

**MINUTES of MEETING of PLANNING, PROTECTIVE SERVICES AND LICENSING COMMITTEE
held BY SKYPE on WEDNESDAY, 23 JUNE 2021**

Present: Councillor David Kinniburgh (Chair)

Councillor Rory Colville	Councillor Donald MacMillan BEM
Councillor Audrey Forrest	Councillor Roderick McCuish
Councillor George Freeman	Councillor Alastair Redman
Councillor Kieron Green	Councillor Sandy Taylor
Councillor Graham Hardie	Councillor Richard Trail

Attending: Stuart McLean, Committee Manager
Peter Bain, Development Manager
Alan Morrison, Regulatory Services Manager
David Love, Area Team Leader – Mid Argyll, Kintyre and the Islands
Derek Wilson, Development Management Officer

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Gordon Blair, Mary-Jean Devon and Jean Moffat.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. MINUTES

The Minutes of the Planning, Protective Services and Licensing Committee held on 19 May 2021 were approved as a correct record.

4. MR CAMPBELL MACKELLAR: ERECTION OF TWO INDUSTRIAL UNITS FOR CLASS 4 BUSINESS: MULL OF KINTYRE INDUSTRIAL ESTATE, ALBYN ROAD, CAMPBELTOWN (REF: 21/00700/PP)

The Development Management Officer spoke to the terms of the report. The proposal is for two main business units each approximately 120sqm either side of the existing access to the 810 sqm rectangular site beside the unclassified road known as Roding and in the Main Settlement of Campbeltown as defined in the Local Development Plan (adopted 2015). The site is within the Area of Action (AFA 14/5) which is a strategic designation for relocation/redevelopment and improvement at the edge of town centre and is currently vacant. There were no representations against continuing the AFA during the consultation period of LDP2 and therefore it is still regarded as a suitable site for redevelopment and improvement. The site is at the northerly edge of an Established Business and Industry Area where there is a presumption in favour of development.

The Development Management Officer advised that a total of 21 representations have been received, of which 16 were wholly negative, 3 held negative and positive comments, and 2 were wholly supportive. All issues raised have been addressed by consultees and within the report of handling and associated proposed conditions. In these circumstances,

it is considered that a hearing would add little value to the determination process. Officers are satisfied that there will not be any adverse effects on nearby residential properties.

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

Motion

To agree to hold a discretionary hearing in advance of determining this application.

Moved by Councillor Rory Colville, seconded by Councillor Graham Hardie.

Amendment

To agree to grant planning permission subject to the conditions and reasons detailed in the report of handling.

Moved by Councillor David Kinniburgh, seconded by Councillor George Freeman.

A vote was taken by calling the roll.

Motion

Councillor Colville
Councillor Hardie
Councillor Taylor

Amendment

Councillor Forrest
Councillor Freeman
Councillor Green
Councillor Kinniburgh
Councillor MacMillan
Councillor Redman
Councillor Trail

The Amendment was carried by 7 votes to 3 and the Committee resolved accordingly.

Decision

The Committee agreed to grant planning permission subject to the following conditions and reasons:

1. The development shall be implemented in accordance with the details specified on the application form dated 26.03.2021, 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	2864/101	-	29.03.2021
Site plan	2864/102	-	29.03.2021
Plan and elevations unit 1	2864/103	-	29.03.2021
Plan and elevations unit 2	2864/104	-	16.04.2021
Fence and water	2864/105	-	29.03.2021

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

2. Notwithstanding the provisions of Condition 1, the proposed access shall have a minimum width of 5.50 metres and visibility splays of 42 metres to point X by 2.40 metres to point Y from the centre line of the proposed access. Prior to work starting on site the access hereby approved shall be formed to at least base course standard and the visibility splays shall be cleared of all obstructions such that nothing shall disrupt visibility from a point 1.05 metres above the access at point X to a point 0.6 metres above the public road carriageway at point Y. The final wearing surface on the access shall be completed prior to the development first being brought into use and the visibility splays shall be maintained clear of all obstructions thereafter.

Reason: In the interests of road safety.

3. A dropped kerb pedestrian crossing is to be provided at the connection to the public road and vehicular gates are to open inwards to the site. Any boundary fence must not obscure the visibility splay for the house named Trelane to the west of the site and which requires visibility splays of 42m x 2.40m x 1.05m.

Reason: In the interests of road safety.

4. There are to be three parking spaces for each unit which must remain clear for use in perpetuity. No outside storage is to be permitted in the vehicle access, turning or parking areas.

Reason: In the interests of road safety.

5. The land and premises to which this permission relates shall only be used for Class 4 (light industry) and for no other use including any other purpose in Class 6 (Storage and Distribution) of the Town and Country Planning (Use Classes) (Scotland) Order 1997 and the General Permitted Development Order 1992 (as amended).

Reason: To enable the Planning Authority to control any subsequent change of use which might otherwise benefit from deemed permission in order to protect the amenity of the locale.

6. No development shall commence until a scheme of boundary treatment, surface treatment and landscaping has been submitted to and approved by the Planning Authority. The scheme shall include details of:

- (i) Location, design and materials of proposed fences and gates and walls.
- (ii) Surface treatment of proposed means of access and hardstanding areas.
- (iii) Any proposed re-contouring of the site by means of existing and proposed ground levels.
- (iv) Proposed hard and soft landscape works.

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

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

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

7. 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.

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.

8. The Noise Rating Level attributable to the operation of the approved development shall not exceed background noise levels by more than 3dB (A) at any residential property measured and assessed in accordance with BS4142:2014.

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

9. Notwithstanding the provisions of Condition 1, the development hereby permitted shall be restricted to the specified operational hours of Mondays to Fridays 08:00 hours until 18:00 hours and 08:00 hours to 13:00 hours on Saturdays. Sundays and Bank Holidays the use shall not be permitted at all.

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

(Reference: Report by Head of Development and Economic Growth dated 8 June 2021, submitted)

During consideration of the foregoing item Councillor Roderick McCuish lost internet connection before the vote was taken on application reference 21/00700/PP. He returned to the meeting during consideration of item 5 of this Minute and indicated that he would have voted in favour of the Motion in respect of the planning application at item 4. The Committee Manager confirmed that Councillor McCuish's vote would not have changed the final decision of the Committee.

5. **MR FERGUS MURRAY: DEMOLITION OF SINGLE STOREY LEAN-TO EXTENSION, REPLACE FORMER ENTRANCE DOOR WITH TIMBER FRAME DOUBLE GLAZED FIXED WINDOW. REPAIRS TO EXISTING HARLING WILL BE MADE TO MATCH EXISTING: 73 ARGYLL STREET, LOCHGILPHEAD (REF: 21/00796/PP)**

The Area Team Leader spoke to the terms of the report. The proposed works comprise of the demolition of the existing single storey lean-to extension at the rear of the property and replacement of the former rear entrance door with a timber framed window. Repair will also be made to the harling to match the existing. The site of the proposal is located within the settlement zone of Lochgilphead and Ardrishaig. The dwellinghouse is a category B listed building and is also located within the Lochgilphead Conservation Area.

No relevant consultations were required and no third party representations received. The application is before the Committee as the Applicant is a senior officer of the Council. The proposal is considered to be acceptable in regard to all relevant material considerations including national and local planning policy and supplementary guidance.

It was recommended that planning permission be granted subject to the conditions and reasons detailed in the report of handling.

Decision

The Committee agreed to grant planning permission subject to the following conditions and reasons:

1. The development shall be implemented in accordance with the details specified on the application form dated 9 April 2021, 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	1 of 4		12.04.2021
North Elevation as Existing	2 of 4		12.04.2021
West Elevation as Existing and Proposed	3 of 4		12.04.2021
North Elevation as Proposed	4 of 4		12.04.2021

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

2. Notwithstanding the effect of Condition 1, no development shall commence until scaled plans (1:20) of the window unit to be installed in the development have been submitted to and approved by the Planning Authority. Thereafter the development shall be completed in accordance with the approved details or such alternatives as may be agreed in writing with the Planning Authority.

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

(Reference: Report by Head of Development and Economic Growth dated 8 June 2021, submitted)

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

6. MR FERGUS MURRAY: DEMOLITION OF SINGLE STOREY LEAN-TO EXTENSION, REPLACE FORMER ENTRANCE DOOR WITH TIMBER FRAME DOUBLE GLAZED FIXED WINDOW. REPAIRS TO EXISTING HARLING WILL BE MADE TO MATCH EXISTING: 73 ARGYLL STREET, LOCHGILPHEAD (REF: 21/00784/LIB)

The Area Team Leader spoke to the terms of the report. Listed Building Consent is sought for the demolition of a single storey lean-to extension at the rear of the property and the replacement of the former rear entrance door with a timber framed window. Repair will also be made to the harling to match the existing. The site of the proposal is located within the settlement zone of Lochgilphead and Ardrishaig. The dwellinghouse is a category B listed building and is also located within the Lochgilphead Conservation Area.

Historic Environmental Scotland (HES) were consulted but offered no formal comment. The application is before the Committee as the Applicant is a senior officer of the Council. The proposal is considered to conform to the relevant policies of the development plan and there are no other material considerations which would warrant departure from these policies.

It was recommended that Listed Building Consent be granted subject to the conditions and reasons detailed in the report of handling.

Decision

The Committee agreed to grant planning permission subject to the following conditions and reasons:

1. The development shall be implemented in accordance with the details specified on the application form dated 9 April 2021, 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.

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

2. Notwithstanding the effect of Condition 1, no development shall commence until scaled plans (1:20) of the window unit to be installed in the development have been submitted to and approved by the Planning Authority. Thereafter the development shall be completed in accordance with the approved details or such alternatives as may be agreed in writing with the Planning Authority.

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

(Reference: Report by Head of Development and Economic Growth dated 8 June 2021, submitted)

7. FQ4 2020/21 PERFORMANCE REPORT

A paper presenting the Committee with the FQ4 2020/21 performance report for Development and Economic Growth Service was considered.

Decision

The Committee reviewed the FQ4 2020/21 Performance Report as presented.

(Reference: Report by Executive Director with responsibility for Development and Economic Growth dated 20 April 2021, submitted)