MINUTES of MEETING of PLANNING, PROTECTIVE SERVICES AND LICENSING COMMITTEE held BY MICROSOFT TEAMS on WEDNESDAY, 17 NOVEMBER 2021

Present: Councillor David Kinniburgh (Chair)

Councillor Gordon Blair
Councillor Rory Colville
Councillor George Freeman
Councillor Kieron Green
Councillor Graham Hardie
Councillor Donald MacMillan BEM
Councillor Roderick McCuish
Councillor Jean Moffat
Councillor Alastair Redman
Councillor Richard Trail

Attending: Shona Barton, Committee Manager
Peter Bain, Development Manager
Sandra Davies, Major Applications Team Leader
Howard Young, Area Team Leader
David Moore, Senior Planning Officer
Steven Gove, Planning Officer
Graeme McMillan, Solicitor
Donna Lawson, Traffic and Development Officer

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Mary-Jean Devon, Audrey Forrest and Sandy Taylor.

2. DECLARATIONS OF INTEREST

Councillor Richard Trail declared a non-financial interest in Agenda item 6, Planning Application reference 21/01288/PP and Agenda item 11, application for Listed Building Consent reference 21/01297/LIB as a close family member had made an objection to these applications. He advised that he would leave the meeting and take no part in the determination of these applications.

Councillor Jean Moffat declared a non-financial interest in Agenda item 5, Planning Application reference: 21/01014/PP. She indicated that it was not a significant interest and confirmed she would remain in the meeting during the determination of this application.

The Chair ruled, and the Committee agreed to consider Agenda item 11, Listed Building Consent reference: 21/01297/LIB, directly after item 6, Planning Application reference: 21/01288/PP.

The Chair ruled, and the Committee agreed, that Agenda item 12, Planning Application reference: 20/02337/PP, be considered as a matter of urgency due to the timescales involved and to consider this after Agenda item 7, Planning Application reference 21/01585/PP.

3. MINUTE

The Minute of the Planning, Protective Services and Licensing Committee held on 20 October 2021 was approved as a correct record.

4. CIVIC GOVERNMENT (SCOTLAND) ACT 1982: DESIGNATED LIST OF WHEELCHAIR ACCESSIBLE TAXI AND PRIVATE HIRE VEHICLES

Section 149 of the Equality Act 2010 imposes on local authorities a public sector equality duty. Under this duty the Council must have due regard to, amongst other things, the need to: eliminate discrimination; and advance equality of opportunity between people who share a relevant protected characteristic, and persons who do not share it. This applies to the Council fulfilling its role as licensing authority under the Civic Government (Scotland) Act 1982.

A report relating to the compliance of the licensing authority with the public sector equality duty, specifically with regards to wheelchair accessible vehicles was considered.

Decision

The Committee agreed that:

1. Argyll and Bute Council should publish a list of designated wheelchair accessible vehicles (WAVs) for licensed taxis and private hire cars (PHCs) within the Council's area for the purposes of Section 165 of the Equality Act 2010;

2. a draft specification of what accessibility requirements must be met before a vehicle will be included in any designated list would be presented to the PPSL Committee for approval at their meeting on 15 December 2021;

3. a draft list of designated WAVs, based on the approved specification, be initially prepared by Officers;

4. intimation be given to the relevant licence operators that the Council propose to designate their licensed vehicle, inform them of the legal consequences of this, and invite representations;

5. after consideration of any representations, the PPSL Committee, at their meeting in April 2022, would approve a final list of designated WAVs; and

6. the designated list be published consequent to the decision of Members.

(Reference: Report by Executive Director with responsibility for Legal and Regulatory Support dated 28 October 2021, submitted)

5. MRS MORAG SHAW: ALTERATIONS TO FRONT ELEVATION OF DWELLINGHOUSE; DEMOLITION OF GREENHOUSE AND SHED; AND ERECTION OF NEW TIMBER SHED AND GARAGE: 9 CRAIGNETHAN, ROTHESAY, ISLE OF BUTE (REF: 21/01014/PP)

The Planning Officer spoke to the terms of the report. The application site comprises an existing dwellinghouse and garden located within the Main Town settlement of Rothesay. The Craignethan development was built in 2002 and is one of the largest residential developments that has been constructed in the Rothesay Conservation Area in recent years. A total of 13 objections to the proposed development have been received and are considered in detail at Section F of the report. The key assessment is whether the proposals would preserve and/or enhance the character and appearance of both the

subject dwellinghouse and the wider Rothesay Conservation Area. It is considered that the proposed works would have a neutral effect thereby preserving the character and appearance of both the subject dwellinghouse and the wider Rothesay Conservation Area.

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

Motion

To agree to grant planning permission subject to the condition and reason detailed in the report.

Moved by Councillor David Kinniburgh, seconded by Councillor Graham Hardie.

Amendment

To agree to continue consideration of this application and hold a site visit so Members can fully assess the site and impact this proposal would have.

Moved by Councillor George Freeman, seconded by Councillor Jean Moffat.

A vote was taken by calling the roll.

Motion	Amendment
Councillor Colville	Councillor Blair
Councillor Green	Councillor Freeman
Councillor Hardie	Councillor McCuish
Councillor Kinniburgh	Councillor Moffat
Councillor MacMillan	Councillor Trail
Councillor Redman	

The Motion was carried by 6 votes to 5 and the Committee resolved accordingly.

Decision

The Committee agreed to grant planning permission subject to the following condition and reason:

1. The development shall be implemented in accordance with the details specified on the application form dated 11th May 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 7**		**12.05.2021**
Existing & Proposed Site Plans	**2 of 7**		**26.07.2021**

Partial Ground Floor Plans & Elevation	**3 of 7**		**30.06.2021**
Existing & Proposed Front Elevation	**4 of 7**		**30.06.2021**
Existing & Proposed Side Elevations	**5 of 7**		**30.06.2021**
Proposed Garage	**6 of 7**		**30.06.2021**
Proposed Shed	**7 of 7**		**30.06.2021**

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

(Reference: Report by Head of Development and Economic Growth dated 25 October 2021, submitted)

Having declared an interest in the following items, Councillor Richard Trail left the meeting at this point.

6. MR DAVID MCKERROW: FORMATION OF VEHICULAR ACCESS WITH GATE AND PARKING AREA (PART RETROSPECTIVE): 17-19 WEST CLYDE STREET, HELENSBURGH (REF: 21/01288/PP)

The Area Team Leader spoke to the terms of the report and to supplementary report number 1. This application was before the Committee for consideration at its meeting on 20 October 2021. It was agreed at this meeting to continue consideration to a future meeting and request the Council's Roads Officer to be in attendance at this meeting to answer questions and address concerns raised by members regarding visibility splays at the access onto the private road.

The proposal is for the formation of a parking court area for 5 vehicles within the existing walled rear curtilage of listed building location within the Helensburgh Conservation Area. Physical works comprise the removal of a section of wall along the rear boundary of the curtilage to form an opening onto a private access road on adjacent land. A 3 metre long section of wall has been removed prior to this application. It is also proposed to install a sliding metal gate across this opening.

The proposal involves taking access from a private access lane to create a private car park. As it is not part of the public road network the Roads Authority has no control/locus in this instance other than in relation to manoeuvrability in and out of the private car park. The access lane varies from 5.5 to 6 metres in width, the access from the private lane onto the lower part of Colquhoun Street is considered acceptable and there are both low speeds and low volumes of traffic. Consequently the Roads Authority have only requested that this opening should be increased to a minimum of 3.7 metres to allow cars to go in and out in forward gear. They have stated that no improvements are required in

terms of visibility. A total of 22 objections to the proposed development have been received plus two expressions of support.

It is considered that the proposed development can be supported as being consistent with the relevant provisions of the Argyll and Bute Local Development Plan – 2015 and 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 18th June 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 3 – 2126/PL-01	-	21.06.2021
Existing Plan & Elevation	2 of 3 – 2126/PL-02	-	21.06.2021
Proposed Plan, Elevation & Gate Details	3 of 3 – 2126/PL-03	-	21.06.2021-

   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, no development shall commence until the full details of the access junction, showing a minimum clear opening of 3.70 metres in the boundary wall has been submitted to and approved in writing by the planning authority in consultation with the Council's Road Engineers. The opening shall be created in accordance with the approved design prior to commencement of any development within the proposed parking area and the approved scheme completed in full prior to the proposed parking being brought into use.

   Reason: In the interests of road safety.

3. Notwithstanding the provisions of Condition 1, no development shall commence until full details of the layout and surfacing of a parking and turning area within the application site have been submitted to and approved in writing by the Planning Authority in consultation with the Council's Roads Engineers. These details shall include: -

   i) Parking bays measuring no less than 2.5 metres by 5 metres; and,
   ii) An aisle of minimum 6.0 metres width.

   The duly approved scheme shall be implemented in full prior to the proposed parking area first being brought into use.

Reason: In the interest of road safety.

4. Notwithstanding the effect of Condition 1, no development shall commence until a full manufacturers specification for the pavers, including details of material, colour and finis, to be used in the surfacing of the parking court 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 preserve the setting of the listed building and the character and appearance of the conservation area.

5. Notwithstanding the provisions of Condition 1, no development shall commence until details of the intended means of surface water drainage to serve the development have been submitted to and approved in writing by the Planning Authority.

   The duly approved scheme shall be implemented in full concurrently with the development that it is intended to serve and shall be operational prior to the first use of the parking area and maintained as such thereafter.

   Reason: To ensure the provision of an adequate surface water drainage system and to prevent flooding.

(Reference: Report by Head of Development and Economic Growth dated 7 October 2021 and supplementary report number 1 dated 15 November 2021, submitted)

7. MR DAVID MCKERROW: FORMATION OF VEHICULAR ACCESS WITH GATE AND PARKING AREA (PART RETROSPECTIVE): 17 - 19 WEST CLYDE STREET, HELENSBURGH (REF: 21/01297/LIB)

The Area Team Leader spoke to the terms of the report. This application was before the Committee for consideration at its meeting on 20 October 2021. In light of the Committee's decision at that meeting to defer consideration of Planning Application reference 21/01288/PP, the Committee had also agreed to continue consideration of this application.

The proposal is for the formation of a parking court area for 5 vehicles within the existing walled rear curtilage of a listed building located within the Helensburgh Conservation Area. The Category 'C' Listed Building is a 3 storey, traditional stone tenement building fronting onto West Clyde Street. The rear curtilage is bound to either side by outbuildings and by stone walls approximately 1.6 – 1.8 metres high. The rear boundary wall separates the application site from an access service road that leads to a car park to the rear of Colquhoun Square. Approximately 3.45 metres of the original stone wall remains along the rear boundary and is not affected by the proposed development. The paving of a grassed yard with pavers will not have a material impact upon the setting of the listed building. The section of wall that has been removed is a relatively modern brick in-fill and as such it has nominal historic value in terms of building fabric. The formation of a gate measuring 3.7 metres in width within the rear wall of the curtilage of the listed building will retain the enclosed character of its setting.

The proposed development is considered to be consistent with relevant local development plan policies and it was recommended that Listed Building Consent be granted subject to the conditions and reasons detailed in the report.

Decision

The Committee agreed to grant Listed Building Consent subject to the following conditions and reasons:

1. The works permitted to which this consent relates must be begun within three years from the date of this permission.

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

2. Unless otherwise directed by any of the conditions below, the works shall be implemented in accordance with the details specified on the application form dated 18th June 2021, supporting information and, the approved drawings listed in the table below.

Plan Title.	Plan Ref. No.	Version	Date Received
Location Plan	1 of 3 – 2126/PL-01	-	21.06.2021
Existing Plan & Elevation	2 of 3 – 2126/PL-02	-	21.06.2021
Proposed Plan, Elevation & Gate Details	3 of 3 – 2126/PL-03	-	21.06.2021-

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

(Reference: Report by Head of Development and Economic Growth dated 7 October 2021, submitted)

Councillor Trail returned to the meeting at this point.

8. MR GRAEME MILLER: INSTALLATION OF 3 REPLACEMENT WINDOWS (RETROSPECTIVE): FLAT 1/3, 4 DEANHOOD PLACE, ROTHESAY, ISLE OF BUTE (REF: 21/01585/PP)

The Planning Officer spoke to the terms of the report. Planning permission is sought for the retention of three replacement windows (two on the front elevation and one on the rear) in a first floor flat at 4 Deanhood Place, which is located within the Rothesay Conservation Area. The previous windows in the flat (and the windows in adjoining properties within the wider block) are traditional, white-painted, two-paned, timber, single-glazed, sliding sash and case units. The two windows that have been installed on the front elevation, although incorporating a sliding sash and case method of opening, lack the elegance and refinement of a traditional timber window due to their uPVC finish.

In December 2015, Argyll and Bute Council adopted a Technical Working Note in order to provide clear and consistent planning advice in relation to the replacement and refurbishment of windows in Listed Buildings and in the Rothesay Conservation Area. 4

Deanhood Place was identified as a 'Prime Townscape Block'. Within such blocks, the Technical Working Note advocates the refurbishment/repair of windows or the installation of 'like-for-like' replacements as the preferred options. In cases where it can be demonstrated that the existing windows are beyond economic repair, the installation of high quality double-glazed units that are identical to the original windows in all other aspects are very likely to be permitted.

It is considered that the replacement windows are visually intrusive and discordant and detract from the character and appearance of the existing building and the wider Rothesay Conservation Area to an unacceptable degree.

It was recommended that planning permission be refused for the reasons set out in the report of handling.

Decision

The Committee agreed to refuse planning permission for the following reasons:

1. The replacement windows that are the subject of this application have a uPVC finish and do not match the upper sash/lower sash split of the previous windows in the subject flat; of the existing adjoining windows in the building; or of the windows approved under Planning Permission 20/01645/PP in adjoining properties.

   Argyll and Bute Council adopted the Rothesay Windows Technical Working Note in 2015 and 4 Deanhood Place, by virtue of its visual prominence and its largely unaltered traditional fenestration, was identified as a '*Prime Townscape Block*' in recognition of the pivotal role that it played in creating the unique sense of place and heritage interest in the Rothesay Conservation Area.

   Within such Prime Townscape Blocks, the adopted Technical Working Note advocates the refurbishment/repair of windows or the installation of *'like-for-like*' replacements as the preferred options. In cases where it can be demonstrated that the existing windows are beyond economic repair, the installation of high quality double-glazed units that are identical to the original windows in all other respects are very likely to be permitted.

   The two windows that have been installed on the front elevation, although incorporating a sliding sash and case method of opening, lack the elegance and refinement of a traditional timber window due to their uPVC finish. The difference in the upper sash/lower sash split is palpable in the context of the continuity of the existing fenestration in the block and, when combined with the modern finish, results in the presence of windows that are visually intrusive and discordant and that detract from the character and appearance of the existing building and the wider Rothesay Conservation Area to an unacceptable degree.

   On the basis of the foregoing, the development is contrary to Policies LDP STRAT 1, LDP 3 and LDP 9 and Supplementary Guidance policies SG LDP ENV 17 and SG LDP Sustainable Siting and Design Principles of the Argyll and Bute Local Development Plan 2015. Furthermore, the works are not consistent with Argyll and Bute Council's adopted Rothesay Windows Technical Working Note 2015 nor with the expectations of Historic Environment Scotland through their '*Managing Change in the Historic Environment*' guidance on windows.

(Reference: Report by Head of Development and Economic Growth dated 2 November 2021, submitted)

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

9. ARDNAHOE DISTILLERY COMPANY LTD: ERECTION OF WHISKY MATURATION WAREHOUSES AND ASSOCIATED WORKS: ARDNAHOE DISTRILLERY, PORT ASKAIG, ISLE OF ISLAY (REF: 20/02337/PP)

The Development Manager spoke to the terms of the report and to supplementary reports 1 and 2. This application was before the Committee for consideration at its meeting on 20 October 2021. It was agreed at this meeting to continue consideration to a future meeting due a late holding objection received from SEPA which was subsequently withdrawn following the submission of further information from the Applicant to address SEPA's concerns, as detailed in supplementary report number 2.

The proposal is to build nine warehouses to the north west of the existing distillery and a dunnage warehouse beside the distillery. A new circuit road system will serve all the warehouses and connect to the existing distillery road and to the main road. Objections have been received from 4 individuals in addition to a representation received from Michael Russell who submitted a representation at a time when he was still the local MSP. A summary of the issues raised are detailed at section F of the report.

Reference was made to a couple of minor corrections that were required to be made to the proposed conditions set out in the report of handling. Following submission of the recently revised drainage layout plan referred to in supplementary report number 2, the table of plans within condition 1 requires to be updated with the 5th entry changed to Plan reference 19.0382_701 Rev B received November 2021. Due to a typographical error condition 3 also requires an amendment to confirm that after 20 years it should read that no more than 25% floor space should be made available. The condition in the report erroneously stated 75%.

The proposal is measured principally against policy LDP DM 1(E) which requires an exceptional case to support a large scale development which is not defined as infill, rounding off, redevelopment or change of use of existing buildings. Given the site is straddling between a Rural Opportunity Area (ROA) and countryside, and the scale of the works, policy requires an Area Capacity Evaluation (ACE) to be undertaken to assess the site and wider situation of the proposal. A separate report in this respect has been prepared and attached as Appendix B to the report of handling.

In summary, it is considered that the proposed development will not have an adverse impact upon the views into Islay from the Jura National Scenic Area or the Sound of Islay. The proposed development will result in a significant change in the appearance of the local landscape character with the obvious introduction of a substantially larger scale of built development than that which presently exists and also resulting in the loss of improved grazing land which is a prominent feature of the local landscape setting. The development will, however, deliver boundary tree planting and extensive grasslands proposals which will not only assist in accommodating the development but will considerably strengthen the western edge of another existing key environmental feature in the form of the coastal woodland. On balance, it is considered that the change to the landscape character may be considered to have a neutral impact upon the quality of the receiving landscape character.

The proposal satisfies development plan requirements and is it recommended that the ACE be endorsed as a material consideration in the determination of this application and that planning permission be granted subject to the conditions and reasons detailed in the report of handling, including previously advised amendments to conditions 1 and 3.

Decision

The Committee agreed to endorse the Area Capacity Evaluation (ACE) and 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 21.12.2020, supporting information and, the approved drawings 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.

   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 buildings hereby approved shall be used solely as bonded warehousing stores for storage of whisky and other spirit and no other use including any other purpose in Class 6 and Class 4 of the Town and Country Planning (Use Classes) (Scotland) Order 1997. Furthermore, the buildings hereby approved shall be used solely for the storage of whisky and other spirit distilled on the island of Islay. A detailed inventory of the contents of the building shall be kept and all reasonable opportunity for the inspection of this inventory shall be afforded, by prior arrangement, to any designated representative of the Council in pursuance of their duties in order to ensure compliance with the provisions of this planning condition.

   Reason: In order to define the authorised use and to underpin the 'special need' argument that underlies the justification for the development as a departure to the Development Plan, and to enable the Planning Authority to control any subsequent change of use which might otherwise benefit from deemed permission that might erode the original justification for the development, and to protect the amenity of the locale.

3. Notwithstanding the provisions of Condition 1, the development hereby approved shall be used solely for the storage of whisky and other spirit distilled on the island of Islay. After the first ten years of operation no more than 50% of the approved floorspace shall be available for the storage of production from outwith Ardnahoe Distillery, unless otherwise agreed in writing in advance by the Planning Authority. After a period of 20 years no more than 25% of the floor space shall be made available for non-Ardnahoe products. A detailed inventory of the contents of the building shall be kept and all reasonable opportunity for the inspection of this inventory shall be afforded, by prior arrangement, to any designated representative of the council in pursuance of their duties in order to ensure compliance with the provisions of this planning condition.

   Reason: In order to define the authorised use and to underpin the 'special need' argument that underlies the justification for the development as a departure to the Development Plan, and to enable the Planning Authority to control any subsequent change of use which might otherwise benefit from deemed permission that might erode the original justification for the development, and to protect the amenity of the locale.

4. No development works shall commence until, a Traffic Management Plan has been submitted for the written approval of the Planning Authority in consultation with the Roads Authority. The Plan shall detail approved access routes, agreed operational practices (including avoidance of convoy movements, specifying conduct in use of passing places, identification of turning areas, reporting of verge damage) and shall provide for an appropriate Code of Practice to drivers of construction and delivery vehicles in the transportation of materials. The plan should include all the details of equipment, plant, materials and labour required during the construction works. The plan should include details of new passing places and those to be surfaced in a bituminous material where required. The development shall be implemented in accordance with the duly approved Traffic Management Plan.

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

5. No development shall commence until the developer has obtained written approval from the Planning Authority for a detailed Method Statement, following consultation with the Roads Authority. This Method Statement shall include:

   (i) A carriageway strengthening design from the junction of the A846 to the application site. The approved carriageway strengthening works to be fully completed prior to any other works commencing on site;

   (ii) A detailed condition survey is to be carried out between the junctions of the A846 to the application site prior to any work starting on site. The survey is to be recorded by means of video and photographs copies. This section of the road is to be subject to a weekly inspection to ensure the carriageway remains in a safe condition.

   (iii) Details of routing of all deliveries and construction traffic;

   (iv) Details of all materials, plant, equipment, components and labour required during the construction and operational phases of the development hereby permitted.

   (v) The identification and repair of deteriorated sections of the UC 24 carriageway due to construction traffic involved in the development hereby permitted. Any damage to the public road directly attributable to such construction traffic to be made good by the applicant/developer to the satisfaction of the Planning Authority in consultation with the Roads Authority;

   (vi) Details of the provision and design of additional passing places for an articulated vehicle between the junction of the A846 Port Askaig to Ardbeg road and the application site. The number and location of such passing places shall be agreed by the Planning Authority in consultation with the Roads Authority and the passing places subsequently agreed shall be fully provided before any other works commence on site;

   (vii) Details of a maintenance agreement for the highway improvement works specified above; the scope and duration of which shall be agreed by the Planning Authority in consultation with the Roads Authority. The maintenance agreement subsequently approved shall commence within 14 days of the building hereby approved being first brought into use.

Reason: In order to secure an appropriate standard of road capable of conveying traffic associated with this development, to minimise disruption arising as a result of traffic movements and to safeguard road safety.

6. Notwithstanding the provisions of Condition 1, no development shall commence until full details of the layout and surfacing of a parking and turning area to accommodate light and heavy goods vehicles within the site have been submitted to and approved in writing by the Planning Authority in consultation with the Council's Roads Engineers. The duly approved scheme shall be implemented in full prior to the development first being occupied and shall thereafter be maintained clear of obstruction for the parking and manoeuvring of vehicles.

   Reason: In the interests of road safety, to ensure the development has adequate provision for the parking and manoeuvring of vehicles.

7. Notwithstanding the provisions of Condition 1, no development shall commence until a scheme of boundary treatment, surface treatment and landscaping has been submitted to and approved in writing by the Planning Authority. The scheme shall comprise a planting plan and schedule which shall include details of:

   (i) Existing and proposed ground levels in relation to an identified fixed datum;
   (ii) Existing landscaping features and vegetation to be retained;
   (iii) Location, design and materials of proposed walls, fences and gates;
   (iv) Proposed soft and hard landscaping works including the location, species and size every tree/shrub to be planted;
   (v) A programme for the timing, method of implementation, completion and on-going maintenance.

   All of the hard and soft landscaping works shall be carried out in accordance with the approved scheme unless otherwise approved in writing by the Planning Authority.

   Any trees/shrubs which within a period of five years from the completion of the approved landscaping scheme fail to become established, die, become seriously diseased, or are removed or damaged shall be replaced in the following planting season with equivalent numbers, sizes and species as those originally required to be planted unless otherwise approved in writing by the Planning Authority.

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

8. No development shall commence until a scheme for the retention and safeguarding of trees adjacent the site 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 Construction".

   Tree protection measures shall be implemented for the full duration of construction works in accordance with the duly approved scheme. No trees shall be lopped, topped

or felled other than in accordance with the details of the approved scheme unless otherwise approved in writing by the Planning Authority.

Reason: In order to retain trees as part of the development in the interests of safeguarding the visual amenity of the site and its surroundings.

9. Notwithstanding the provisions of Condition 1, the development shall incorporate a surface water drainage system which is consistent with the principles of Sustainable urban Drainage System (SuDS) compliant with the guidance set out in CIRIA's SuDS Manual C753F. The requisite surface water drainage shall be operational prior to the development being brought into use and shall be maintained as such thereafter.

   Reason: To ensure the provision of an adequate surface water drainage system and to prevent flooding.

10. Given the proximity of the neighbouring residential properties to the site address, construction works shall be restricted to 0800-1800 hours Mondays to Fridays, 0800-1300 hours on Saturdays and not at all on Sundays. Bank or Scottish Public Holidays unless otherwise agreed with the planning authority.

    Reason: To minimise the impact of noise generated by construction activities on occupiers of residential properties.

11. 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. Regard must be made to governmental Guidance Notes on Environmental Zone E1: Intrinsically Dark Areas. No external lighting shall be installed except in accordance with the duly approved scheme.

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

12. No development or ground breaking works shall commence until a method statement for an archaeological watching brief has been submitted to and approved in writing by the Planning Authority in consultation with the West of Scotland Archaeology Service.

    The method statement shall be prepared by a suitably qualified person and shall provide for the recording, recovery and reporting of items of interest or finds within the application site.
    Thereafter the development shall be implemented in accordance with the duly approved details with the suitably qualified person being afforded access at all reasonable times during ground disturbance works.

    Reason: In order to protect archaeological resources.

13. No development or ground breaking works shall commence until a method statement for a geodiversity watching brief has been submitted to and approved in writing by the Planning Authority. The method statement shall be prepared by a suitably qualified person and shall provide for the recording, recovery and reporting of geological items of interest or finds within the application site.

Thereafter the development shall be implemented in accordance with the duly approved details with the suitably qualified person being afforded access at all reasonable times during ground disturbance works.

Reason: In order to protect geological resources.

(Reference: Report by Head of Development and Economic Growth dated 4 October 2021, supplementary report number 1 dated 18 October 2021 and supplementary report number 2 dated 16 November 2021, submitted)

The Chair ruled, and the Committee agreed, to take a short adjournment for 20 minutes.

The Committee reconvened at 2.05 pm and Councillor Donald MacMillan's apologies were noted for the remainder of the meeting.

Councillor Gordon Blair did not return to the meeting.

10. SCOTTISH HYDRO ELECTRIC TRANSMISSION PLC: PROPOSAL OF APPLICATION NOTICES FOR THE ERECTION OF FOUR NO. ELECTRICITY SUBSTATIONS. ALL COMPRISING PLATFORM AREA, CONTROL BUILDING, ASSOCIATED PLANT AND INFRASTRUCTURE, ANCILLARY FACILITIES, ACCESS TRACK(S), LAYDOWN AREA(S) AND LANDSCAPE WORKS: CROSSAIG NORTH SUBSTATION, SKIPNESS (REF: 21/01884/PAN); CRAIG MURRAIL SUBSTATION, LAND NORTH EAST OF AUCHOISH, ACHNABRECK FOREST, LOCHGILPHEAD (REF: 21/01885/PAN); CRARAE SUBSTATION, NORTH WEST OF STRONE FARM, MINARD (REF: 21/01886/PAN); AND AN SUIDHE SUBSTATION, LAND NORTH WEST OF ACHNAGOUL, INVERARAY (REF: 21/01887/PAN)

The Senior Planning Officer spoke to the terms of the report. Four Proposal of Application Notices have been submitted in respect of planned infrastructure upgrades to the Argyll area as part of upgrading the high voltage transmission infrastructure. The Applicants have referenced the proposals as comprising "National" developments as defined in NPF 3 within the submitted PAN documentation. This does not alter the procedures in respect of determining the planning applications, which rests with the planning authority. However, the Council's constitution clarifies that developments which are defined as "National" required to be determined by full Council and not by the PPSL Committee. Any future planning applications will be presented to PPSL Committee for consideration and recommendation, but formal determination will require to be made by full Council.

The Senior Planning Officer outlined the details of each PAN in turn. The report sets out the information submitted to date as part of the PAN process for the four proposed substations, and summarises the policy considerations, against which any future planning application will be considered as well as any material considerations.

It was recommended that Members have regard to the content and submissions and provide such feedback as they consider for each PAN to allow any matters to be considered by the Applicant in finalising any future planning application submissions.

Decision

The Committee noted the contents of the report and submissions in respect of each of the PANs with no further feedback being provided.

(Reference: Report by Head of Development and Economic Growth dated 1 November 2021, submitted)

11. INTELLIGENT LAND INVESTMENTS GROUP PLC: PROPOSAL OF APPLICATION NOTICE FOR THE CONSTRUCTION OF A BATTERY STORAGE FACILITY UP TO 50MW, ACCESS TRACK, ENERGY STORAGE EQUIPMENT, METER BUILDING, SECURITY CAMERAS, FENCING AND PLANTING OF TREES: LAND SOUTH OF AUCHNASAVIL FARM, CARRADALE (REF: 21/01907/PAN)

The Major Applications Team Leader spoke to the terms of the report. The Proposal of Application Notice (PAN) seeks to notify the planning authority of Major development at land south of Auchnasavil Farm, Carradale. The site which measures approximately 3.3 hectares, is located approximately 2.5 km to the north west of the settlement of Carradale and sits between Carradale Water and the B842. This site is located immediately to the north west of an existing electricity substation. There is also a power line running through the site which is supported by pylons. Other than a site edged red and description of the proposal, no details have been provided.

The report sets out the information submitted to date as part of the PAN and summarises the policy considerations, against which any future planning application will be considered as well as any material considerations.

It was recommended that Members have regard to the content of the report and submissions and provide such feedback as they consider appropriate in respect of the PAN to allow any matters to be considered by the Applicant in finalising any future planning application submission.

Decision

The Committee noted the content of the report and submissions with no further feedback being provided.

(Reference: Report by Head of Development and Economic Growth dated 28 October 2021, submitted)

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

E1 12. ENFORCEMENT REPORT REFERENCE 21/00209/ENFHSH

Consideration was given to enforcement case reference 21/00209/ENFHSH.

Decision

The Committee agreed the recommendations detailed in the report.

(Reference: Report by Head of Development and Economic Growth dated 3 November 2021, submitted)