The Navy has identified that there is a need for these types of units due to the ongoing expansion of HMNB Clyde, The site is less than 4 miles from

Faslane and it considered a suitable location. The houses have been designed in a manner which is sympathetic to Portincaple and additional car parking spaces have been allocated to each of the three dwellings.

Other

The MEP supporting document refers to commercial activity. What commercial activity has been deliberately or otherwise omitted from the Masterplan.

Comment: There is no commercial activity proposed. The applicant had previously considered commercial elements to the proposal but these do not form part of this submission.

It is obvious that this is stage 1 of a multi stage development.

Comment: The planning authority is required to consider the application submitted. Any future applications would be considered on their merits.

The site is located within a SEPA flood zone.

Comments: SEPA and the Council's Flood Alleviation Advisor have offered no objections on flooding grounds. The flood area is close to the shore while the houses are being constructed at a much higher level (between 18 – 22 AOD)

The tree planting scheme is vague.

Comment: The tree planting scheme is considered to be acceptable.

The site plan doesn't show any clear access to the shore from the development site, how will this development improve access.

Comment: A series of paths are shown on the Landscape Strategy Plan.

It is possible that all of the houses will be used as short term holiday lets.

Comment: The applicant has not indicated that this is what is intended. A Section 75 agreement is proposed to ensure that houses T1, T2 and T3 as shown on the approved site layout drawing shall be either let or sold to the Royal Navy / MOD to be used as accommodation for Royal Navy personnel or people in other employment which is associated with the expansion HMNB Clyde or let directly to Royal Navy personnel or people in other employment which is associated with the expansion HMNB Clyde.

The Council should consider designating Portincaple as short term let control area.

Comment: This is not an issue which can be considered through the processing of this planning application.

The proposal would provide no community benefit for the local community.

Comment: The applicant believes that there a number of aspects of this development which would benefit the community such as public seating areas and access to the water. It is contended that access to the site was previously seriously hampered by invasive R. ponticum.

The proposal would result in a change to the nature of the settlement from residential with occasional visitors into a formal designated tourist destination.

Comment: It is not considered that the erection of 12 houses would constitute a formal designated tourist destination.

The submission provides a limited and inaccurate cultural awareness of local history.

Comment: This point of view is noted.

Scottish Water has stipulated that more than 10 dwellings require a pre-development enquiry. Has this been completed and considered?

Comment: This is a separate process between Scottish Water and the applicant.

There is an issue with a private developer retaining control of the proposed heating system. This would leave residents vulnerable to increasing tariffs and system failure.

Comment: This is not material to the determination of this planning application.

The district heating system does not provide the detail required by policy LDP 6 in relation to renewable energy generation.

Comment: The principle of a low carbon heating system is considered acceptable, however, a condition is proposed seeking further details prior to its implementation. The water source heating system will also require a Marine Licence.

The proposal will remove evidence of historic tracks which are located within the site.

Comment: There are no core paths located within the site. The land is more accessible since the Rhododendron clearance.

The proposal does not meet the need to reduce the impact of climate change as it relies on car journeys to function.

Comment: There is currently no public transport serving Portincaple. The proposed development would however facilitate the introduction of a bus service should this be considered appropriate in the future as it would allow turning.

Procedural

The development has been noted as Holiday Camps and Sites on Argyll and Bute Council documentation.

Comment: This was an error in a consultation template. This has since been updated and clarified with consultees.

With regard to the previous screening opinion sufficient attention was not paid to the overriding requirement that the planning authority should consider whether the proposed development is likely to have significant effects on the environment by factors such as its nature, size and location.

Comment: The screening opinion was subject to a third party screening direction request. The Scottish Government concluded that the screening opinion issued by the Council appears comprehensive and it has considered and identified

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relevant issues, and potential effects. The conclusions reached in the screening opinion are not unreasonable.

The application has omitted to consult Garelochhead Community Council, Woodland Trust Scotland, SNH, INEOS (Finnart) , MOD and Building Standards.

Comment: Garelochhead Community Council and the MOD have been consulted. The others are not statutory consultees for this application.

SNH should be consulted in relation to the Priority Marine Feature in Loch Long.

Comment: SNH provides advice to planning authorities on when they should be consulted on planning applications. The presence of PMFs does not fall within the remit for consultation. This advice is available on the SNH website. SNH however provides standing advice on their website and this has been considered in the processing of this application.

The developer has indicated that he has had dialogue with and support from the Council for some time. If the developer's assertion is correct, it explains the catalogue of errors and obfuscation exhibited by the Council: starting with the Screening Opinion, through to inactivity with Tree Preservation Orders, FOI responses etc

Comment: The developer has engaged in pre application enquiries with the planning service. This is an option open to any developer subject to an online submission and a fee being paid. Pre-application advice is the informal view of officers and non-binding. It is based on information provided and issued with the caveat that the Council will also require to take into account views of consultees and third parties in the event of a formal application being submitted.

There is an assortment of documents on the planning portal which do not relate clearly to the lodged application. These appear to relate to a much larger development. This has led to confusion about what is the real proposal.

Comment: The applicant has previously considered a larger development for this site and some of the documents initially submitted contained reference to this. This issues was rectified by the agent.

There is confusion between the development description given in the screening request and the proposal in the current application.

Comment: Two screening opinions have been issued in respect of this site; one for a larger development which did not progress beyond pre-application discussion stage and has not been the subject of a subsequent planning application and a more recent screening opinion issued for 12 dwellings which relates to the proposal currently under consideration.

This is a medium scale development and no sustainability checklist has been submitted with the application.

Comment: During the processing of the application a sustainability checklist was requested and subsequently submitted.

There is concern that the Council withheld information in terms of a Freedom of Information (FOI) request.

Comment: This is not a matter requiring consideration. At the time of the FOI enquiry there was an opportunity for the requester to request a review.

Councillor Iain Shonny Paterson – Objects to the application on the following grounds:

Portincaple is a small rural settlement , this application is out of proportion and design , and is not on a list of sites identified for development in the LDP;

The village sits in a site of Ancient woodland which should be preserved along with the plant and wild life which inhabit this woodland;

The impact of this development will have a severe impact on the landscape, which will outweigh any social or environmental benefits.

Jackie Baillie MSP

I would be grateful if you would consider deferring the discretionary pre-determination hearing until such time that the hearing can go ahead publicly and in person safely.

Brendan O’Hara MP – objects to the application on the following grounds:

The development would be out of scale with Portincaple;

Adverse impacts on ancient woodland;

Adverse impacts on the Area of Panoramic Quality:

It can be seen from the drawing that further phases are planned which will eventually double the size of the village.

The proposed development offers no community benefit;

The development will result in the potential loss of 11 acres of woodland.

It is understood that over 200 trees have already been felled as part of the Rhododendron clearance;

The development will overshadow current buildings including Inverallt which is listed.

The development is likely to generate a significant increase in the number of trips required by car.

Comments: These issues are covered by the comments above and in the assessment of this application.

Support

The points in support are summarised as follows:

There is a great deal of social media comment relating to this application but much of it seems of dubious provenance.

It is considered that the supporting document is well researched and accurate.

The proposed heating system is a positive for global warming.

The scale of the development is correct for this location.

Comment: These points are noted.

Note: Full details of all representations received can be viewed on the Council's website www.argyll-bute.gov.uk

(G) SUPPORTING INFORMATION

Has the application been the subject of:

- (i) **Environmental Statement:** No
- (ii) **An appropriate assessment under the Conservation (Natural Habitats) Regulations 1994:** No
- (iii) **A design or design/access statement:** Yes
- (iv) **A report on the impact of the proposed development eg. Retail impact, transport impact, noise impact, flood risk, drainage impact etc:** Yes

Supporting Planning Statement MH Planning Associates
Design Statement, January 2020
Preliminary Ecological Appraisal, Tetrix Ecology dated 20th Feb 2019
Energy and Sustainability Feasibility Study, Rambol, dated Jan 2020
Tree Survey, The Tree Inspector dated 30th Jan 2019
Existing and proposed montages
Existing and proposed aerial 3D productions
Planning Gain 1 – Lost History of Portincaple Re-discovered
Planning Gain 2 – Invasive Rhododendron Eradicated from the Site
Planning Gain 3 – The Lost Connection to the Water will be Restored
Planning Gain 4 – Road Improvement and Safety
Planning Gain 5 – Woodland Creation & Biodiversity Re-established
Planning Gain 6 – New Open Space and Access to Water
Planning Gain 7 – Construction of a Ground Breaking District Heating System
Planning Gain 8 – New Highly Sustainable Exemplar Houses
Planning Gain 9 – Land for Bus Turning and Connection to Existing Core Paths.
Submitted Letter Addressing Objections
Sustainability Checklist
Drover's Landing MEP Feasibility Report, Ramboll
Tree Survey and Report, C. A. Calvey Arboriculturalist
Woodland Management Plan, C. A. Calvey Arboriculturalist
Arboricultural Response to objections of development and woodland restoration, C. A. Calvey Arboriculturalist
Preliminary Ecological Appraisal, Tetrix Ecology
Otter Walkover Survey, Tetrix Ecology
Biodiversity Checklist, Tetrix Ecology
Biodiversity Checklist additional information, Tetrix Ecology
Woodland Statement, Tetrix Ecology
Information on Great Crested Newt, Tetrix Ecology
Loch Goil Sea Squirt Letter, Tetrix Ecology
Bat PRA & Invasive Native Species Survey, Wild Surveys
Portincaple Landscape Strategy, TGP Landscape Architects
Portincaple Landscape Strategy Masterplan, TGP Landscape Architects
Portincaple Landscape Strategy Planting Plan, TGP Landscape Architects
Statement: SG LDP HOU 2 - Special Needs Access Provision in Housing Developments

(H) PLANNING OBLIGATIONS

(i) Is a Section 75 agreement required: Yes

A section 75 agreement is required in order to secure a commuted sum for affordable housing and to ensure that the three houses each with 5 single rooms are utilised by Royal Navy personnel or people in other employment which is associated with the expansion HMNB Clyde.

Section 75 Heads of Terms

Affordable Housing

- The 12 unit proposal would require a payment towards 3 affordable units;
- The payment for each unit would be £24,000;
- The commuted sum will be used to fund affordable housing development in the Helensburgh and Lomond Housing Market area.
- The payment would be phased as follows:

Prior to starting to construct the 7th dwelling, 50% of the total amount would be payable;

Prior to the occupation of the 10th dwelling, the remaining 50% would be payable.

Housing which caters for an identified need:

That houses T1, T2 and T3 as shown on the approved site layout drawing shall be either let or sold to the Royal Navy / MOD to be used as accommodation for Royal Navy personnel or people in other employment which is associated with the expansion HMNB Clyde or let directly to Royal Navy personnel or people in other employment which is associated with the expansion HMNB Clyde. This shall apply for a period of 5 years from the date of this planning permission.

Reason for refusal in the event that the section 75 agreement is not concluded within four months:

The proposal is for medium scale development within a village / minor settlement. An exceptional case has been accepted that the proposal would help to deliver affordable housing and meet a particular housing need. Without these aspects the proposal would be unacceptable and contrary to section (D) of policy SG LDP HOU 1. In addition the proposal would be contrary to section (C) of Policy SG LDP HOU 1 which states that "Housing Developments of 8 or more units will generally be expected to contribute a proportion (25%) of units as on site affordable housing. Supplementary Guidance Delivery of Affordable Housing provides more detail on where the affordable housing is

required and how it should be delivered follows on from this policy” In this instance following the sequential consideration of options it was considered that a commuted sum was acceptable and required for this site.

- (I) Has a Direction been issued by Scottish Ministers in terms of Regulation 30, 31 or 32: No**
-

(J) Section 25 of the Act; Development Plan and any other material considerations over and above those listed above which have been taken into account in the assessment of the application

- (i) List of all Development Plan Policy considerations taken into account in assessment of the application.**

Argyll and Bute Local Development Plan adopted March 2015

LDP STRAT 1 – Sustainable Development
LDP DM1 – Development within the Development Management Zones
LDP 3 – Supporting the Protection, Conservation and Enhancement of our Environment
Policy LDP 6 – Supporting the Sustainable Growth of Renewables
LDP 8 – Supporting the Strength of our Communities
LDP 9 – Development Setting, Layout and Design
LDP 10 – Maximising our Resources and Reducing our Consumption
LDP 11 – Improving our Connectivity and Infrastructure

Supplementary Guidance

SG LDP ENV 1 – Development Impact on Habitats, Species and Our Biodiversity (i.e. biological diversity)
SG LDP ENV 6 – Development Impact on Trees / Woodland
SG LDP ENV 7 – Water Quality and the Environment
SG LDP ENV 11 – Protection of Soil and Peat Resources
SG LDP ENV 13 – Development Impact on Areas of Panoramic Quality (APQs)
SG LDP ENV 16(a) – Development Impact on Listed Buildings
SG ENV 20 – Development Impact on Sites of Archaeological Importance
SG LDP CST 1 - Coastal Development

SG LDP HOU 1 – General Housing Development including Affordable Housing
SG LDP HOU 2 – Special Needs Access Provision in Housing Developments
SG LDP PG 1 – Planning Gain
SG LDP BAD 1 – Bad Neighbour Development
SG LDP Sustainable Sustainable Siting and Design Principles

Delivery of Affordable Housing

SG LDP SERV 1 – Private Sewerage Treatment Plants and Wastewater (i.e. drainage) systems

SG LDP SERV 2 – Incorporation of Natural Features / Sustainable Systems (SUDS)

SG LDP SERV 3 – Drainage Impact Assessment (DIA)

SG LDP SERV 5(b) – Provision of Waste Storage and Collection Facilities within New Development

SG LDP SERV 7 – Flooding and Land Erosion – The Risk Framework for Development

SG LDP SERV 8 – Development in the Vicinity of Notifiable Installations

SG LDP TRAN 1 – Access to the Outdoors

SG LDP TRAN 2 - Development and Public Transport Accessibility

SG LDP TRAN 3 – Special Needs Access Provision

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

SG LDP TRAN 6 – Vehicle Parking Provision

Access and Parking Standards

SG LDP DEP 1 – Departures to the Local Development Plan

- (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.**

Scottish Planning Policy 2014

SNH Landscape Assessment of Argyll and Firth of Clyde 1996

Landscape / Seascape Assessment of the Firth of Clyde 2013

Argyll and Bute Proposed Local Development Plan 2 November 2019

Argyll and Bute Sustainable Design Guidance (2006)

Argyll and Bute Biodiversity Action Plan (2017)

Technical Note 3: Houses in Multiple Occupation, April 2019

Historic Environment Policy for Scotland 2019

Managing Change in the Historic Environment: Setting 2016

-
- (K) Is the proposal a Schedule 2 Development not requiring an Environmental Impact Assessment: Yes**
-

- (L) Has the application been the subject of statutory pre-application consultation (PAC): No**
-

(M) Has a sustainability check list been submitted: Yes

(N) Does the Council have an interest in the site: No

(O) Requirement for a hearing (PAN41 or other): Yes

In deciding whether to exercise the Council's discretion to allow respondents to appear at a discretionary hearing, the following are of significance:

- How up to date the Development Plan is, the relevance of the policies to the proposed development and whether the representations are on development plan policy grounds which have recently been considered through the development plan process.
- The degree of local interest and controversy on material considerations together with the relative size of community affected set against the relative number of representations, and their provenance.

The current Local Development Plan was approved in 2015 and is shortly due to be replaced by LDP2.

At the time of writing the report for this application it has attracted over 1100 objections and 2 expressions of support. Garelochhead Community Council has also objected to the application. Given the level of interest in the application and the nature and number of issues raised, it is considered that there would be merit in holding a pre-determination Local Hearing to allow Members to visit the site, question participants and consider the arguments on both sides in more detail. It is the view of officers that this would add value to the decision-making process.

(P) Assessment and summary of determining issues and material considerations

This application is for the erection of 12 dwellings within the settlement boundary of Portincaple. Associated works include the formation of a new public road, the installation of a low carbon district heating scheme by means of a closed loop water source heat pump along with hard and soft landscaping.

This is a standalone planning application which does not form part of greater proposal or masterplan. Any future planning applications submitted in the vicinity would be considered on their merits against the policies of the development plan and other material considerations.

The main determining issues relating to this application relate to the principle of medium scale development in a minor settlement, the acceptability of the siting and design of the proposed development, access, flooding/drainage and impacts on biodiversity and

protected species, trees and the landscape which is designated as an Area of Panoramic Quality.

The proposal has been assessed as being a minor but justifiable departure from Policy DM1 due to the scale of development proposed. It accords with all other LDP policies and there are no other adverse material considerations which would indicate that planning permission should be refused.

(Q) Is the proposal consistent with the Development Plan: No, the proposal is a minor departure from Policy DM1.

(R) Reasons why planning permission or a Planning Permission in Principle should be granted

The proposal is considered to be a justifiable minor departure for Policy DM1 of the Argyll and Bute Local Development Plan adopted March 2015 (see Section (S) below). It accords with all other LDP policies and there are no other adverse material considerations which would indicate that planning permission should be refused.

(S) Reasoned justification for a departure to the provisions of the Development Plan

The proposal is considered to be a minor departure from Policy DM1 – Development within the Development Management Zones of the Argyll and Bute Local Development Plan adopted March 2015. This is because it involves a medium scale residential development within a settlement classified as village / minor settlement within the LDP. Within village / minor settlements only small scale development is supported which in terms of dwellings equates to a maximum of five units. It is considered that this site is capable of accommodating the scale of development proposed without detriment to the amenity of the surrounding area. There would be nothing to prevent the applicant from applying for this proposal in separate planning applications in groups of 5 houses or less. Experience gathered over the term of the existing plan has shown that this has happened in other locations. This piecemeal approach to development has the potential to result in poorly

coordinated schemes with the added disadvantage that the Council are not able to take advantage of planning gain for affordable housing.

Whilst supplementary guidance policy SG LDP HOU 1 would normally presume against medium scale housing development in villages / minor settlement an exceptional case has been demonstrated that the proposal would not only provide money for affordable housing by means of a commuted sum but would also result in the provision of housing to serve an identified housing need. In this respect within the explanation of the policy objectives of policy SG LDP HOU1 para 1.1.3 states “Where the proposal involves large-scale housing development in a Key Rural Settlement, or medium-scale and above in a Village or Minor Settlement there is a general presumption against. These larger scales of development would only be supported by a deliberate attempt to counter population decline in the area, to help deliver affordable housing, or else meet a particular local housing need. Such proposals should not overwhelm the townscape character, or the capacity, of the settlement and be consistent with all other policies and associated SG of the Local Development Plan.” The identified housing need relates to the Ministry of Defence’s Maritime Change programme which has resulted in all UK submarine operations being delivered from the Clyde. This has created a need for housing for military personnel and houses will be made available within this development specifically for this purpose.

In these circumstances it is considered that there are compelling and justifiable reasons to approve this application as a minor departure from Policy DM1.

Policy SG LDP DEP 1 seeks to minimise the occurrence of departures to the Local Development Plan and to grant planning permission as a departure only when material considerations so justify. Taking account of the above reasoning it is considered that a minor departure is justified and in accordance with this policy.

(T) Need for notification to Scottish Ministers or Historic Scotland: Not required.

Author of Report: Sandra Davies

Date: 03/08/2020

Reviewing Officer: Fergus Murray

Date: 10/08/2020

Fergus Murray

Head of Development and Economic Growth

CONDITIONS AND REASONS RELATIVE TO APPLICATION REF. NO.20/00094/PP

1. The development shall be implemented in accordance with the details specified on the application form dated 17/01/2020, supporting information and, the approved drawings listed in the table below unless the prior written approval of the planning authority is obtained for an amendment to the approved details under Section 64 of the Town and Country Planning (Scotland) Act 1997.

Plan Title.	Plan Ref. No.	Version	Date Received
Location Plan	D 100		7/2/20
Site Layout	D 001	A	7/2/20
Ground Floor Plan GA	D 003		7/2/20
First Floor Plan GA	D 004		7/2/20
Second Floor and Roof Plan GA	D005		7/2/20
Site Sections	D 006		7/2/20
House Type 1 Terraced – Ground Floor Plans and Elevations	D 007		7/2/20
House Type 1 Terraced – First and Second Floor Plans and Elevations	D008		7/2/20
House Type 2 Semi Detached – Ground Floor and Elevations	D009		7/2/20
House Type 2 Semi Detached – First and Second Floor Plans and Elevations	D 010		7/2/20
House Type 3 – Detached – Ground Floor Plan and Elevations	D 011		7/2/20
House Type 3 – Detached – First Floor and Roof Plans	D 012		7/2/20
Road Layout	12864-01	D	7/2/20
Road Sections	12864-02	B	28/2/20
Drainage Layout	12864-03	D	17/7/20
Portincaple Landscape Strategy Masterplan	1998 L01	C (003)	28/5/20
Portincaple Landscape Strategy Planting Plan	1998 L02	A (003)	28/5/20

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

2. 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. Thereafter 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 site 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.

3. Prior to the commencement of development, full details of the proposed realignment to the private access shall be submitted to and agreed in writing with the Planning Authority in consultation with the Council's Road Network Manager. Thereafter the proposed realignment shall be carried out in accordance with these details and shall be completed prior to the construction of the first dwelling house.

Reason: In the interests of road safety and to ensure the development is served by a public road.

4. Prior to the commencement of development, a full inspection and engineering report of the road surface, the existing bridges and culvert structures along the full length of Feuins Road shall be submitted to and agreed in writing with the Planning Authority in consultation with the Council's Road Network Manager. Following completion of development a further inspection of these areas shall be undertaken in consultation with the Council's Road Network Manager. Any deterioration identified as being caused by construction traffic shall be made good by the developer within 12 months of the completion of the last house.

Reason: In order to ensure that there is baseline information available prior to the commencement of development to assist identification of deterioration as a result of the construction traffic associated with the development and thereafter to ensure that any damage is rectified.

5. Prior to the construction of any houses, a visibility sightline of 2.4 x 25 x 1.05 metre shall be provided at the junction of the improved private access (new section of public road) and the new road serving the development and maintained in perpetuity.

Reason: In the interests of road safety.

6. Parking for each dwelling house shall be constructed prior to occupation of the dwelling house for which the parking is intended. The gradient of the driveways shall be no greater than 5% for first 5 metres and an absolute maximum 12.5% thereafter.

Reason: In the interests of road safety.

7. The new culvert to be designed in accordance with CIRIA C689 and convey the 1 in 200 year flow with climate change allowance plus a 0.6 m freeboard. Full details of which shall be submitted to and approved in writing by the planning authority.

Reason: In the interests of flood prevention.

8. Prior to the commencement of development full details of the finish to the inlet and outlet of the culvert face shall be submitted to and agreed in writing by the planning authority in consultation with the Area Roads Manager.

Reason: In order to ensure that the external appearance of the culvert is in keeping with the rural settlement and Area of Panoramic Quality.

9. Prior to the commencement of development drainage calculations to demonstrate the capacity of the surface water drainage including exceedance information shall be submitted to and approved in writing by the planning authority. e.g. Sewers for Scotland requires design to a 1 in 30 year event plus 30% climate change allowance, with testing on a 1 in 200 year event plus 30% climate change allowance. Thereafter development shall be carried out in accordance with these details unless otherwise agreed by the planning authority.

Reason: In the interests of flood prevention.

10. Prior to the commencement of development surface water drainage calculations in line with Sewers for Scotland 4th Edition shall be submitted to and approved in writing by the planning authority. Thereafter development shall be carried out in accordance with these details unless otherwise agreed by the planning authority.

Reason: In the interests of flood prevention

11. Prior to the commencement of development full details of the maintenance arrangements for the proposed surface water drainage system shall be submitted to and approved in writing by the planning authority. Thereafter the surface water drainage system shall be maintained in accordance with these details.

Reason: In the interests of flood prevention

12. 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. 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.

13. 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.

14. Prior to the commencement of development full details of any proposed re-contouring of the site by means of existing and proposed ground levels shall be submitted to and approved in writing by the planning authority.

Reason: To enable the planning authority to consider this issue in detail.

15. The landscaping of the site shall be carried out in accordance with the submitted Landscape Strategy Masterplan and Landscape Strategy Planting Plan Rev. A produced by TGP Landscape Architects unless otherwise agreed in writing with the planning authority. The landscaping scheme shall be completed during the first planting season following the first occupation of development.

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.

16. No construction works shall be commenced until a Construction Environmental Management Plan (CEMP) and a Site Waste Management Plan (SWP) have been submitted to and approved in writing by the Planning Authority. The CEMP shall be overseen by an Ecological Clerk of Works (ECOW) and shall cover the following details:

- (a) No development shall commence 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 5837:2012 "Trees in Relation to Design, Demolition and 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.

- (b) Prior to the commencement of development an updated habitat survey shall be carried out, the findings of which shall be submitted to and approved in writing with the planning authority.
- (c) If tree works are proposed during the bird nesting season (March – August inclusive) a pre-commencement inspection for active bird nests should be carried out by a suitably qualified person. Only if there are no active nests present should works proceed.
- (d) Otter mitigation shall be undertaken in accordance with the recommendations contained within the Walkover Survey for Eurasian Otters (WSEO) dated 8/2/19 produced by Tetrix Ecology, namely:
 - An ecological toolbox talk will be presented to all site contractors as part of their pre-works site induction in accordance with the methodology detailed in the WSEO;

- The generic mitigation measures as detailed in the WSEO.
- The specific mitigation measures
 - An additional otter survey shall be undertaken in late spring / early summer to account for the temporal use of the site and wider area by otters.
 - Where the species data is older than 18 months, the reported baseline should be updated by further survey work.
- (e) If any of the trees which have been identified as being suitable for bats are to be removed between May-September, a further inspection of these trees shall be carried out by a licensed Bat worker prior to their removal. A European Protected Species Licence will need to be acquired from Scottish Natural Heritage in order for the bats to be translocated by a licenced Bat Worker.
- (f) An ecological toolbox talk on bats and what to do if bats or field signs of bats are encountered shall be presented to all site contractors as part of their pre-works site induction.
- (h) As no evidence of Red Squirrel were recorded in this woodland, it is important to avoid risk of an offence. The applicant is required to carry out a pre-construction check of the site to determine the presence of this protected species. The pre-construction check should follow Scottish Natural Heritage advice as they are the licencing authority:
<https://www.nature.scot/sites/default/files/2018-09/Species%20Planning%20Advice%20-%20red%20squirrel.pdf>

Further information can be found in the Biodiversity Technical Note in terms of surveys and mitigation calendars Page 20 and 21: https://www.argyll-bute.gov.uk/sites/default/files/biodiversity_technical_note_feb_2017_4.pdf

- (i) The woodland is dominated by Pedunculate Oak and some Birch which was subject to a clearance programme where the focus was on Rhododendron ponticum (Rp) an Invasive Non Native Species (INNS), a watching brief should be maintained in relation to Rp re-emergence and factor in control measures for Japanese knotweed and Himalayan balsam.
An INNS Eradication Plan should be included in the CEMP ready for implementation.
- (j) Details of pollution controls during construction.

Reason: In order avoid, minimise or mitigate effects on the environment and surrounding area.

17. The areas of woodland associated with the development shall be managed in accordance with the submitted Woodland Management Plan dated 22nd May 2020 prepared by The Tree Inspector (Scotland).

Reason: In order to ensure the future management of the trees.

18. No development shall commence until samples of materials to be used in the construction of the dwelling houses hereby approved 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.

19. No development shall commence until details for the arrangements for the storage, separation and collection of waste from the site, including provision for the safe pick-up by refuse collection vehicles, have been submitted to an approved in writing by the Planning Authority. Thereafter the duly approved provision shall be implemented prior to the first occupation of the dwellings which it is intended to serve.

Reason: In order to ensure that satisfactory arrangements have been made for dealing with waste on the site in accordance with Policy SG LDP SERV 5 (b).

20. 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.

21. No development shall commence until full details of the final design of the closed loop water source district heating system are submitted to and approved in writing. This shall include an assessment of any impacts on Priority Marine Features and shall include details of a pre-commencement survey and details of any mitigation required. Thereafter the development shall be carried out in accordance with these details unless otherwise agreed in writing with the planning authority.

Reason: To ensure that any works will be carried out in a manner to mitigate any potential impacts.

23. That prior to the occupation of the 12th dwelling house full details of bird and bat boxes to be installed on established trees shall be submitted to and approved in writing by the planning authority. This shall include details of the design of the boxes and their proposed location within the woodland and a timescale for their installation.

Reason: In the interests of biodiversity.

24. No construction activity shall be undertaken outwith the following times unless otherwise agreed with the planning authority in consultation with Environmental Health:

8:00am and 6:00pm, Monday to Friday inclusive,
and 8:00am and 1:30pm on a Saturday
and at no time on a Sunday or Public/Bank Holiday.

Pile breaking-out, pile reduction work and rock or concrete break-out and removal carried out using powered percussive equipment, shall only be carried out between the hours of:

10:00am and 2:00pm Monday to Friday inclusive,
and 10:00am and 1:00pm on a Saturday,
and at no time on a Sunday or Public/Bank Holiday.

The best practicable means to reduce noise to a minimum, as defined in Section 72 of the Control of Pollution Act 1974, shall be employed at all times.

All plant and machinery in use, including mechanical plant for excavation, shall be properly silenced and maintained in accordance with the manufacturers' instructions and comply with the generic plant noise emissions in Code of Practice BS 5228: Part 1: 2009+A1 2014, Noise Control on Construction and Open Sites.

Diesel/petrol-powered electrical generators shall not be used on site unless it can be demonstrated that their use cannot reasonably be avoided and that a mains or temporary builder's electrical power supply is not available.

Reason: In the interests of protecting the amenity of the surrounding residential area during the construction phase.

25. No permission is given or implied for the pontoon indicated on the application site layout drawing D001A.

Reason: This does not form part of this planning application and a further application for planning permission would be required if the applicant wishes to proceed with this element of the proposal.

NOTES TO APPLICANT

1. **The length of this planning permission:** This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period. [See section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended).]
2. In order to comply with Section 27A(1) of the Town and Country Planning (Scotland) Act 1997, prior to works commencing on site it is the responsibility of the developer to complete and submit the attached 'Notice of Initiation of Development' to the Planning Authority specifying the date on which the development will start.
3. In order to comply with Section 27B(1) of the Town and Country Planning (Scotland) Act 1997 it is the responsibility of the developer to submit the attached 'Notice of Completion' to the Planning Authority specifying the date upon which the development was completed.
4. It is recommended that the windows, although triple glazed, innermost pane (i.e. house side) be at least 6.8mm thick and incorporate a PVB interlayer in accordance with blast hazard mitigation measures. Thicker panes of laminated glass are also acceptable provided they contain a PVB thickness of at least 0.76mm.
5. The applicant should contact the Marine Scotland Licensing Operations Team directly to discuss the project in more detail. Scottish Government, Marine Laboratory, 375 Victoria Road, Aberdeen AB11 9DB Tel: 0300 244 5045 Email MS.marinelicensing@gov.scot
6. Scottish Water has advised that the development proposals impact on Scottish Water Assets. The applicant must identify any potential conflicts with Scottish Water assets and contact their Asset Impact Team directly at service.relocation@scottishwater.co.uk. The

applicant should be aware that any conflict with assets identified may be subject to restrictions on proximity of construction.

7. The proposed road realignment to the existing private access road shall require the submission of an application for a roads construction consent. After subsequent approval a finance security road bond will be required to be lodged before any works commence on site. The shared surface road shall be constructed to an adoptable standard, this shall, require the submission of an application for a roads construction consent. After subsequent Approval a finance security road bond will be required to be lodged before any works commence on site.

APPENDIX A – RELATIVE TO APPLICATION NUMBER: 20/00094/PP

PLANNING LAND USE AND POLICY ASSESSMENT

A. Settlement Strategy

The application site is located within the settlement boundary of Portincaple as defined by the adopted LDP. Policy LDP STRAT 1 requires developers to have regard to sustainable development principles when preparing planning application submissions. Some of the elements of this policy would not apply as there are no existing buildings on the site, however, other elements of the policy including the utilisation of public transport and active travel networks, biodiversity, landscape character and flooding have all been considered during the processing of this planning application. These issues are assessed more fully in this appendix against the more detailed supplementary guidance policies. In addition, a sustainability checklist has been completed for the proposed development.

Portincaple is defined as a village / minor settlement within the adopted LDP. The proposal is for 12 dwelling houses which is defined as medium scale within the adopted LDP. Medium scale is defined as between 6 and 30 dwelling units inclusive. Policy DM1 establishes the acceptable scales of development within each of the zones identified in the LDP. Within villages and minor settlements Policy DM1 is supportive of small scale development on appropriate sites. As 12 dwelling houses constitutes medium scale development the proposal is a departure from Policy DM1.

Policy SG LDP HOU1 under section D states that “housing development, for which there is a general presumption against, will not be supported unless an exceptional case is successfully demonstrated in accordance with those exceptions listed for each development management zone in the justification for this supplementary guidance.” Within the justification paragraph 1.1.3 states “Where the proposal involves large-scale housing development in a Key Rural Settlement, or medium-scale and above in a Village or Minor Settlement there is a general presumption against. These larger scales of development would only be supported by a deliberate attempt to counter population decline in the area, to help deliver affordable housing, or else meet a particular local housing need. Such proposals should not overwhelm the townscape character, or the capacity, of the settlement and be consistent with all other policies and associated SG of the Local Development Plan.

It is, however, considered that a development of this scale could be accommodated on this site without detriment to the amenity of the surrounding area. It is considered that there is capacity in the landscape for this scale of development and that the design of the proposal would respect the existing rural settlement character of Portincaple. More details on this aspect are contained within the Location, Nature and Design of Proposed Development and Landscape sections of this report. Other than breaching the 5 dwelling limit stipulated in the policy, there would be no other reason to resist the proposed development. There would be nothing to prevent the applicant from applying for this proposal in groups of 5 houses. Experience gathered over the term of the existing plan has shown that this has happened in other locations. This piecemeal approach to development has the potential to result in poorly coordinated schemes with the added disadvantage that the Council are not able to take advantage of planning gain for affordable housing. In addition, it is proposed that three of the houses each with five

single rooms will be made available to Royal Navy personnel or people in other employment which is associated with the expansion HMNB Clyde. While this does not meet with the criteria for affordable housing as defined by the LDP, it would satisfy a housing need in the area.

These circumstances have led the Council to propose changes to this policy in LDP2. All restrictions on scales and numbers have been removed and the issue of scale will be a matter of judgement based upon the characteristics of the site and other relevant LDP policies and material considerations. However, it should be noted that the LDP2 policy cannot currently be used in the assessment of this application as it has been subject to objection.

It is considered that an exceptional case has been demonstrated and that the policy would comply with policy SG LDP HOU 1. Subject to compliance with all other relevant policies in the adopted plan, it is considered that the proposal could be viewed as a minor and justifiable departure from Policy DM1.

B. Location, Nature and Design of Proposed Development

Policy LDP 9 – Development Setting, Layout and Design requires *inter alia* that development is sited and positioned so as to pay regard to the context within which it is located, that the layout and density shall effectively integrate with the urban, suburban or countryside setting, and that the design of the development is compatible with its surroundings.

The site which measures approximately 1.5 hectares is located within the settlement boundary of the minor settlement of Portincaple. The application site is bounded by settlement boundary to the north, east and south and by Loch Long to the west. The boundary of the Loch Lomond and the Trossachs National Park is located approximately 1km to the west across Loch Long. It is not considered that the proposed development of 12 dwellings within an established minor settlement would have any adverse impact on the setting of the National Park. There are three listed buildings within Portincaple. One at Inverallt immediately to the north west of the site and two at Dalriada approximately 0.5km from the site. There are a large number of intervening dwellings between the application site and Dalriada and it is not considered that the proposal would have any impact on the setting of these listed buildings. With regard to Inverallt which is category B listed, the proposed development will be located at a higher level whilst Inverallt is located on the coastline. The principal elevations of the listed building are orientated towards Loch Long with the closest house in the proposed development sitting behind this at a higher level approximately 16.7m from Inverallt. In these circumstances, it is not considered that the proposed development would have an adverse impact on the setting of the listed building. The proposal does not therefore contravene policy SG LDP ENV 16(a), Historic Environment Policy for Scotland (2019) and Managing Change in the Historic Environment (2016) which relate to developments which affect the settings of Listed Buildings.

This is a sloping site which has some frontage onto Loch Long. The site varies in level from approximately 30m AOD to sea level at the shoreline. The proposed houses would

be located around the 18m to 22m AOD range. Due to the sloping nature of the site, the houses would be split level. The proposed development would comprise:

6 no. terraced dwelling which would either be 5 bed cabins or 4 bed terraced houses;
4 no. semi- detached 4 bed houses;
2 detached 4/5 bed houses.

All of the houses would be located to the west side of the access road.

As a result of the sloping nature of the settlement of Portincaple, the pattern of development is currently a mix of detached properties at shore level, mid level and top level. The proposed development would be located in the mid level area at the northern end of the settlement and would look over the top of the lower level house and sit below the top level houses. It is not considered that the proposal would cause any overshadowing issues on the lower due to the distances involved and the intervening vegetation. The development would respect the natural contours of the site and would be split level and built into the landscape to avoid the need for unsightly underbuilding.

The proposal would introduce terraced and semi-detached properties of a contemporary design into Portincaple. The use of varying roof heights, intermittent pitched roofs and the use of render and timber would break up the elevations so they do not appear as a solid terrace. The development of this proposal would also facilitate public access with footpaths and seating areas proposed.

The agent has produced photomontages looking back towards Portincaple from Loch Long. This confirms that the pattern of development would be sympathetic to the landscape and existing pattern of development in Portincaple. The proposal would comply with the principles contained within Policy SG LDP Sustainable: Sustainable Siting and Design Principles.

Policy LDP 8 – Supporting the Strength of Our Communities is supportive of sustainable development proposals that seek to strengthen the communities of Argyll and Bute, making them better places to live, work and visit. Further detail is provided within the supplementary guidance policies which relate to this LDP policy. Policy SG LDP HOU 2 provides further detail on special needs access in housing development.

Policy SG LDP HOU 2 requires development to make special needs access provision in housing developments. The applicant has provided a statement on this and has confirmed that the houses, parking and open space areas have been designed to be accessible and inclusive. It is considered that adequate provision has been made and that the proposal complies with policy SG LDP HOU 2.

C. Natural Environment

Policy LDP 3 requires that the Council assesses applications for planning permission with the aim of protecting, conserving and where possible enhancing the built, human and natural environment. Supplementary guidance policy SG LDP ENV 1 Development Impact on Habitats, Species and our Biodiversity add more detail to the LDP policy.

There are no statutory or non-statutory designated areas for nature conservation within the boundaries of the application site. A number of supporting documents have been submitted in relation to the natural environment.

A bat survey was undertaken on 22nd May 2020 and the 9th and 10th June 2020. There are no buildings or structures on the site which could accommodate bats and the purpose of the survey was to examine trees on the site which may be suitable for bats. The survey focussed on areas where trees would need to be removed to accommodate the development. Initially the survey identified a total of 13 trees which had features suitable for supporting roosting bats, however, during this inspection no bats or field signs were identified. Further inspection revealed that not all of the features were suitable and this reduced the number of suitable trees to nine. The report therefore concluded that nine of the trees were suitable for supporting individual roosting bats. It was therefore recommended that if these trees are to be removed between May and September a further inspection should be carried out by a licensed ecologist prior to their removal. It is also recommended that contractors are given a Tool Box Talk and made aware of bats and what to do if bats or field signs of bats are encountered.

An otter survey has also been undertaken. As this report contains confidential historical records and sensitive information regarding otter activity within the vicinity of Portincaple Tetrix Ecology has stated that this should not be made publicly available due to the fact that otters are sensitive to disturbance and are strictly protected by law. The report concludes that with the implementation of mitigation and recommendations detailed in the report there will be no predicted significant long term residual negative effects resulting from disturbance, fragmentation and potential pollution effects.

The Council's Biodiversity Officer has been consulted on this application and is satisfied with the supporting information subject to conditions. These conditions are proposed and it is considered that the proposal would accord with Policy LP ENV 1.

Policy SG LDP ENV 11 seeks to protect soil and peat resources. Some of the representations received have suggested that the proposal would have adverse impacts on peat. The applicant has provided details from the Site Investigation report which confirms that the ground conditions are almost entirely silty clay, sands and gravel with rock located at an average of 500mm below the surface. It is considered that there would only be small deposits of peat on this site, if at all. While some cut and fill is proposed the development would generally work with the contours of the site. It is therefore considered that the proposal would not have a significant adverse effect on soil resources and functions or peat structure or function and would not contravene policy SG LDP ENV 11.

D. Impact on Woodland/Access to Countryside.

Within the application site there are areas designated as being listed on the Ancient Woodland Inventory as Ancient Woodland of Semi-Natural Origin. The SNH website advises that in Scotland this comprises woodlands recorded as being of semi natural origin on either the 1750 Roy maps or the 1st Edition Ordnance Survey maps of 1860. Ancient semi-natural woodlands are important because they include all remnants of Scotland's original woodland and their flora and fauna may preserve elements of natural composition of the original Atlantic forests. In addition they usually have much richer wildlife than more recent woods. The application site is not uniformly covered in woodland and while there are trees on the site, there are also large clearings.

A supporting tree survey has identified that the trees on the site as predominantly oak although birch, rowan, holly, willow and ash are also present. The survey identified a

total of 188 trees with 89 being of moderate quality and 99 being of low or very low quality. In terms of the age of trees 26% were considered to be mature and 72% semi-mature to early mature. The tree survey notes that the natural tree regeneration on the site has been suppressed by the presence of invasive *Rhododendron ponticum*.

Policies LDP 3 and associated supplementary guidance policy SG LDP ENV 6 seek to protect trees / woodland. The policy states inter alia that "Argyll and Bute Council will also resist development likely to have an adverse impact on trees by ensuring through the development management process that adequate provision is made for the preservation of and where appropriate the planting of new woodland / trees, including compensatory planting and management agreements." The supporting planning statement advises that the proposal will require the removal of 50 to 60 trees whilst the more recent Woodland Management Plan (WMP) suggests that 30 to 50 trees may need to be removed. Of these trees approximately 12 of "B" moderate quality would require removal at the north end of the development area and 8 "B" moderate quality trees would require to be removed at the south end. It is noted that the final number will be confirmed following a pre start construction survey. A condition is proposed requiring the submission of these details prior to the commencement of development.

The Woodland Management Plan (WMP) provides a framework to restore the amenity and biological values of the woodland to secure its long term viability as a whole. The WMP notes that the survival of the woodland in the long term will be dependent on managing the trees and keeping it clear of invasive species. The WMP proposes to restore the understorey of the woodland which is absent due to the presence of *R. ponticum*. This would involve planting small trees and shrubs as there are a good number of larger canopy trees already on the site. This would allow the recovery of the woodland flora which would give rise to invertebrate populations and subsequently encourage occupation by birds and small mammals. The WMP notes that it is the intention to fell as few trees as possible in line with the WMP. Where trees need to be felled they will be replaced on a 3:1 basis.

Taking account of the depleted condition of the existing trees due to the historical colonisation by *R. ponticum*, the proposals within the WMP for active management of the woodland and the proposed level compensatory planting, it is considered that on balance the proposed level of tree removal is acceptable. The end result for the trees and biodiversity is more positive with the above measures in place, therefore subject to the implementation of the woodland management plan, it is considered that the proposal would accord with policies LDP 3 and SG LDP ENV 6.

There are no core paths or Public Rights of Way crossing the site, however development is proposed in the vicinity of the foreshore. In this regard Policy SG LDP TRAN 1 requires that a loch side strip of land 4 metres wide should be provided between the shore and any area from which the developer intends to exclude the public such as gardens. The proposal complies with this requirement and has also included footpaths leading to the foreshore within the development.

E. Landscape Character

The site is located within an Area of Panoramic Quality. This is a local landscape designation and policies LDP 3 and SG LDP ENV 13 apply. This policy resists development where its scale, location or design would have a significant adverse impact on the character of the landscape. The policy also states that the highest standards in terms of location, siting, design, landscaping, boundary treatment will be required.

In terms of the Scottish Natural Heritage, Review No.78, Landscape Assessment of Argyll and the Firth of Clyde, Portincaple is located within a landscape type no. 5, Open Ridgeland. The key characteristics of this landscape type are listed as being:

- Broad, even slopes form rounded ridges and occasional steep summits;
- Upper slopes are predominantly open moorland with blocks of commercial forestry, patches of birch woodland and scrub.
- Marginal farmland confined to broader glens and loch fringes, with fields enclosed by stone walls and occasional shelter belts;
- Narrow strips of broadleaf woodland along burns and within steep, rocky gullies;
- Substantial, dark grey retaining walls and beech hedgerows emphasise contours and help to integrate settlements on lower slopes;
- Built development concentrates along very narrow shoreline strips.

A more recent landscape / seascape assessment was published in March 2013. The Loch Long section of this study sub-divides the loch in eight coastal character areas with Portincaple falling within the one entitled Finnart Oil Terminal to Coulpport. The study notes that this stretch of coast is dominated by the large structures associated with the MOD site at Coulpport and Finnart Oil Terminal. These sites are separated by a stretch of hill slope and extensive regenerating broadleaved woodland as well as the small village of Portincaple. The study further notes that Portincaple sits on an alluvial fan and that Clyde Steamers used to call at Portincaple.

Opportunities and guidance which relate to Portincaple are noted in the study as follows:

- There may be opportunities for additional housing associated with the alluvial fan at Portincaple;
- Modest, domestic scaled jetty or slipway structures could be located at Portincaple;
- The expansion of semi-natural woodland along this coast should be encouraged as it creates a unifying element which provides a context for development.

It is considered that the landscape has the capacity to absorb the scale of development proposed. The applicant has submitted a series of photomontages which demonstrate the landscape impact when looking towards Portincaple from Loch Long. This demonstrates that while some terraced houses have been introduced into Portincaple, these have been designed in such a way so as to break up their appearance through the use of materials and intermittent pitched roofs. The Council's Sustainable Design Guide advocates that new developments should include a range of housing types and sizes so that the scale and density varies through the development. It is considered that mixed developments help ensure a more sustainable community in the long term.

Until recently the existing trees within the site were choked with *R. ponticum*. Over the years this has compromised the regenerative capacity of the trees and the biodiversity value of the land. At present the site contains some woodland and some trees with open spaces between. The development of the site includes proposals to landscape the site.

Part of this would involve the restoration of the devalued woodland. The Woodland Management Plan anticipates that 320 new trees will be planted made up of a mix canopy species, understorey species and shrub species. Through time this will result in a regenerated broadleaved woodland with a greater biodiversity value.

Taking account of the above, it is considered that the erection of 12 houses and works to regenerate the native woodland would respect the character of the landscape and would accord with policies LDP 3 and SG LDP ENV 13.

F. Affordable Housing

Policy LDP 8 – Supporting the Strength of Our Communities is supportive of sustainable development proposals that seek to strengthen the communities of Argyll and Bute, making them better places to live, work and visit. Further detail is provided within the supplementary guidance policies which relate to this LDP policy. Policy SG LDP HOU 1 provides further detail on the application of affordable housing along with the supplementary guidance on the delivery of affordable housing.

Policy SG LDP HOU 1 (General Housing Development Including Affordable Housing Provision) states that it is expected that housing development of 8 or more units will generally be expected to contribute a proportion (25%) of units as on site affordable housing. The LDP provides supplementary guidance on the delivery of affordable housing and provides a sequential approach on how affordable housing should be delivered with the preferred method being the delivery of affordable housing on site.

The planning statement submitted in support of this application noted that three houses would be made available to the Navy to provide shared accommodation housing as part of the affordable housing provision. However, it is not considered that this would satisfy the usual definition of affordable housing, that it be a person's primary residence. During the processing of this application alternative ways of providing the affordable housing in accordance with the Council's policy which requires a sequential approach were investigated. The SG on the delivery of affordable housing states that it is normally expected that it will be fully integrated on site, only in exceptional circumstances, once the developer has demonstrated to the satisfaction of the planning authority that on site provision is not practicable will other options be considered.

The applicant has engaged with a Registered Social Landlord (Argyll Community Housing Association, ACHA), however, this approach was finally discounted because although ACHA were interested in principle, the timescales for potential funding were too distant in terms of the applicant's plans to develop the site. Portincapple is not identified within the current Strategic Housing Investment Plan (SHIP) therefore any funding to support provision by ACHA could be about two to three years away. However, the developer is keen to proceed with the housing required by HMNB Clyde for which there is an immediate need.

Taking account of the above, it was finally accepted by officers that the affordable housing requirement from the proposed development could be achieved by means of a commuted sum payable in lieu of the three units which are required from the proposed development. The commuted sum payable will be £24,000 per unit, and will result in £72,000 being made available to support the provision of affordable housing on other

sites within the Helensburgh and Lomond area. This accords with the LDP affordable housing guidance and policy SG LDP HOU 1. This also accords with policy SG LDP PG 1 in that the proposed planning gain is proportionate to the scale of the development and serves a planning purpose in accordance with the policy tests set out in Circular 3/2012 Planning obligations and Good Neighbour Agreements.

G. Archaeological Matters

Policy LDP 3 seeks to protect, conserve and where possible enhance the built, human and natural environment. Supplementary Guidance Policy SG LDP ENV 20 addresses development impact on sites of archaeological importance. The West of Scotland Archaeology Service (WoSAS) has submitted a consultation response on this application. The consultation letter notes that the area within which the application site is located is a reasonably rich landscape populated with recorded archaeological sites of prehistoric and later periods. WoSAS has advised that while there are no recorded archaeological sites within the application area, there is no reason to suppose that what has so far been recorded in the surrounding landscape represents the full sum of archaeological remains formed over many thousands of years.

Due to the potential for more discoveries on this land, WoSAS has recommend that should the Council be minded to approve this development an archaeological condition should be attached. Subject to the terms of this condition being complied with, it is considered that the proposal would accord with policies LDP 3 and SG LDP ENV 20.

H. Road Network, Parking and Associated Transport Matters.

Policy LDP 11 is supportive of development which seeks to maintain and improve internal and external connectivity. More detailed guidance on the application of this policy is contained within the Council's Supplementary Guidance.

Supplementary guidance policy SG LDP TRAN 4 requires that developments in excess of 5 dwellinghouses which do not form part of a housing court development are served by a public road. The entrance to the site is currently taken off an existing private access which runs from the termination of the adopted road and serves a number of dwellings within the northmost section of the Portincaple settlement. In accordance with this policy, it is proposed to extend the limit of the public road from where it currently ends in the vicinity of a property named Woodstock all the way in to the proposed site to serve the development. It is noted that the existing private access has in recent year been improved, however, these upgrades are not sufficient for the Council to add the road onto the list of public roads. Therefore, a section of the private access from outside the property known as Woodstock requires to be realigned to the junction with the new road serving the site in order to achieve gradients and widths which would be suitable for adoption. The Area Roads Officer has offers no objection to this proposal subject to conditions relating to road condition and culvert surveys, visibility splays, gradients and phasing.

A watercourse crosses the northern end of the site close to the access point. The installation of a culvert will be required as part of the adopted road. Culverts are

generally constructed of concrete and are often left unfinished giving the water course crossing a heavily engineered appearance. As this a rural settlement within an Area of Panoramic Quality a condition is proposed in order to ensure that the culvert is faced in a more appropriate material in keeping with the area.

Policy SG LDP TRAN 6 requires that developments adhere to parking standards specified in the Access and Parking supplementary guidance. The development complies fully with this and has gone beyond the requirements of the current LDP by also providing additional visitor parking and electric charging points.

Policy LP TRAN 2 requires development likely to generate significant levels of journeys to select and orientate development sites such that advantage can be taken of existing or potential public transport services to and from the locality. Within the explanation of the objectives of this policy it is stated that the focus is on large scale categories of development and in terms of dwellings this is 30 units or more. Notwithstanding that this is a medium scale development, the proposal would allow access and turning for a bus should such a service be introduced at some point in the future. The proposal would therefore accord with Policy LP TRAN 2.

Policy SG LDP TRAN 3 expects developments to make appropriate provision for special needs access. This includes provision for pedestrians and cyclists as well as access and turning for service vehicles. It also requires access requirements to accord with the Disability Act and equalities legislation. The Area Roads Officer is satisfied with the proposed layout and a turning area has been provided for service vehicles. In addition, the proposed houses would have an accessible parking space along with storage for bicycles. It is therefore considered that the proposal would accord with Policy SG LDP TRAN 3.

I. Infrastructure

Policy LDP 10 is supportive of development which seeks to maximise resources and reduce consumption while Policy LDP 11 seeks to maintain and improve our internal and external connectivity and make best use of existing infrastructure. In terms of infrastructure further information and details are provided within the SERV supplementary guidance policies which are considered below.

Policy SG LDP SERV 1 requires connection to a public sewer unless it is demonstrated that connection is not feasible for technical or economic reasons or that a Scottish Water waste water treatment plant is at capacity. Scottish Water has confirmed that there is no wastewater treatment plant in the vicinity, therefore a private system is considered to be acceptable subject to it not adding to existing environmental, amenity or health problems.

The proposal would be served by a private sewage treatment plant. SEPA initially objected to this application on the grounds that discharge to groundwater via a soakaway would be the preferred option rather than discharge to an inland watercourse. The applicant's engineers subsequently submitted details of percolation tests which concluded that the site is unsuitable for an insitu soakaway. Therefore, the design was amended to incorporate peat modules for filtration after treatment prior to discharge to coastal waters. In a letter dated 28th July 2020 SEPA advised that the objection had

been removed following the submission of the additional information. In this letter it confirms that the objection has been removed on the understanding that the foul drainage arrangements being proposed are considered to be a betterment to the aforementioned discharge to the inland watercourse. Taking account of the above, it is considered that the proposal would comply with Policy SG LDP SERV 1.

Developments for the treatment of sewage are classified as “Bad Neighbour Development” where they serve more than one dwelling. This element of the proposal therefore requires to be considered against policy SG LDP BAD 1. A Klargester Bio Disk sewage treatment plant is proposed which would be located at the north west end of the site. This will also be subject to a building warrant. Subject to the proper installation and operation of this equipment, it is not anticipated that there will be any adverse impacts on amenity in terms of noise, odour or pollution. It is therefore considered that the proposal would comply with Policy LP BAD 1.

Policy SG LDP SERV 2 relates to the incorporation of natural features and sustainable drainage systems. It encourages developers to incorporate existing water features in development schemes and requires that culverting be avoided where practical and designed sensitively where unavoidable. A water crossing is required in order to gain access to the site and therefore a culvert will be required for a short stretch to accommodate the new road. Conditions are proposed in order to ensure that culvert is designed so that it will not cause flooding and that its appearance is appropriate for the rural area.

Policy SG LDP SERV 3 requires developers to demonstrate that all development proposals incorporate proposals for SUDs measures and requires a drainage impact assessment to be submitted for developments containing six or more dwellinghouses. The applicant has submitted drainage information commensurate with a drainage impact assessment which considered the impact of the development on its catchment areas with regard to flood risk and pollution. The observations from the Council’s Flood Advisor notes that the overall site boundary lies within the indicative limits of the 1 in 200 coastal flood extend on the SEPA Flood Map (2014). The main limits of flooding are to the western edge of the site where it adjoins the coast. The proposed houses are located much further up the slope outwith the 1 in 200 year flood area starting at a height of about 18m AOD. SEPA has been consulted and has not objected on flooding grounds. The proposal would therefore accord with Policy SG LDP SERV 7 which is supportive of residential development within this area outwith the 1 in 200 flood zone. The small burn which runs to the north of the site has a catchment area of less than 3km² and this is too small to be included on the SEPA map. A culvert is required along a short stretch of the watercourse in order to facilitate road access into the site. As details of this small burn are unknown, the Council’s Flood Advisor has recommended that the culvert upgrade is sufficient to convey the 1 in 200 year plus climate change flow plus a 0.6m freeboard and be designed in accordance with CIRIA C689. A condition is proposed to this effect.

In terms of surface water drainage, the drainage plan demonstrated that a filter drain along the side of the access road is proposed with outfall to the burn to the north of the site and that all roof run off from the properties will be discharged to private soakaways in each of the gardens. In addition, the area between properties SD1 and T6 is proposed to host tree pit soakaways and bio-retention features to aid in the drainage of surface

water. The plans also include other SuDS features such as permeable paving to be used in the private driveways and a flush kerb arrangement on the side of the access road to allow for surface water run-off. The Council's Flood Advisor has confirmed that this approach is acceptable subject to a condition requiring drainage calculations and details of the maintenance of the drainage system. These conditions are proposed should Members be minded to grant this application.

Policy LDP SERV 5(b) requires detailed application for medium or large scale developments to provide details of the arrangements for storage, separation and collection of waste to be submitted. The policy also requires the submission of a Site Waste Management Plan which shall ensure the minimisation of waste during the construction phase. Conditions are proposed to ensure compliance with this policy.

A water source heat pump system is proposed which would provide a low carbon technology heating and hot water supply to the proposed dwellings. The application has been supported by an Energy and Sustainability Feasibility Study which has been undertaken by the consultant engineers Ramboll. This study has concluded that the optimal low carbon supply of heating and hot water should be through a district heat pump system. After considering various options it was concluded that a closed loop water based heat pump would be the favoured solution which would have the shortest payback time.

These pumps are designed to transport heat from a water source into buildings. As water is warmer than air in winter, the efficiencies of water source heat pumps are much higher than equivalent air source heat pumps. This would be a closed loop system with sealed pipes filled with fluid (antifreeze) which are submerged beneath the water never coming in to contact with the water directly. As the fluid flows through the pipes it is heated by the water body and returns to the heat pumps. Loch temperatures from local measurement data shows that even in winter the average temperature of the water is around 7 degrees Celsius meaning that high efficiencies could be released from the technology. Pond mats containing the pipes would be submerged in the water and would be supported by four columns. Pontoon access is shown on the submitted site plan, however, this does not form part of this planning application and will require to be the subject of a future application as well as a Marine Licence. It is understood that it would still be possible to install and operate the heating system without a pontoon.

As this element of the proposal spans both the land and sea a Marine Licence will also be required. With regard to the LDP a number of policies would be relevant to the heating system. Policy LDP 6 – Supporting the Sustainable Growth of Renewables is supportive of renewable energy developments where these are consistent with the principles of sustainable development and it can be adequately demonstrated that there would be no unacceptable significant adverse effects, whether individual or cumulative, including on local communities, natural and historic environments, landscape character and visual amenity, and that the proposals would be compatible with adjacent land uses.

Policy LDP CST 1 – Coastal Development notes that the preferred location for developments requiring a coastal location is the developed coast within the settlement excluding the natural foreshore. There is a presumption against development on the natural foreshore unless there is a specific operation purposed and no alternative location. The proposal clearly satisfies these requirements as the loch water is required to heat the pipes. A condition is proposed requiring further details of the heating system

in order to ensure that any works will be carried out in a manner to mitigate any potential impacts.

Policy SG LDP ENV 7 requires the consideration of a development's impact on water quality. The proposed surface water and foul drainage of the site are considered to be acceptable with respect to this issue. The proposed district heating system is a closed loop system which would have no impact on water quality. In addition, a condition is proposed requiring the submission of a CEMP which will address pollution controls during construction. The proposal would therefore accord with policy SG LDP ENV 7 subject to compliance to the conditions proposed.

J. Safeguarding Issues

Policy SG LDP SERV 8 requires planning authority to consult with the HSE where developments lie within the safeguarding zones of Notifiable Installations. This application is located within two safeguarding zones one associated with Finnart Oil Terminal and another relating to Defence Munitions Glen Douglas and Coulpport.

Both the HSE and MOD have offered no objections, however, MOD has recommended that thicker glass be used in some of the windows which has been added as an informative to this application.

Taking account of the above, it is considered that the proposal would comply with SG LDP SERV 8.

Representations in relation to 20/00094/PP

Objection

Alex Wood PA12 4DD
Neil Smith Dalriada Feuins Road Portincaple Helensburgh
Ruth Chapman Ferry House Portincaple G84 0ET
Christopher Watson 9 Topcliff Green Morley Leeds
M Puckett The Cedars Argull Road Kilcreggan
Marjory Mackay Caorach Dubh Portincaple Helensburgh Argyll And Bute
Donald Campbell 16 Lynn Avenue Dalry KA24 4AP
Sally Pattrick Flat 4F1 13 Rosneath Street Edinburgh EH9 1JH
Duncan Macpherson Ferry House Portincaple
Helen Antonelli 5 Rhuddlan Close Rhiwderin Newport Gwent
Ruth Chapman Ferry House Feuins Road Portincaple Helensburgh
Andrea Roberts Katrine Feuins Road Portincaple Helensburgh Argyll And Bute
Nicholas Fletcher 14 Laurel Lane Cambuslang Glasgow G72 7BF
Jeremy Bernau Road End Cottage Feuins Road Portincaple Helensburgh
Kenny Gibson
Linda Cowan
Trudi Lubiewski
J Meade
Jacqueline Dawson
Heather Miller
Sylvia Morrison
Debbie Simmers
Lucy Hollingworth
Angela Anderson
J S Irving The Bungalow Portincaple Helensburgh Argyll And Bute
Andrew Crabb PA37 1QY
Karen Mckay G83 9AH
Rose Harvie G82 2DY
John Riley FK20 8RY
Alan MacIntyre PA37 1SQ
Rob Colston G84 8NR
Murdo Macaulay G74 2HH
Sarah Reid G83 9BU
Gillian Cummings EH15 8BN
David Greenwell G84 0EN
Scott William Munro C/Gibraltar 6 1B La Linea De La Concepcion Cadiz Spain
Gareth Roberts Katrine Feuins Road Portincaple Helensburgh
Colin McCallum 76 High Street Linlithgow EH49 7AQ
J S Irving The Bungalow Portincaple Helensburgh Argyll And Bute
Irene Robb 97A West Princes Street Helensburgh G84 8BH
A M Dorrian 56 East King Street Helensburgh G84 7QR
Clare Darlaston Address Not Provided
Gemma Kimmett Duntorquill Feuins Road Portincaple Helensburgh
Thomas Fletcher 3 Queens Road Colmworth Bedford MK44 2LA
Geoffrey Smith 10 Lonscale View Keswick CA12 4LP
Lindsay Watson 9 Topcliff Green Morley Leeds
Patsy Millar G84 7QR
Susan Maxwell G83 0PL
Maggie Brotherstone PA37 1SL
Iain Sutherland PA24 8AF
Donna Spence KW16 3JA

Lloyd Stockan KW16 3AQ
Michael Breslin G84 0ET
Alan Grant PA34 5PG
Iain Smith Dhunan Portincaple Helensburgh Argyll And Bute
Christine Pratt Norse Lodge Feuins Road Portincaple Helensburgh
Gemma Harvey EH47 0SE
Natalie Duncan
Faye Bryce PA2 7AU
Hetty Wilson EH4 1ND
Tom W M Walker G41 3AX
David Lonnen 4 Stafford Street Helensburgh Argyll And Bute G84 9JT
Catherine Naylor Woodstock Feuins Road Portincaple Helensburgh
Murdo MacLeod No Address Given
Chris Smith Dalriada Portincaple G84 0EU
Polly Dunlop Flat 2/1 4 Lorne Street Helensburgh Argyll And Bute
Vivienne Gleghorn Longview Feuins Road Portincaple Helensburgh Argyll And Bute
Andrew Steven 80 Dalton Street Glasgow G31 5LA
Scott Munro Aspen Feuins Road Portincaple Helensburgh
Ellie McBeth 2076 Great Western Road Knightswood Glasgow G13 2AA
Ronan Munro Flat 1L 7 Hayburn Crescent Partickhill Glasgow
Ruairidh Munro 7 Hayburn Crescent Partickhill Glasgow G11 5AU
Jefferson Burgess 12 Pettinain Road Carstairs Junction Lanark ML11 8RF
Joan Pickford
June Gray
Als Llywelyn
Gillian Brydon
Martin Semple
Fiona Paul
Janet Jardine
Morag Shaw
John Lanigan
Vivian Franklin
Irene Smith Socair Portincaple Helensburgh Argyll And Bute
Mr Alan Pinder Summerlea Shore Road Kilcreggan Helensburgh Argyll And Bute
R J Fletcher Bridge End Feuins Road Portincaple Helensburgh
Mary Crawford G84 0RE
Colin Cooper PA34 4NN
David Weatherstone G84 0HU
Angela Sommerville G77 5JR
Christopher Thornton PA31 8QJ
George Nelson G83 8LW
Claire Young KA3 4AN
Mairi Morton G84 0PN
Mary Meighan G83 8EJ
Liz Cullen KA11 1BH
Sarah McFadyen EH38 5YE
Lorna Martin KA3 4EE
Susie Barrie G84 8DB
Richard Breslin Tigh Na Mara Feuins Road Portincaple Helensburgh
Cass McArthur G72 8QU
David O'Donnell G83 0TB
David Jamieson G84 0JN
Corrine Mills
Steve Robertson
Nicola Kilduff

Ross Robertson
Amy Robertson
Kim Cramb
Louise Hamilton
Hazel Simpson
Joan Craig
John Booth
Ruth Barrie EH15 2BL
Lauren Slade G82 2TF
Amanda Scott PA29 6XZ
Paul Brady Road End Cottage Feuins Road Portincaple Helensburgh
Alastair Macduff G12 9EZ
Euan Wilkie G82 2JQ
Michael Mitchell PA21 2BW
John Madden G22 6DN
Stephen Stock G83 8QZ
Scott Slade G82
Rhiannon Rees G84 7LJ
Molly McKean EH6 4AQ
Deborah Landon-Norton PA31 8RU
Mundi Cooper PA34 4NN
Gordon Scott PA77 6XA
Michael Breslin PA23 7UD
David McDowall PA23 8TR
Juliet Morgan PA23 7SP
Scott Mannion PA31 8HZ
David Boland PA23
Mary Braithwaite PA34 4TX
Lesley Hartwell CW1 3BG
Liese O'Brien PA27 8BX
Jacquie Blair PA16 0QR
Geraldine Harron PA19 1TB
Allan Kerr G83 8EB
Shirley Livingstone PA35 1JQ
Kenneth Steven PA34 4RA
Simon Mackenzie PA31 8PY
Ali Cleary EH42 1XJ
Ali Porter PA21 2AG
Andrew Tudor PA33 1AS
Charlene Woods PA20 0EP
A Lavelle PA29 6YJ
Jackie Mollinson PA23 8SG
Derek Crook PA66 6BL
Michael Slater ML11 0PY
Lorna Buntain G66 7BA
Tim Dixon PA73 6LX
David Sumsion PA26 8BG
David Herincx NN4 8LN
Lorraine Thomas G83 9EZ
Tony Hughes PA33 1BX
Allan McAllister DD10 9DQ
Arthur Macvean G51 1TH
John Harrower PA34 5TQ
Brenda Campbell G84 0QR
Linda Wainwright SK7 5AL

Ann Wood PA23 8TU
John Lanigan PA24 8AF
Elena Kimmett KW16 3HR
Enid Thompson PH41 4PL
Paula Russell G84 9SF
Susan Will G84 0HU
Nicola Hurd SK8 3HA
Joan Pickford G83 8SR
Ruth Breslin SK7 6AJ
M Cameron Oak Lodge Portincaple Helensburgh Argyll And Bute
H Cameron Oak Lodge Portincaple Helensburgh Argyll And Bute
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Margaret Smith 10 Lonscale View Keswick CA12 4LP
Mr Antony Robinson The Sheiling Feuins Road Portincaple Helensburgh Argyll And Bute
H Hall Lower Feolin Villa Portincaple Helensburgh
M Tudge Rivendell Feuins Road Portincaple Helensburgh
Kirsty Whiten The Elm Main Street Craigrothie KY15 5QA
Elizabeth Kerr G84 8LW
Gabriella Lessing KA3 4ES
Robert Thwaites G83 8SG
Margaret Thwaites G83 8SG
Jim Thomson G60 5AH
James Bollan G83 0UR
Alexander Davey PA20 0JN
Olga Hammock PA37 1PJ
Rhona Paterson G84 0RL
Margaret Reid G83 9LR
Jill Robertson
Fraser Bell
Janice Ross
Margaret Cameron
Charles Revie
Tom Cullen
Jamie Banks
Joseph Morris
Neil Cramb
Deryk Allan
Colin Smith Socair Portincaple Helensburgh Argyll And Bute
Woodland Trust Scotland South Inch Business Centre Shore Road Perth PH2 8BW
Irene Firth EH45 8EQ
Gerry McAllister KA9 2JR
Magnus Moncrieff DD8 4TB
James Walker EX2 7FN
Fiona Toal G84 0NY
David Bain KW15 1EW
Cameron Erroch PA11 3LS
Malcolm Macaskill AB32 6HZ
Richard Watson EH19 2HD
Helen Walker G84 0JR
Ivan Roper DN2 6JL
Gillian Bartrop-Young IV108SD/ PA23 8SD
Jennifer Irvine KY8 3QA
Hannah Evans 3070
Sandra Melnikaite PA34 4QB
Paul MacNeil G41 1PG

Gavin MacMillan SE3 0NF
Michelle Garson KW16 3AH
Iain Gray KW16 3BN
Helen Hazlett G83 7DB
Kevin Loch WAS 1EW
Kate Allan G20 7SD
Alice Kennedy 13 Riceyman House Lloyd Baker Street London WC1X 9BH
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Julia M G14 9PH
Iona Stewart G84 9QQ
Terri Appleget 29418
Campbell Young PA14 6EA
Jon Morgan SA1 3JP
Daniel Scrymgeour FK5 4UR
Sandra Macdonald FK4 1EJ
Lara Monahan PE9 2YQ
Jen Allan PA4 8JE
Christine Cameron EH1 2JU
Helen Trainor G5 9RB
Bryce Herbert KA3 1NB
Steffany Gendron ML6 9TS
Fiona Kherian TD14 5QE
Angela Duncan G74 4LZ
Paul Stewart G84 0JD
Eleanor Topalian G83 7AE
Stanley Topalian G83 7AE
Kevin Arthur 52 Clachan Road Rosneath G84 0RJ
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Patricia Spencer G69 8ED
Julie Spittle PH20 1BH
Barbara Flynn G43 1DE
Tracy Ritchie EH33 2BA
Graeme Leighton HG3 5RZ
Heather Boyd G62 7BE
Sadenia Douglas G3 6DF
Katie Cross G82 5NS
Christina McLaren KA3 2HS
Anni Tracy LA1 3HA
Eliza Ritchie PA23 9RA
Gary Ewart G44 4AB
Raymond Thomson AB24 0NG
Lesley Marshall SA44 5SD
Martin Catlin PA20 9JT
Sheila Brodie TD4 6BJ

Charlie Johnston G84 8LW
Catriona Macbrayne G83 8SD
Anne Adams DD8 2TL
Pamela Morrison FK16 6BF
Eleanor Hooper NG31 8TZ
Barbara Jenman South Africa
Alice Scarlett NE25 8BA
Matthew Oliver PA66 6BL
Toby Weston PL19 9EA
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Chris Orr 1272 Dumbarton Road Glasgow G14 9PR
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Judith Patience Taigh Ailtire Caolis Isle Of Tiree Argyll And Bute
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Andrea Prideaux 34 Abercromby Crescent Helensburgh Argyll And Bute G84 9DX
Anne Redding Finnart Farm Cottage Feuins Road Portincaple G84 0EU
Kelly Rix 17 Fulton Gardens Houston PA6 7NU
Darren Rix 17 Fulton Gardens Houston PA6 7NU
Alex Robertson 3 College Gardens Rutherglen G73 3PU
Laura Robinson Upper Flat Creaggan Portincaple G84 0EU
Ann Rogers 12 Glen Loinn Crescent Succoth G83 7AN
Laura Romay Park Cottage Princes Street Penpoint DG3 4BY
Christine Ross 140 East Clyde Street Helensburgh Argyll And Bute G84 7AX
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Craig Sankey 1 Ivy Place Dunshalt KY14 7HA
Josie Sclater Woodburn Feuins Road Portincaple Helensburgh
Claudia Sclater Woodburn Feuins Road Portincaple Helensburgh
Ben Seal Ben Seal The Elm Craigrothie Fife
Carole K Spencer Craigellen Cottage Garelochhead Helensburgh Argyll And Bute
Colin Speirs 2 Dixon Road Helensburgh Argyll And Bute G84 9DW
Claire Stott Barrett 5 Brookend Brae Clynder Helensburgh Argyll And Bute
Patrick Atkin NG1 5FB
Donna Franceschild PA29 6TW
Laura Robinson G84 0EU
Nick Hill NR11 7QP
Edward Gallacher PE9 4DJ
Raoul Chappell SA1 1TY
Robert Farrell SA6 6TL
Irene Hutchison EH11 2HB
Linda Nairn KY11 4QE
Caitlyn Wright G84 8SU
Margaret Adams JE2 4PR
George Black G82 2TL
Daniel Evans CF82 7AE
Maureen Mcaleer SO31 6BN
Max Browning CH63 9LR
Alison Stewart PH50 4QX

Dorothy Fenwick 14 Carlton Street Edinburgh EH4 1NJ
Douglas Gardiner Creagach Garelochhead Helensburgh Argyll And Bute
Gavin Dunlop Flat 2/1 4 Lorne Street Helensburgh Argyll And Bute
George Dick Heldonlea Mosstowie IV30 8XE
George Gordon Teigen Feuins Road Portincaple Helensburgh
Grace Grant Sherwood 25 Millar Place Riverside Stirling
Hazel French 10 Maydown Close Fulford Park Sunderland SR5 3DZ
Helen Gordon Teigen Feuins Road Portincaple Helensburgh
James Green 20 Butt Avenue Helensburgh Argyll And Bute G84 9DA
Jane Galloway 15 Redclyffe Gardens Helensburgh Argyll And Bute G84 9JJ
Jason Duncan 11 Craigomus Crescent Menstrie Fife FK11 7DN
Laura Forsyth 341 Bank Street South Melbourne Victoria Australia
Ross Sinclair Kenilworth Shore Road Kilcreggan Helensburgh
Darren Taylor Springwell Portincaple Helensburgh Argyll And Bute
Kate Wade Roiseal View Arnol Isle Of Lewis HS2 9DB
Jenny Ward 126 West King Street Helensburgh Argyll And Bute G84 8DH
Kirsty Whiten The Elm Craigrothie Fife KY15 5QA
John Wilson Ferloch Mosscastle Drive Slamman FK1 3EL
Brodie Dunlop 2/11 East Cromwell Street Edinburgh EH6 6HF
Russell Watson DD9 7BB
Dana B AB11 6DY
Mike Grant EH14 3BH
Janey Wilson FK6 5HT
Ivan Fletcher BL8 4EN
Tony Rooney PH50 4QJ
Cathy MacLennan PH50 4RX
Elizabeth Green PH50 4QY
Mavis Petrie AB12 5FS
Andrew Elvin NR34 0AN
Neill O'Donnell G74 4RN
Aj Prime AB15 8DG
Paul Irvin YO31 7RY
Lesley Gunn AB54 4US
Angela Donald EH30 9HS
Angela Angus Cedar Cottage Portincaple Helensburgh Argyll And Bute
Jan Arthur 52 Clachan Road Rosneath G84 0RJ
Helen Bain 11 Meikle Aiden Brae Kilcreggan Helensburgh Argyll And Bute
Janet Bainbridge 11 St Margarets Lane Backwell Nr Bristol BS48 3JR
Jason Barret 5 Brookend Brae Clynder Helensburgh Argyll And Bute
Declan Buist 11 East Argyle Street Helensburgh G84 7RR
Diane Cargill 6 Selside Lawn Netherley Liverpool L27 5RR
Heather Chisholm 7 Laurieston Way Rutherglen G73 4DZ
George David 43 Linn Walk Garelochhead Helensburgh Argyll And Bute
David McFadyen The Nest Portincaple Helensburgh Argyll And Bute
Helen Devine Varragill Portincaple Helensburgh Argyll And Bute
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Emily Bean Garden 16 Tom-A-Mhoid Rosneath Helensburgh Argyll And Bute
Emma Roy 52 Queens Crescent Garelochhead Helensburgh Argyll And Bute
Erica Dove 1 Edge Lane Garelochhead Helensburgh Argyll And Bute
Evelyn Hardy 13 MALLARD GROVE, DUNFERMLINE KY11 8GJ
Feroza Jean Rogers PYETT LODGE, KILBIRNIE KA257JR
Finlay Grant Sherwood 24 Millar Place Riverside, Stirling FK8 1XD
Fiona Ault 1 Railway Cottage Whistlefield Garelochhead G84 0EP
Fiona Plunkett Ferndene Gardens 3 Shore Road Cove Argyll And Bute
Margaret Little G84 8SD
Josephine Makenzie G3 6HP
William Black G14 9UT
Ann McClure AB24 4LF
Hugh Tait KY11 9LP
Patricia Rose PA23 7JH
Andrew Pallas PA37 1RA
Mari Hislop KA3 7RT
Kenneth Beaton 22 Scoonie Drive Leven KY8 4SN
Kate Bowen Flat 1/1 69 Prince Edward Street Glasgow G42 8LX
Kevin Brabender 21 Queens Crescent Garelochhead G84 0DW
Laura Breslin Tigh Na Mara Feuins Road Portincaple Helensburgh
Kirsty Buchan 4 Muirend Road Cardross Dumbarton Argyll And Bute
Joe Carr 2 Caldwell Place Rhu Helensburgh Argyll And Bute
Kimberly Chapman 4 Straid-A-Cnoc Clynder Helensburgh Argyll And Bute
Karen Cruikshank 5 Glenwood Drive Thornliebank G46 7EN
Bryony Dunlop 2/11 East Cromwell Street Edinburgh EH6 6HF
Claire English Flat 2/2 25 Belmont Street Glasgow G12 8ER
Brian Keane PA14 6NY
John Pender FK10 4SD
Helena Geoghan G84 8FA
Freddie Bang FK4 1EN
Ben Zvegintzov G84 7JY
Les Ross G44 4UL
Garelochhead Community Council Address Not Provided
Sharon McNeilly 1E Brown Road, Seafar, Cumbernauld G671AB
Moray Maloy 25 Courthill Rosneath Helensburgh Argyll And Bute
Luca McDonald
Jamie Phipps EH32 0JZ
Maree Shepherd G512LB
Kirsty Walter EH5 3RS
Jenny Evans 3 Castlebeigh Park Pitlochry PH16 5QH
Keith Evans 3 Castlebeigh Park Pitlochry PH16 5QH
Julie Fortucci 26 Loughtoun Gardens Condorrat Cumbernauld G67 4EZ
Charlotte Gillon 9 Navy Way Rosneath Helensburgh Argyll And Bute
Charmaine Haines PO Box 3 Nieu Bethesda 6286 South Africa
Rose Dunne G86 0HJ
Karen McGinty EH54 6HB
Calum Stewart G84 9QQ
Sean Fillos-Kelt IV15 9UQ
Imogen Lally M4 7AT
David Findlay KA30 8NJ
Adam Young KA9 1ER
Jenny Sigsworth M3 7BP

Christopher Murphy NG18 3LW
Donald Munro G14 0DL
Nicola Graveson M6 8AL
Alison Matthew KA11 1LE
Joshua Latimer AB34 5JU
Sydney Bungard LO5 1JO
Kirsty Aitchison PA31 8PQ
Duncan Hubberstey TQ5 0ET
Rowan Hubberstey TQ5 0ET
Tracey Dunne G84 0HJ
Sophie Leatherbarrow PH50 4QP
Janet Hughes FK6 6NT
Amelia Hughes G84 9JX
Jamie McKnight G84 0JY
Sophia Tortolano FK7 8FJ
Ian Stokes G61 2JT
Scott Sargeant FK10 2TH
James MacPhee IV52 8TT
Linda Sinclair PH33 6LQ
Julia Byars G84 9AR
Liam Cameron 2444
Brian Millar EH6 8TB
Margaret Wood PA28 6PZ
Noel Wallace G74 1EU
Annette Hughes ML4 1PG
Rachel Seator AB51 4WP
Pamela Munro AB393PF
Chris O'Connor KY11 2AB
Robert Lamb EH11 3JX
Stephen Burns MI126DH
Morven Anderson 12 Crawford Park Springfield Cupar KY15 5SW
Brudenell Old Manse Clynder Helensburgh Argyll And Bute
Cairns 2 Thirlmere, East Kilbride G75 8HQ
Finn Weatherstone 682 College Street, Toronto Ontario MG6 1C1
Ian Grout 18A Upper Glenfinlas Street Helensburgh Argyll And Bute G84 7HD
John Agnew 40 Friarscourt Avenue, Knightswood, Glasgow G13 2 EL
John Cairns 19 Peveril Avenue, Burnside, Glasgow G73 4RD
Patrick Gorevan 108 Hyndland Road, Glasgow G12 9JD
Robert Forsyth 342 Bank Street, South Melbourne Victoria, Australia 3205
Shuitchi Kawada 18A Upper Glenfinlas Street Helensburgh Argyll And Bute G84 7HD
Maureen Paisley Ardlea Artarman Road Rhu Helensburgh
Peter Paisley Ardlea Artarman Road Rhu Helensburgh
Roz Paterson Flat 1 Portkil House Kilcreggan Helensburgh
Ron Fletcher Bridgend Portincaple
Gabriella Lessing KA34ES
Kate Storey G84 9EQ
Katie Penman KY11 8NH
Samantha Collin KY2 6ZJ
Kitty Cugley G84 8XT
Billy Hunter KA18 2ED
Imogen Burnett G84 8LS
John Henry Cugley G84 7SA
Papillon Bond N52DJ
Ethan Archer NG334ER
Andrew Whiten Mayfield Craigothie Fife KY15 5QA

Susie Whiten Mayfield Craigrothie Fife KY15 5QA
Lorraine Armstrong EH46 7EE
Maggie Catlin PA20 9JT
Lisa Brown PA1 1QJ
Watson Robinson Upper Flat Creaggan Feuins Road Portincaple Helensburgh Argyll And Bute
Lorna May 40 NEW ROAD, TIPTREE, COLCHESTER, ESSEX CO5 0HN
Ronnie Mackie KY3 9UX
James McSporran PA31 8SW
Jim Boyack PA31 8NR
Denise Richmond KY3 9HY
Sandy Forbes KY2 6SX
Kenneth Wardrop G14 9JX
Gordon Mulholland G3 7EF
Angie Hutchings The Old Rectory Parsonage Lane Gittisham Honiton
Davie Hall Park Cottage Princes Street Penpoint DG3 4BY
Dawn Lee 14 Guthrie Place Rhu Helensburgh Argyll And Bute
Debbie Jamieson 10 The Coppice Atherstone CV9 1RT
Debbie Kinnear 45 Clouston Street Glasgow G20 8QP
Diana Jennings 45 Logan Drive Troon KA10 6PN
Gaylor Hoskins Daleview Old Perth Road Strathmiglo KY14 7QQ
Geraldine Hanley 2 Aidenhill Cottages Barbour Road Kilcreggan Helensburgh
Gerard Heaney 10 Aitkenbar Circle Dumbarton G82 3WX
Gillian Lane Westertown Farmhouse Westertown Inverurie AB51 8US
Graham Jones Birchbank Portincaple Helensburgh Argyll And Bute
Irene Harper Glenlea Shore Road Kilcreggan Helensburgh
Gemma Pender 3 Miller Court Union Street Dunoon PA23 8ER
David Roberts 15 Treasure Close Tamworth B77 3HS
Angela Njendu Road End Cottage Feuins Road Portincaple Helensburgh
Andrew Robinson 11 Rednall Road Barwell Leics LE9 8HR
Jacqueline Ross Kiloran Feuins Road Portincaple Helensburgh
Gill Shearer Gare Cottage Upper School Road Rhu Helensburgh
Grace Borland Sinclair Kenilworth Shore Road Kilcreggan Helensburgh
Jean Borland Sinclair Kenilworth Shore Road Kilcreggan Helensburgh
Gillian Smith 43 Cannongrange Gardens Stenhousemuir FK5 3DU
Jeanette Speirs 2 Dixon Road Helensburgh Argyll And Bute G84 9DW
Dom Redding Finnart Farm Cottage Feuins Road Portincaple G84 0EU
Ruth Carson 214 South Gyle Wynd, Edinburgh, EH129HN
Sharon Conboy 7 Edge Lane Garelochhead Helensburgh Argyll And Bute
Sarah Craddock 30 Miller Street Dumbarton G82 2JE
Siona Garden 13 Tom-A-Mhoid Rosneath Helensburgh Argyll And Bute
Scott Gordon 10 Edge Lane Garelochhead Helensburgh Argyll And Bute
Sharon Guest Flat 9 158 West King Street Helensburgh Argyll And Bute
Ruth Hollywood 109 Chemin Du Vignal Dieulefit France 26220
Sarah Hoskins Sigridsvagen 14 Huddinge Sweden 14140
Sophie Kyle Flat 3/2 177 Ledard Road Glasgow G42 9RE
Stephanie McFadyen 13B Croftspar Ave, Springboks Glasgow G32 0JH
Ruaridh Buist 8 East Argyle Street Helensburgh Argyll And Bute G84 7RR
Sharon Calderwood Rosneath Home Farm Rosneath Helensburgh Argyll And Bute
Shirley Dalziel Little Rahane Farm Rahane Helensburgh Argyll And Bute
Russell Dempster Flat 8 42 Hamilton Park Ave Glasgow G12 8DT
Samantha Gallagher Craig Cottage Clynder Helensburgh Argyll And Bute
Mr Iain shonny Paterson 1 Larach Park Ardgartan Glen Croe Arrochar Argyll And Bute
Mrs Catherine Shale 193 Station Rd Wylde Green Sutton Coldfield B73 5LD
Thomas O'Neill G75 0EN

Heather Petrie ML12 6LW
Herbert Petrie AB21 7AL
John Ryan ML8 5NF
Christine Dick G75 0HZ
Mark Main PA23 8TR
Erin Robinson PA23 8TR
Doug Adam DD11 3DY
Daniel Quinlan FK4 1TY
Jane MacDougall G84 9AQ
John Lewis G66 2JQ
Jim Waugh KA22 7NJ
Andrew Low KY8 4EN
Angela Flynn G43 2DA
Rebecca Salazar NN3 8TJ
Stuart McMillan G75 9FG
Susan Bell KA25 7ER
Eleanor Lakew W11 2BU
Jessica Casson WN2 1DA
Jae Sallstrom FK1 1LZ
Carol Bamber KA7 4TL
Gavin MacMurray PA3 4UF
Karen Murphy PA28 6SA
Francine Farnill YO86 6QX
Stacy Gourley KA1 3NN
Coinneach Shanks D4
Fiona Douglas G84
Ruth Mullen G64 4HP
Joe Cameron KA30 9JN
Susan Thomas G82 2SH
Morgan Darcy LL11 6NS
Graham Stott Alma Cottage 15 Waterslap Fenwick KA3 6AJ
Ann Taylor 4 Cromptons Grove Paisley PA1 2NF
James Walker Spindrifft Back Road Clynder Helensburgh
David Weatherstone Stewarton Cottage Argyll Road Kilcreggan Helensburgh
Annie Wild 16 Drumlanrig Street Thornhill Dunfries And Galloway DG3 5LL
Roger J Wood 19A East Montrose Street Helensburgh Argyll And Bute G84 7HU
Hanne Wyllie Flat 3/2 6 Aberdour Street Glasgow G31 3NH
Helen Wyllie Old Boghall Parton Castle Douglas DG7 3NJ
Daniel Gray ML3 8AQ
Martin Stewart G32 9DG
Jenny Letchford PH32 4BJ
Ludmila Kopaskova EH48 2UQ
Jay Zed G65
Lynn Robertson AB33 8PR
Ciara Tierney G46 7EP
John McCafferty ML3 7SS
Melanie Ross G64 4BT
Janis Sirmonts G15 6QN
Leanne Kirkpatrick KA1 2LF
Ross Miller G11 7SR
Colette Monaghan G81 1AA
Alan Rodger Tigh Carman De Portincaple Helensburgh Argyll And Bute
Rachael Bailey LS13 1PS
Kathy Black G84 0AT
Gwen Sinclair KA3 6FH

Nicki Bond N5 2DJ
Samuel Brunswick NG32 1JA
Brian Feeney G133PF
Claudia Sclater G840ET
Jacqueline Dawson G83 8JR
Jean Urquhart G84 9DY
Gillian Brydon G83 OLG
Brian Gillen G83 7AA
Bob Lawrie PA23 7JH
Joanna Hargreaves No Address Or Postcode
Lorna Masterson G84 8QP
Kenny Gibson G83 8QP
Maryi Sweetland G83 8RX
Susan Coon PA29 6XR
Lynn Pearson PH33 7LS
John Lanigan G82 1LS
Vanessa Anderson PA35 1JW
Catherine Cameron PA29 6YF
Shirley Farrell KA1 5RD
Fiona Porter G84 7EF
Amanda Wainwright KA10 6QU
Pat Kohler SG8 7SD
Madeleine Sclater Woodburn Feuins Road Portincaple Helensburgh
Stevie McShane PA13 4QA
Gabriela Mason ML8 5GB
Katie Charles AB15 4UE
Vic Lally G84 0ET
Claire Riddell EH40 3DT
Alan Mills G75 0LP
Lindsay Sievewright G65 9UN
Tamzin Whitley RG17 0QL
Rachel Dinwoodie FK16 6AD
Catherine Burke G84 8LF
John Mclauchlan EH16 5RY
Eoin Miller KW15 1SX
Katrina Norrie AB10 6QA
Andrew Reid PA19 1BF
Anne-Marie Keldie KW15 1TD
Christian Kimmett EH7 5SD
Gemma Gunn KW16 3BN
Debbie Burton DL16 6XT
Tommy Jack FK2 9JJ
Gemma Welsh KW15 1SX
Stuart Wallace KA27 8LR
Rya Walter KW15 1XW
James Brown KW16 3JS
Aimee Nourse KW16 3AU
Robert Baker G84 0RY
Euan Minto PA19 1YB
Debbie Nicol EH11 4QP
Eleanor Carleton LN5 0FN
Frances Lindsay PA13 4NA
Iain Russell EH29 9EJ
Connor McKinnie PH1 2BA
Joanne McCombie AB12 5NT

Maya Bimson SY19 7BW
Debbie Carr Braeside Cottage Portincaple Argyll And Bute G84 0ET
Terry Gillen G83 7DB
Alice Kelly G84 8BL
Martin Henry ML4 1TJ
Louise Lauder EH11 4HU
Issy Barrett-Lally G84 0ET
Megan Bain G84 8QW
Richard Fraser IV63 6WR
Lucy Campbell G84 0ET
Katy Reid G82 5LX
Kieran McLaughlin ML5 3RZ
Gerard Shields ML9 2RB
Michael Mackinnon AB56 1PQ
Stephen Robb G67 2PG
Bethan Jeacock OX26 5DR
S Griffin CV31 2EN
Dean Halliday EH8 8AW
Christopher M Donohue KA11 4LB
Andrew McMinn 10 The Coppice Atherstone CV9 1RT
David McFadyen The Nest Portincaple Helensburgh Argyll And Bute
Debbie Lakeland Newman 7 Stafford Street Helensburgh Argyll And Bute G84 9JU
Debbie McCallum 7 Malcolm Place Helensburgh Argyll And Bute G84 9HW
Dick McKissock Redwood Portincaple G84 0ET
Fran Nicholls 3 Hamaoze Road Torpoint Cornwall PL11 2ED
Gerard McKeever 16 Drumlanrig Street Thornhill Dumfries And Galloway DG3 5LL
Gordon Macleod 9 Springfield Road Kinross KY13 8BA
Irene Macduff 15 Dumbuck Gardens Dumbarton G82 1DA
Jackie Morton 22A East Argyle Street Helensburgh Argyll And Bute G84 7RR
Jason Moreland 10 Argyll Road Rosneath Helensburgh Argyll And Bute
Jean Macdonald 15 Cairn Close Stewarton KA3 3HD
Linda Smith Flat 28 Waverley Court 16 West King Street Helensburgh
Thomas Smillie G84 7RW
Finlay Gray G82 5QN
Ellen Renton G84 7PA
Robert Hackett PA16 8DS
Valery Willis PA3 3BN
Sara Alvarez G84 8RA
Richard Odonnell G76 7XZ
Nicholas Heath G84 7TF
Caron Green PH504QY
Ian Morris PH50 4RR
Jennifer Lowe PA27 8BY
Eilidh Archibald PH2 9AP
Dawn Millar DD8 1PU
Matt Durrant G849EU
Graeme Anderson G84 0NP
Michael Lyberis G82 2BN
Gemma McCullough DD11 2LW
Kyle Poore 7402
Sheena Foy G84 7JJ
Jenni Hislop KA1 3JR
Marco Biagini G12 9YG
Fiona Brown EH6 8DA
Max Wardle G84 7LU

Ellie Stewart DG4 6DX
Ailie Ross - Oliver EH8 9HZ
Olivia Winton G83 8FB
Craig Auld G5 8EB
Katie Nicol PA21 2AG
June Gray G84 9JG
Lydia Hallis G82 1JA
Ken MacNeil G84 9DW
Allan Adam G82 5LF
John Beattie PA32 8YF
Elaine Gracie G65 0QP
Chris Aitchison G83 8QS
Patricia Wortley G83 0EF
Joseph Hosie 29 St Modans Way Rosneath G84 0SQ
John Houston Florisa Inkerman Place Garelochhead Helensburgh
Christine Hull 38 Englewood Road London SW12 9NZ
Lesley Ingram 6 Main Street Dunshalt Fife KY14 7EU
Bernie Jardine 6 Cardross Park Mansion Braid Drive Cardross Dumbarton
June Jones Birchbank Portincaple Helensburgh Argyll And Bute
Karl Lenehan 44 Hamaoaze Road Torpoint Cornwall PL11 2EF
Keith Lloyd 3 Wyndham Close Long Street Williton TA4 4QU
John Macdonald 15 Cairn Close Stewarton KA33 3HD
John MacDonald The Paddock Portincaple Helensburgh Argyll And Bute
Colette Mackintosh 176 Garscadden Road Glasgow G15 8SY
Charlotte Booth LS12 5SU
Jacqueline Hendry PA4 8NS
Thomas McPhee PA4 8NS
Sandra Nel EH26 8NJ
Claudia Nicholson PH36 4JA
David O'Brien
Josie Sclater G840ET
Steven Smith PA34 4QB
James Gow G23 5NB
Donna Smith PH1 4QT
Tara Anderson PH2 0EY
Calum Elder KW17 2JT
Morag Russell DD8 2UF
Hazel Grant ML12 6TF
Aaron Dobbin 18 Fernie Gardens Cardross Dumbarton Argyll And Bute
Ian Bainbridge 10 St Margaret's Lane Backwell Nr Bristol BS48 3JR
Agnes Borland Sinclair Kenilworth Shore Road Kilcreggan Helensburgh
Alison Burnhill 8 Mill Road Cardross Dumbarton Argyll And Bute
Alan Cameron 7 Lower Sizehill Road Ballyclare County Antrim BT39 9RP
Andrew Campbell 23 Ferry Road Rosneath Helensburgh Argyll And Bute
Alan Codling Sunnymead 1 Wood Lane Thurlby PE10 0HQ
Adele Gardiner Creagach Garelochhead Helensburgh Argyll And Bute
Alastair Godrey 9/145 Campbell Street Sydney Australia NSW 2010
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Mark McAdam Jnr 3 Courthill Rosneath Helensburgh Argyll And Bute
J Malcolm 12 The Beeches Blackwood Lanark ML11 9YR
Lianne Macdonald 70 Bellrock Crescent Cranhill G33 3HG
John McCoshan Flat 24 Walker Place 113 East King Street Helensburgh
Kioran McGrath 1 Barts Terrace Cardross G82 5PE
Kara McKee 17 Breadalbane Street Tobermory PA75 6PD

Mairi McKissock Redwood Portincaple G84 0ET
Julie MacNeil Flat Ground/1 Osbourne Villa School Road Rhu
Scott Douglas KA9 2LP
Mark Wilson KA9 2PU
Brogan Caddis FK94EJ
David Wilson G117SR
Connor Brooke FK9 4EJ
John Ballantyne TD9 8JS
Jamie Bowers G776FX
Sarah Youd CH473AT
Jane McIntyre G66 5DP
Hannah H G849NP
Sheila Morrison 2741GN
Rowan Welch WF8 4SF
Sebastien Durand Nizan PA1 2PD
Mirian Calvo LA1 1AF
Scott Ballantyne Ky4 0jn
Lenka Cameron IV519JY
John MacDonald G60 5AN
Matthew Amer EH19 3RD
Bruce Adamson KY7 6YJ
Pilar Ortega G64 1YE
Jane Campbell EH16 6TD
Jacqueline Naysmith EH45 9LU
Nancy Wilson KW16 3DF
Jim Wren CW8 2QE
Gail MacKenzie IV32 7EH
Jonathan Wall EH16 6AX
Silvie Kozma AB24 5AH
Allison OHara EH45 9LS
Hilary Worton Saddleview Portincaple Helensburgh Argyll And Bute
Roy Bain 11 Meikle Aiden Brae Kilcreggan Helensburgh Argyll And Bute
Louisa Barry Mosscroft Lonmay AB43 8XT
M M Brown Woodlands Dunivard Road Garelochhead Helensburgh
Mandy Bryan Branziet Farm Cottage, Balmore Road, Bardowie G64 4AH
Rory Cameron PA16 0HY
Georgina Munro EH48 1TA
Mia Campbell Carardun Cromlech Road Sandbank Dunoon
Mandy Carrington 8 Church Place Rhu Helensburgh Argyll And Bute
Roger Chapman 4 Straid-A-Cnoc Clynder Helensburgh Argyll And Bute
Louise Chapuis 137 West King Street Helensburgh Argyll And Bute G84 8DH
Lynsey Cook Springwell Portincaple Helensburgh Argyll And Bute
Michael Devine Varragill Portincaple Helensburgh Argyll And Bute
Lucas Dobbin 17 Fernie Gardens Cardross Dumbarton Argyll And Bute
Millie Duncan 11 CRAIGOMUS CRESCENT, MENSTRIE, FIFE FK117DN
Rebecca Flett 16 Ferry Road Rosneath Helensburgh Argyll And Bute
Lorne Frame 11 Durham Square Edinburgh EH15 1PU
Linda Gallagher 19 Tom-A-Mhoid Rosneath Helensburgh Argyll And Bute
Marianne Gallagher 100 Dorian Drive, Glasgow G76 7NS
Mark Gordon-Brown Dippen Cottage, Kildonan, Arran KA27 8SB
Grayson The Copse Donaldsons Brae Kilcreggan Helensburgh
Lindsey Greatbanks 11 Bay View Court Northam EX39 1TJ
Martin Haines PO BOX 3, Nieu Bethesda, 6286, South Africa
Lorraine Houston Florisa Garelochhead G84 0EG
Martin Harper Glenlea Shore Road Kilcreggan Helensburgh

Lisa Hobkirk 6, FRANCES HENDRY WALK, GARELOCHHEAD, G84 0ED
Moira Hyatt 37 Loch Drive Helensburgh Argyll And Bute G84 8PZ
Samantha Love 125 Barrangary Rd Bishopton PA7 5FR
Zara Love 124 Barrangary Rd Bishopton PA7 5FR
Michelle Madden Z'mattlistrasse 6, 6318 Walchwil Switzerland
Madge Madden 8J Glenford Place Ayr KA7 1LB
Nicola Madden Flat 2/3 Beaconsfield Road Glasgow G12 0PJ
Brenda Lacey PH1 3EF
Claire Spendlow G84 8TR
Suzie Alvis PA34 4QB
David Matthews DD11 4DF
Viktorija Melnikaite FK8 1JJ
Denis Keldie KW16 3AJ
Deirdre Martin G84 0DS
Simon Ionta ME1 1RT
Ishbel Crawford PA20 0DU
Emma Donaldson DD8 1EW
Andrew Dickey G72 6ZS
Rachael Roberts G84 0ET
Robert Gray KW16 3DS
Rosslyn Patterson G84 0LF
Diane Knox PA16 7LJ
Linda Mardell 9 Ben Bouie Drive Helensburgh Argyll And Bute G84 7NE
Mark McAdam 3 Courthill Rosneath Helensburgh Argyll And Bute
Mark Smith 43 CANNONGRANGE GARDENS, STENHOUSEMUIR FK53DU
Maureen Marshall FERLOCH, MOSSCASTLE DRIVE, SLAMMANAN FK1 3EL
Mary Martin 65 Rockhampton Avenue East Kilbride G75 8EH
Marton 13 Barge Court Rhu
Linda Masterson 65 BINNIEHILL ROAD, CUMBERNAULD G68 9DT
Robina McAdam 3 Courthill Rosneath Helensburgh Argyll And Bute
Lindsey McColl Achnamara Whistlefield Road Garelochhead Helensburgh
Mandy McGreevy 3 BODIAM CLOSE, GILLINGHAM, KENT ME86XF
Mark McGreevy 3 BODIAM CLOSE, GILLINGHAM, KENT ME86XF
Nicola McKay 1 Evan Crescent, Giffnock G46 6NJ
Margaret McWalters 9 Monaebrook Place Helensburgh Argyll And Bute G84 7JD
Nicola Milne 29 St Modans Way Rosneath G84 0SQ
Lisa Moreland 10 Argyll Road Rosneath Helensburgh Argyll And Bute
Mary Morton 10 William Street Helensburgh Argyll And Bute G84 8BD
Save Loch Long
Save Loch Long Portincaple Campaign Group
Alex McBride G84 7NL
Helen Cameron KA30 9JN
Steven McGuire FK2 0UX
Dolores Barclay DD3 8NF
John Blackley KA5 6BU
Jacqueline Mann G68 9NW
John Cameron CO9 1ET
Lindsey Smyth IV63 7YA
Audrey Slevin PA23 8RR
Carol Grant G12
Duncan M KY11 4NY
Jacob Siems G82 5QY
Catherine Cassels PH80 0JW
Eileen De Sousa G11 6AJ
Mandy Charles G84 0HL

George Stout EH22 1QY
Amelia Thackray G84 8LW
Lee Dailly DD4 0AU
Fiona Scott ML2 8LB
Christine Shand DD8 2TH
Stephen Boyle EH16 6EN
David Carr Kirk Park Villa (Lower) Church Road Rhu G84 8RD
Claire Fletcher 5 Tom-A-Mhoid Rosneath Helensburgh Argyll And Bute
Dan Flett 16 Ferry Road Rosneath Helensburgh Argyll And Bute
Ava Gorevan 110 Hyndland Road Glasgow G12 9JD
Claire Hall 55 Clachan Road Rosneath Helensburgh Argyll And Bute
Claire Harvey 14 Barge Court Manse Brae Rhu Helensburgh
Angie Hutchings The Old Rectory Parsonage Lane Gittisham Devon
David Kyle 10 Clyde Street Coatdyke ML5 3LT
Arthur Lightfoot Sonochan Feuns Road Portincaple Helensburgh
Claire Mackintosh 176 Garscadden Road Glasgow G15 8SY
Andrew Parry S6 5AD
Sarah Spencer EH7 4HF
Sophie Reid EH9 2AD
Valerie Brown G72 7NN
Jamie Fosker EH8 9QU
Miranda Johnson G84 8LJ
Amy Lee PH7 4AF
Anna Coull EH10 5QR
Emma O'Neill G84 7SU
Dominique Sclater KA3 4ES
Paul Lessing KA3 4ES
Rosa Williamson KY1 2UT
Natalie Ward DG2 7JL
Francesca Williamson KY1 2UT
Jennifer Rhind DG10 9BU
Yvonne Leighton HG3 5RZ
Simone Muir G13 1DF
Paul Colvin G14 0NL
Cheryl Michaelides KY155PQ
Jeanette McCrimmon G77 6BN
Elaine Chisholm G46 8TB
Alcolm Le May PA23 8TJ
Sophie Benton EH526WL
Ivan Coghill G12 8PB
Robert Gannon G74 3RT
Christina Anderson Flat 3/2 Garrioch Road Glasgow G10 8RP
Clara Bean-Garden 15 Tom-A-Mhoid Rosneath Helensburgh Argyll And Bute
Chris Boyd 1/2 Nethererton Avenue Glasgow G13 1BQ
Claire Brockie 16 Dunvegan Drive Newton Mearns G77 5EB
Catherine Buchan 95 East Clyde Street Helensburgh Argyll And Bute G84 7PJ
Beverly Burns Dungrianach School Road Kilcreggan Helensburgh
Chris Craig 41 Royal Park Terrace Edinburgh EH8 8JA
Carla Dobbin 15 Fernie Gardens Cardross Dumbarton Argyll And Bute
Keira Reilly G84 7NW
Jim McKinlay PH50 4SD
Mark Connelly M18 4PT
Kat Hassall M4 7AT
Faheema Limbada BL1 4RQ
Belinda Carr PA2 6SQ

Joe Legris BS7 9TH
Avril Dear YO8 6RJ
Yvonne Thorburn PH50 4QW
Eliza Hubberstey TQ5 0ET
Andrew Gallacher EH14 5SE
Lucy McLean G84 0NN
Charlotte Ingle G84 9LT
Justine Ling G53 7NP
Sarah Goldsmith G41 2BG
Karen McGroarty G83 9HB
Kim Burke G84 8LF
Kel McLean G3 6SJ
Emma Reid G46 7JL
John Fullerton G41 2BJ
Sean Stewart G83 9DF
Valerie MacLeod G46 8LJ
Peter Broughan G83 8 RT
Thomss Crocket G82 1HJ
Michael Gallacher IV180PE
Jim McArthur G83 8BE
Inge Fik G83 8ER
Anthony Pickford G83 8SR
Alexander Wilson PA34 4BX
James Selbie DD2 2RA
Drew MacEoghainn G82 4PD
Ian Sanderson PA29 6YJ
Colin Adam G82 2LJ
Brendan O'Hara 8 Colquhoun Square Helensburgh Argyll And Bute G84 8AD
Portincaple Residents Association
Marnie Hodge KA22 7AF
Georgina Carlisle KA7 2PY
Graham Boswell G51 4JL
Fiona Forbes KY2 6SX
Susan Brown G74 4GL
Cerys Galbraith G41 3JP
Andy Kelly G33 1DT
Abi Edmondson EH31 2DR
Rosalind Gaffney G51 4JA
Alasdair Lannigan G82 4HT
Ian Hays PH34 4DT
Rebecca Scott ML9 2JR
Sophia Devaney RG20 8HG
Alannah Maurer G84 0EL
Michael Quinn G20 7JZ
David O'Donnell G830TB
Fiona McGowran EH49 7ET
Adrian Coll G840PH
Paul Neilson KA3 7HN
Stacey Lowry LS123TY
Megan Lindsay PA13 4NA
James Hennebry G83 9LQ
Elizabeth Snowden G83 8JR
Sharon Parker G72 0QN
Ellena Hudson EH10 4NB
Paddy Cusick G536QE

Devin Healy G84 8RR
Alexander Perrie G838SX
Janice Ross G83 9NZ
Liz Kerr G848LW
Mark Wright OX3 7RU
Kirsty Jefferies DD14LN
Christina Purdon G84 8RS
Eileen Cameron BA2 2SA
Neil Galligan DD7 7GZ
Kester Park PA23 7TA
Nicholas McGranachan G83 8JJ
Jan Barr G84 9HP
Karen Ray PA75 6PB
E Sheppard G61 1PF
Euan McMurtrie G74 3AW
Elizabeth Gibson G84 7NJ
Iain Duncan G14 9RJ
Louise Wright G33 2HW
Celia Peerless EH52 5EB
Ross Greer 38 Stewart Street Milngavie G62 6BY
Rowan Clark G83 8EP
Oliver Symon G41 1RF
Katherine Walker G84 9PP
Mark Utting PA23 8SE
James Campbell G11 5AY
Sean Williamson G41 3JH
Christopher Sclater FK20 8RY
Victoria Slaven PA5 0EJ
Qasim Naz G61 4JA
Malgorzata McCallum G45 9HR
Joseph Bergin EH14 7DP
Rory Hobbs Address Not Provided
Marie Deeley G82 5AR
Drew Craig EH16 6XD
Ellen Stewart G84 9AF
Rosemary Banner EH15 1TQ
Moyra Conner G84 8SD
Eileen McDonald G84 8BE
Elizabeth Finlayson PH1 3NF
Malcolm Lind PH10 7DG
Sam Gallagher KA21 5NQ
Mary Gray G84 0EG
David Battle TD6 9JA
Amanda Allen DD11 3DB
Alice McCartney G848UU
Elaine Mason KW15 1BZ
Magnus Hay AB15 6NG
Gillian Mcglone PA30 8EW
Lyndsay McLees PO12 2HY
Tony Mayes RG226QB
Jade Jemmett BS24 9DF
David Inglis EH16 5ET
Erika Charlier PA17 5DY
Fiona Hughes KW16 3DQ
Steven Turner G84 0JX

Gavin Kidd AB219FQ
Kava F AB30 1FA
Tami Mawhinney G84 0EU
K Hunter EH11 1NP
Judith Orr AB51 4WY
Neil Russell DD10 9LH
Jason Miles AB24 2SD
Margaret Watt KY1 2PQ
Naomi Dixon KW16 3BN
Julie Bailey SE10 0DF
Moirra Chapman FK10 4LY
Cavan Dunne KW17 2QS
Anne Nelson PA24 8AF
Karen McCall KY11 9GL
Barry Mitchell ML10 6BY
Kate Williams G84 8RT
Lorna Dennett G82 1SA
Susanna Miller PA24 8AH
Rory Crutchfield PA31 8TA
Shayne MacFaull PH41 4QQ
Carol Greenwell G84 7LY
James West AB10 6QL
Simeon Maurer G84 0EL
Helen Cairns KW16 3HZ
Robbie Maclean HS9 5XX
Scott Johnson ZE1 0AZ
Douglas Jones G8R 7QL
Karen Riddell IV16 9XT
Emily Campbell G72 0XT
Emma Parkinson AB54 8JZ
Ben Chaddock G13 1JB
William Higgins G84 0HS
Michelle Sclater KW16 3EQ
Dave Anderson Flat 3/2 Garrioch Road Glasgow G10 8RP
Dan Barry Mosscroft Lonmay Aberdeenshire AB43 8XT
April Bassett 5 Kelvin Drive Hillhead Glasgow G20 8QG
Clara Bean-Garden 15 Tom-A-Mhoid Rosneath Helensburgh Argyll And Bute
Anthony Borthwick 73 Shore Road Innellan Dunoon Argyll And Bute
Colin Bryan Branziet Farm Cottage Balmore Road Bardowie G64 4AH
Colin Buist 8 East Argyle Street Helensburgh Argyll And Bute G84 7RR
Ashleigh Bysouth 5 Empress Drive Helensburgh Argyll And Bute G84 8QL
Ann Marie Campbell 23 Ferry Road Rosneath Helensburgh Argyll And Bute
Xiomara Vasquez No Postcode Or Address
Donald Birnie R93H 7DA
Olivia Finch PA13 4JU
Ishbel Ross G11 5AU
Debbie O'Hara PH50 4QP
Caitlin Rowan G83 8SF
Emily Friels G84 7JD
Rebecca Friels G84 7JD
Freya Lockhart G82 5PD
Freya Gray Stone BS3 4TL
Rachel Barrack G412HN
Pat Mackie RM5 2LU
Alice Harley FK2 8FF

Fiona Baillie G627LF
Bella Parsons G840ET
Annemarie Baxter G84 0EL
Derek Thomson HS2 0QD
Lorraine Thomas G839EZ
Ailsa Connell G840HY
Scott McMurray G848JG
Barbara Campbell LS28 5SH
Gregor Penman FK2 7BU
Christine Mainwaring KA239BZ
Alexander Mucklow G84 7SH

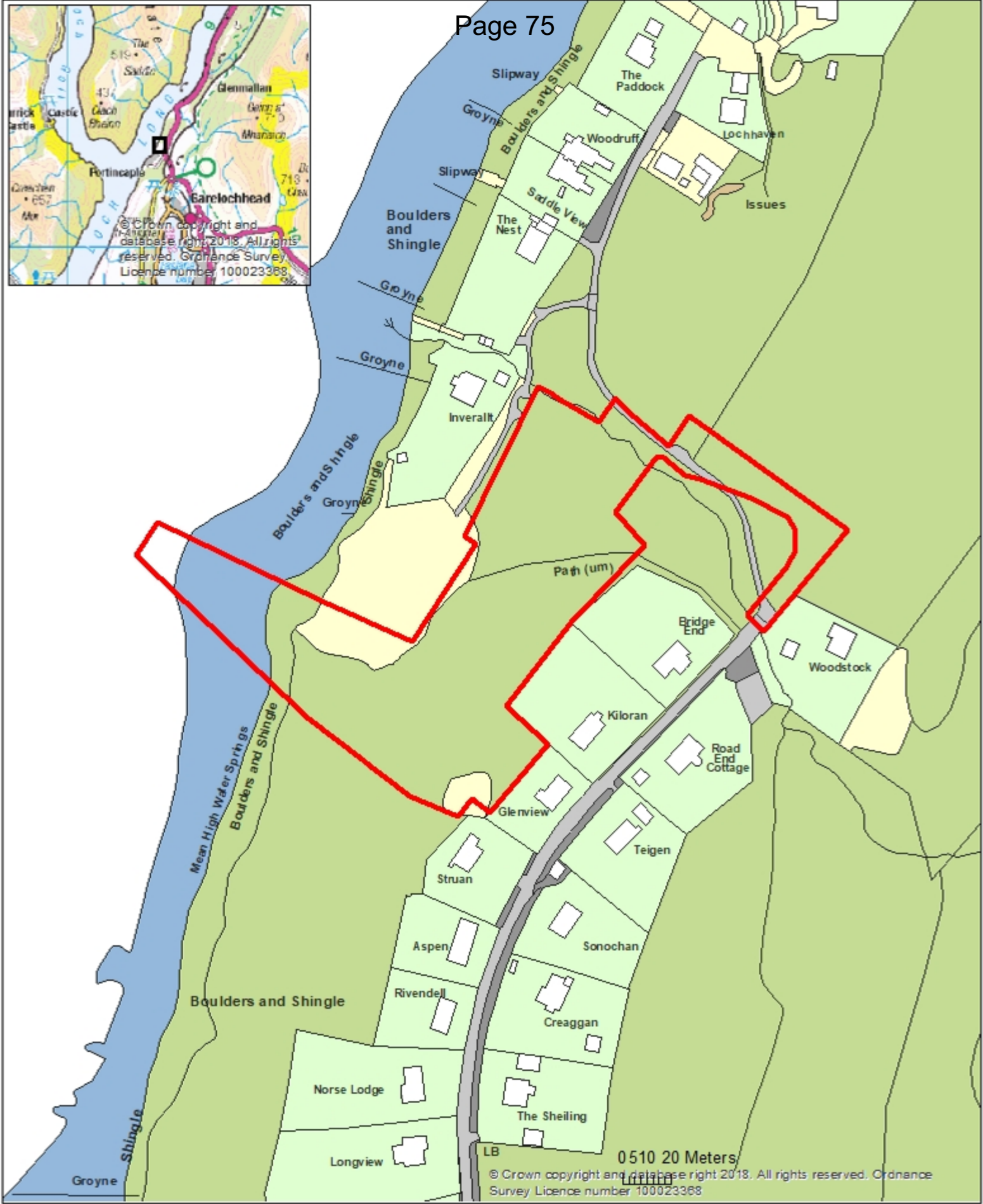
Support

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Philip Hartley G84 8NW

Representation

David Dickson PA2 9BF
Geoff Caldwell KA10 6LE
Gary Moar KW15 1UZ
Christine Pratt Norse Lodge Feuins Road Portincaple Garelochhead
Portincaple Residents Association Bridge End Feuins Road Portincaple Helensburgh
Lynsey McBride G84 8XJ

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Location Plan Relative to planning application: 20/00094/PP



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ARGYLL AND BUTE COUNCIL
PROCEDURE NOTE FOR USE AT
VIRTUAL DISCRETIONARY HEARING

HELD BY THE PLANNING, PROTECTIVE SERVICES & LICENSING COMMITTEE

1. Argyll and Bute Council have determined the need to hold virtual Discretionary Hearings. This procedural note has been drafted to support these meetings.
2. Virtual meetings are those that will **not** involve a physical location. However should circumstances dictate, the Chair and (if appropriate) Vice Chair along with relevant officers will be located in a single venue.
3. The Executive Director with responsibility for Legal and Regulatory Support will notify the applicant, all representees, supporters and objectors of the Council's decision to hold a Hearing and to indicate the date on which the hearing will take place. The hearing will proceed on that day, unless the Council otherwise decides, whether or not some or all of the parties are represented or not. Statutory consultees (including Community Councils) will be invited to attend the meeting to provide an oral presentation on their written submissions to the Committee, if they so wish. Details on how interested parties can access the meeting will be referenced within the same notification.
4. While reasonable efforts will be made to ensure all interested parties can attend the virtual Discretionary Hearing on request, there may be exceptional circumstances, given technological capacity, which may limit the numbers attending. Should this situation arise we will ensure priority access to the meeting will be given to those who have notified of their intention to present to the Committee (e.g. applicant, Planning Authority, statutory consultees and spokespersons of objectors/supporters). Thereafter, invites will be issued to other interested parties until the limit of the meeting is reached.
5. On receipt of the notification the applicant, all representees, including supporters and objectors will be encouraged to appoint one or a small number of spokespersons to present their views to concentrate on the matters of main concern to them and to avoid repetition. Parties who wish to speak at the meeting shall notify Argyll and Bute Council no less than 2 working Days (excluding public holidays and weekends) prior to the start of the meeting. This is to facilitate remote access (see note 1) and the good conduct of the meeting.
6. The Executive Director with responsibility for Legal and Regulatory Support will give a minimum of 7 days' notice of the date and time for the proposed Hearing to all parties.

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7. The hearing will proceed in the following order and as follows.
8. The Chair will introduce the Members of the Committee, confirm the parties present who have indicated their wish to speak and outline the procedure which will be followed. It is therefore imperative that those parties intending to speak join the meeting at its commencement.
9. The Executive Director with responsibility for Development and Economic Growth's representative will present their report and recommendations to the Committee.
10. The applicant will be given an opportunity to present their case for approval of the proposal and may include in their submission any relevant points made by representees supporting the application or in relation to points contained in the written representations of objectors.
11. The consultees, supporters and objectors in that order (see note 1), will be given the opportunity to state their case to the Committee.
12. All parties to the proceedings will be given a period of time to state their case (see note 3). In exceptional circumstances and on good cause shown the Committee may extend the time for a presentation by any of the parties at their sole discretion.
13. Members of the Committee only will have the opportunity to put questions to the Executive Director with responsibility for Development and Economic Growth's representative, the applicant, the consultees, the supporters and the objectors.
14. At the conclusion of the question session the Executive Director with responsibility for Development and Economic Growth's representative, the applicant, any consultees present, the supporters and the objectors (in that order) will each be given an opportunity to comment on any particular information given by any other party after they had made their original submission and sum up their case.
15. If at any stage it appears to the Chair that any of the parties is speaking for an excessive length of time he/she will be entitled to invite them to conclude their presentation forthwith. (see note 3)
16. The Chair will ascertain from the parties present that they have had a reasonable opportunity to state their case.
17. The Committee will then debate the merits of the application and will reach a decision on it. No new information can be introduced after the Committee begins to debate.
18. The Chair or the Governance Officer on his/her behalf will announce the decision.

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19. A summary of the proceedings will be recorded by the Committee Services Officer.

NOTE

- (1) If you wish to speak at the hearing you will require to notify the Committee Services Officer no less than 2 working Days (excluding public holidays and weekends) prior to the start of the meeting. This is to facilitate remote access and the good conduct of the meeting.

In the event that a party wishes to speak to a visual presentation, this requires to be sent to Committee Services no less than 2 working days (excluding public holidays and weekends) before the commencement of the Hearing; this will not be shared with other parties prior to the meeting but will ensure its availability for the commencement of the Hearing. The slides that are visible, at any point during the presentation, will be determined by the spokesperson(s). Should, for any reason, this not be possible the Committee Services Officer will control the slides under explicit instruction from the spokesperson(s), it would therefore be helpful if the slides were individually numbered. It would also be helpful if the file size of the presentations is kept to a minimum to mitigate against any potential IT issues – guidance can be provided if required.

If it is your intention to join the hearing to observe the proceedings, please advise the Committee Services Officer no less than 2 working Days (excluding public holidays and weekends) prior to the start of the meeting to facilitate remote access.

- (2) Councillors (other than those on the Committee) who have made written representations and who wish to speak at the hearing will do so under note 1 above according to their representations but will be heard by the Committee individually.
- (3) Recognising the level of representation the following time periods have been allocated to the parties involved in the Hearing. For the avoidance of doubt the time allocated will be per party and will include for example all supporters/objectors in the half hour slot except where additional time is agreed by the Chair.

The representative of the Executive Director with responsibility for Development and Economic Growth – not more than half an hour

The Applicant - not more than half an hour.

The Consultees - not more than half an hour.

The Supporters - not more than half an hour.

The Objectors - not more than half an hour.

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- (4) The purpose of the meeting is to ensure that all relevant information is before the Committee and this is best achieved when people with similar views co-operate in making their submissions.
- (5) Everyone properly qualified as a representee recorded on the application report who wishes to be given an opportunity to speak will be given such opportunity subject to the requirements for notice herein.
- (6) Should, for any reason, Members of the Committee lose connection or have any technical issues during the meeting, they will be asked to contact the Governance or Committee Support officer, if possible, by email or instant message. A short adjournment may be taken to try and resolve the connection. If the Members of the Committee are unable to re-join the meeting and a quorum still exists then the meeting will continue to proceed. If a quorum does not exist the meeting will require to be adjourned. For the avoidance of doubt Members of the Committee have to be present for the whole hearing in order to take part in the decision.
- (7) Should, for any reason, participants in the hearing lose connection or have any technical issues during the meeting, a short adjournment may be taken to try and resolve the connection. In the event the connection cannot be restored within a reasonable timeframe consideration will be given to the continuation of the meeting.
- (8) Members of the Committee will use the instant message box function to indicate to the Chair when they wish to speak to ask a question or make a comment. This function will be monitored by the Chair and by governance staff in attendance. The instant message box should not be used by any other party in attendance. For the avoidance of doubt any comment made using this function other than by Members of the Committee will be disregarded. Misuse of the messaging facility by any attendee could result in that person being removed from the meeting by the Chair.
- (9) Where a Councillor who is a member of the PPSL has made or wishes to make a representation (on behalf of any party) during the meeting in relation to the application under consideration, they should make their position clear to the Chair and declare an interest. Having done so, they may, at the appropriate time, make the relevant representation and then must retire fully from the meeting room prior to deliberation of the matter commencing. A Councillor, not a member of the PPSL, may make a representation (on behalf of any party) during the meeting in relation to the application then must retire fully from the meeting room prior to deliberation of the matter commencing.
- (10) The Council has developed guidance for Councillors on the need to compose a competent motion if they consider that they do not support

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the recommendation from the Executive Director with responsibility for Development and Economic Growth which is attached hereto.

I:data/typing/virtual planning hearings/procedure note

COMPETENT MOTIONS

- Why is there a need for a competent motion?
 - Need to avoid challenge by “third party” to local authority decision which may result in award of expenses and/or decision being overturned.
 - Challenges may arise from: judicial review, planning appeal, ombudsman (maladministration) referral. Expenses may be awarded against unsuccessful parties, or on the basis of one party acting in an unreasonable manner, in appeal/review proceedings.
- Member/Officer protocol for agreeing competent motion:
 - The process that should be followed should Members be minded to go against an officer’s recommendation is set out below.
- The key elements involved in formulating a competent motion:
 - It is preferable to have discussed the component parts of a competent motion with the relevant Member in advance of the Committee (role of professional officers). This does not mean that a Member has prejudged the matter but rather will reflect discussions on whether opinions contrary to that of professional officers have a sound basis as material planning considerations.
 - A motion should relate to material considerations only.
 - A motion must address the issue as to whether proposals are considered consistent with Adopted Policy of justified as a departure to the Development Plan. Departure must be determined as being major or minor.
 - If a motion for approval is on the basis of being consistent with policy reasoned justification for considering why it is consistent with policy contrary to the Head of Development and Economic Growth’s recommendation must be clearly stated and minuted.
 - If a motion for approval is on the basis of a departure from policy, reasoned justification for that departure must be clearly stated and minuted. Consideration should be given to holding a PAN 41 Hearing (determined by policy grounds for objection, how up to date development plan policies are, volume and strength of representation/contention)
 - A motion should also address planning conditions and the need for a Section 75 Agreement.
 - Advice from the Scottish Government as contained within Planning Circular 3/2013: Development management procedures on the definition of a material planning consideration is attached herewith However, interested parties should always seek their own advice on matters relating to legal or

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planning considerations as the Council cannot be held liable for any error or omission in the said guidance.

DEFINING A MATERIAL CONSIDERATION

1. Legislation requires decisions on planning applications to be made in accordance with the development plan (and, in the case of national developments, any statement in the National Planning Framework made under section 3A (5) of the 1997 Act) unless material considerations indicate otherwise. The House of Lord's judgement on *City of Edinburgh Council v the Secretary of State for Scotland* (1998) provided the following interpretation. If a proposal accords with the development plan and there are no material considerations indicating that it should be refused, permission should be granted. If the proposal does not accord with the development plan, it should be refused unless there are material considerations indicating that it should be granted.
2. The House of Lord's judgement also set out the following approach to deciding an application:
 - Identify any provisions of the development plan which are relevant to the decision,
 - Interpret them carefully, looking at the aims and objectives of the plan as well as detailed wording of policies,
 - Consider whether or not the proposal accords with the development plan.
 - Identify and consider relevant material considerations for and against the proposal, and
 - Assess whether these considerations warrant a departure from the development plan.
3. There are two main tests in deciding whether a consideration is material and relevant:
 - It should serve or be related to the purpose of planning. It should therefore relate to the development and use of land, and
 - It should fairly and reasonably relate to the particular application.
4. It is for the decision maker to decide if a consideration is material and to assess both the weight to be attached to each material consideration and whether individually or together they are sufficient to outweigh the development plan. Where development plan policies are not directly relevant to the development proposal, material considerations will be of particular importance.
5. The range of considerations which might be considered material in planning terms is very wide and can only be determined in the context of each case. Examples of possible material considerations include:
 - Scottish Government policy, and UK Government policy on reserved matters
 - The National Planning Framework
 - Scottish planning policy, advice and circulars
 - European policy
 - A proposed strategic development plan, a proposed local development plan, or proposed supplementary guidance

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- Guidance adopted by a Strategic Development Plan Authority or a planning authority that is not supplementary guidance adopted under section 22(1) of the 1997 Act
 - A National Park Plan
 - The National Waste Management Plan
 - Community plans
 - The Environmental impact of the proposal
 - The design of the proposed development and its relationship to its surroundings
 - Access, provision of infrastructure and planning history of the site
 - Views of statutory and other consultees
 - Legitimate public concern or support expressed on relevant planning matters
6. The planning system operates in the long term public interest. It does not exist to protect the interests of one person or business against the activities of another. In distinguishing between public and private interest, the basic question is whether the proposal would unacceptably affect the amenity and existing use of land and buildings which ought to be protected in the public interest, not whether owners or occupiers of neighbouring or other existing properties would experience financial or other loss from a particular development.

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